

## **Committee Report**

**Item No: 1**

**Reference: 1856/17**

**Case Officer: Elizabeth Flood**

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**Description of Development:** Re-advertisement outline planning application (with all matters reserved except for access and spine road) for phased development for the erection of up 300 homes, including 7 self-build plots and affordable housing, together with associated access and spine road including works to Church Lane, doctor's surgery site, amenity space including an extension to the Church grounds, reserved site for Pre-school and Primary School and all other works and infrastructure (amended description).

**Location:** Land off Norwich Road Barham and Claydon

**Parish:** Claydon Parish Council

**Ward:** Claydon & Barham

**Ward Member/s:** Cllr James Caston & Cllr John Whitehead

**Site Area:** 24.17 hectares

**Conservation Area:** No

**Listed Building:** Affects the setting of GI listed Church of St Mary and St Peter, GII\* Shrubland Hall with its GI registered landscape, GII listed Henry VIII Farmhouse and GII listed garden wall and gateway at Barham Hall.

**Received:** 09/05/17

**Expiry Date:** 04/07/17

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**Application Type:** Outline Planning Application with Some Matters Reserved

**Development Type:** Largescale Major Dwellings

**Environmental Impact Assessment:** Environmental Assessment Not Required (screening opinion issued 1<sup>st</sup> February 2017)

**Applicant:** Pigeon Investment Management Ltd and Mr John Cutting

**Agent:** Beacon Planning Ltd, Janine Richardson

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## **DOCUMENTS SUBMITTED FOR CONSIDERATION**

List of applications supporting documents and reports

- Planning Application Form;
- Planning Design and Access Statement by Beacon Planning;

- Site Layout drawing no. 016-013-002 Rev E;
- Affordable Housing Locations drawing no. 016-013-004 Rev D;
- Parameters Plan drawing no. 016-013-005 Rev D;
- Parking Plan drawing no. 016-013-006 Rev B;
- Storey Heights Plan drawing no. 016-013-007 Rev D;
- Illustrative Landscape Masterplan drawing no. BMD.16.013.DR.001 Rev A;
- Updated Appendix D of Landscape & Visual Appraisal – Verified Viewpoints and Wirelines;
- Heritage Statement Addendum;
- Great Crested Newt Mitigation Strategy;
- PROW Plan drawing no. 0068/303;
- Skylark Plot Mitigation Area drawing no. 0068/304;
- Agricultural Land Classification Plan drawing no. 0068/210.
- Sustainability and Renewable Energy Statement by Pigeon Investment Ltd
- Biodiversity Survey and Report
- Environmental Statement
- Flood Risk Assessment by MLM Consulting Engineers Ltd;
- Heritage Statement by Beacon Planning;
- Land Contamination Assessment by MLM Consulting Engineers Ltd;
- Statement of Community Involvement by Pigeon;
- Transport Assessment by Transport Planning Associates;
- Travel Plan by Transport Planning Associates;
- Tree Survey by Hayden’s Arboricultural Consultants;
- Archaeological Evaluation Report by Suffolk Archaeology;
- Utility Services Strategy by Energetics Design & Build;
- Utility Report by tds Technical & Development Services;
- Anglian Water Pre-Planning Assessment Report;
- Preliminary Ecological Appraisal by basecology;
- Newt Survey by basecology.

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

<https://planning.baberghmidsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=ZZZW45CMPM870>.

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 an application for:-
  - Major residential development of more than 15 dwellings

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## **PART TWO – APPLICATION BACKGROUND**

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### **History**

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

### **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

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

CS03 - Reduce Contributions to Climate Change

CS04 - Adapting to Climate Change

CS05 - Mid Suffolk's Environment

CS06 – Services and Infrastructure

CS07 - Brown Field Target

CS09 - Density and Mix

GP01 - Design and layout of development

H4 - A proportion of Affordable Housing in new housing developments

H7 - Restricting Housing Development unrelated to the needs of the 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

HB1 - Protection of Historic Buildings

HB08 - Safeguarding the character of conservation areas

HB14 – Ensuring Archaeological remains are not destroyed

CL08 - Protecting wildlife habitats

T02 - Minor Highway improvements

T09 - Parking Standards

T10 - Highway Considerations in Development

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

4. None

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

5. None

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

6. Meetings have been held with the local planning authority to discuss the proposals and the impact of the scheme in the context of other developments in the district and the infrastructure requirements.

## **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;

**Barham Parish Council and Claydon & Whitton Parish Council** – Barham Parish Council held a joint meeting with Claydon and Whitton Rural Parish Council on Friday 30<sup>th</sup> June 2017 to gain feedback from residents. The meeting was attended by 138 residents, 5 of whom were specifically concerned about the Old Norwich Road development (1832/17). All other attendees indicated that they were opposed to this development. In addition councillors had received feedback from other residents that were unable to attend.

The Parish Council recognises that the current sewer infrastructure has issues with current volumes, which recently resulted in major repairs to 100 metre section. We believe that significant investment will be required to the mains sewer going through the village if this development is to take place. Without this investment the planned development should be rejected.

The Parish Council has concerns regarding the additional rain water runoff from this development could increase the flood risk in the valley and impact existing housing.

Anglian Water should be consulted in regard to the adequacy of the current water supply to deliver water to the proposed development without a guarantee of sufficient supply the application should be rejected.

The Parish Council has concerns over the traffic volumes that will be generated by this development. Already the road to Henley is a 'rat run' during rush hour periods and this development can only make matters worse. Also current traffic volumes along Norwich Road to the south of the Co-op store result in queues at busy times during the day. While we accept that this development alone cannot be responsible for traffic in the area we believe the additional traffic is a pertinent factor in rejecting this

application. We do recognise that the closure of Barham Church Lane to the east of the nursing home and the building of a new road through the development will improve traffic flow and safety in the area.

Currently traffic volumes and parking at both the local schools causes problems to local residents we can only perceive that this development will increase these problems. We do not believe that the land set aside for a new school will be utilised until after this development is completed and this view supports our concerns.

The Parish Council has concerns that as this development is outside the natural boundary of the village and the road layout allows for further development to the north of the site. This and future development will impact upon the sustainability of the area.

The Parish Council fully supports the recommendations set out in section 4.5 of the Preliminary Ecological Appraisal document. In addition to this many local residents have expressed their concerns over the impact this development will have on local wildlife and its habitat.

Many local residents have expressed support for the additional parking and ease of access this development would give to Barham Church and thus reconnect it to the village.

**Anglian Water** – Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

Recommend the following planning condition if the Local Planning Authority is mindful to grant planning approval.

Condition

No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.

Reason

To prevent environmental and amenity problems arising from flooding.

Condition

No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

Reason

To prevent environmental and amenity problems arising from flooding.

**BMSDC Arboricultural** – Have no objection in principle to this application subject to it being undertaken in accordance with the protection measures outlined in the accompanying arboricultural report. Whilst a small number of trees and sections of hedgerow are proposed for removal these are generally of limited amenity value and/or poor condition and their loss will have negligible impact on the character of the local area. If you are minded to recommend approval we will also require a detailed Arboricultural Method Statement, Tree Protection Plan and monitoring schedule in order to help ensure the protective measures referred to are implemented effectively. This information can be dealt with under condition.

**BMSDC Environmental Health** – In principle, do not have any objection to the development with respect to any other environmental health issue.

I note, however, the propose layout has dwellings along Norwich Road which will be approximately 250 metres from the A14 dual carriage way. Facades of these premises may be affected by high levels of

road transport noise and I would recommend a condition attached to any approval that a noise survey is carried out to assess this impact with reference to British Standard 8233 for internal noise levels and World Health Organisation Standards for external noise levels during the day and night time periods. Such a survey will identify the need for any noise mitigation measures by way of site layout and design, noise barriers and façade treatments.

**BMSDC Environment Health Sustainability** – Second Response 12 February 2018. The amendment to 7 self builds and other information on 22/12/17 does not change our initial response dated 7/6/17. The application does not provide sufficient information to address council policy CS3 Reduce Contributions to Climate Change or Core Strategy SO8, therefore we recommend refusal until information on this topic is made available for consideration.

**BMSDC Environment Health Sustainability** – First Response 7 June 2017. It is acknowledged that the application is for outline permission but this council is keen to encourage consideration of sustainability issues at an early stage so that the most environmentally friendly buildings are constructed and the inclusion of sustainable techniques, materials, technology etc can be incorporated into the scheme without compromising the overall viability.

The extent of the proposals is large with the potential for significant energy demand (300 dwellings, doctors surgery and community building). Accordingly some forethought as to energy consumption, energy conservation and sustainable construction is expected.

The application does not provide sufficient information to address council policy CS3 Reduce Contributions to Climate Change or Core Strategy SO8, therefore we recommend refusal until information on this topic is made available for consideration.

**BMSDC Environment Health Land Contamination** – The Environmental Protection Team has no objection to the proposed development, but would recommend that the following Planning Condition be attached to any planning permission:

No development shall take place until:

1. A strategy for investigating any contamination present on site (including ground gases, where appropriate) has been submitted for approval by the Local Planning Authority.
2. Following approval of the strategy, an investigation shall be carried out in accordance with the strategy.
3. A written report shall be submitted detailing the findings of the investigation referred to in (2) above, and an assessment of the risk posed to receptors by the contamination (including ground gases, where appropriate) for approval by the Local Planning Authority. Subject to the risk assessment, the report shall include a Remediation Scheme as required.
4. Any remediation work shall be carried out in accordance with the approved Remediation Scheme.
5. Following remediation, evidence shall be provided to the Local Planning Authority verifying that remediation has been carried out in accordance with the approved Remediation Scheme.

**BMSDC Heritage** – The Heritage Team considers that the proposal would cause:

- Less than substantial harm to designated heritage assets because the extent of proposed development within the setting of listed buildings in the vicinity of the site would erode the rural location and open landscape which contribute to the significance of the assets.

The Heritage Team recommends that expanse and layout is a key consideration in the appropriateness of the proposed development and will be fundamental in the mitigating and reducing the level of harm; difficult to ascertain through an application for outline approval.

**BMSDC Housing Officer** – The 2017 Strategic Housing Market Assessment indicates that in Mid Suffolk there is a need for 94 new affordable homes per annum. The Council's Choice Based Lettings system currently has circa. 900 applicants registered for affordable housing in Mid Suffolk at April 2017. The

Council's Choice Based Lettings system currently has 12 applicants registered for affordable housing, who are seeking accommodation in Barham as at 2016. This site is a S106 planning obligation site and so the affordable housing provided will be to meet district wide need hence the 890 applicants registered is the important number. The most recent information from the Mid Suffolk's Council's Housing Register shows 20 applicants registered who have a connection to Barham.

Other requirements for affordable homes:

- Properties must be built to current Homes and Communities Agency Design and Quality and Lifetime-Homes standards.
- The Council is granted 100% nomination rights to all the affordable units on the first lets and 75% on subsequent lets.
- The affordable units will be built out in phases across the development to be agreed at Reserved Matters stage if the outline application is approved.
- Shared Ownership units have a maximum initial share purchase threshold of 70%.
- Any shared equity units must be offered at a maximum share of 80% and the remaining equity transferred free of charge to Mid Suffolk District Council.
- Affordable housing units must be transferred freehold to an approved RP.
- Where there are more than 15 affordable units, they should not be located in clusters of more than 15 units.
- Adequate parking provision is made for the affordable housing units.

**BMSDC Strategic Housing** – The development proposes erection of up to 300 new dwellings. Recommendation – inclusion of 106 affordable homes. Up to 35% affordable housing should be provided as part of this application which equates to 106 dwellings.

Rented (66 dwellings = 62%):-

8 x 1 bed 2-person flats @ 50 sqm in 2 blocks of 4 flats

4 x 2 bed 4-person flats @ 70 sqm

4 x 2 bed 3-person bungalows @ 63 sqm

2 x 2 bed 4-person bungalows @ 70 sqm

34 x 2 bed 4-person houses @ 79 sqm

12 x 3 bed 5-person houses @ 93 sqm

2 x 3 bed 6-person houses @ 102 sqm

Shared Ownership (25 dwellings = 24%):-

2 x 2 bed 4-person bungalows @ 70 sqm

15 x 2 bed 4-person houses @ 79 sqm

8 x 3 bed 5-person @ 93 sqm

Shared Equity or Starter Homes (15 dwellings = 14%):-

10 x 2 bed 4-person houses @ 79 sqm

5 x 3 bed 5-person houses @ 93 sqm

The above mix is requested to meet housing needs and to be included in the S106 agreement.

In regards to the change in the number of self-build plots from 8 to 7, I have no objection.

Unit types and sizes to be detailed in the S106 agreement if permission is granted.

The plan number 016-013-004 shows the locations of the affordable housing. In terms of being pepper-potted around the development they are in 5 locations across the site which is good to see. However, we do normally seek no more than 15 dwellings in any one cluster and some of the clusters count for 21, 26 and 37 affordable homes respectively. I would seek for the larger clusters to be reduced down, particularly the cluster with 37 dwellings in the north-west quadrant of the site.

I would also seek clarification on the types of units the following plot numbers are:- 75, 76, 83 and 258 – developer to advise what they are.

The affordable housing mix as above to be included in the S106 agreement in the event the application is approved by Committee.

**BMSDC Ecology (Place Services)** – No objection subject to conditions to secure:

- a) A proportionate financial contribution towards visitor management measures for the Stour & Orwell Estuaries SPA/Ramsar.
- b) Ecological mitigation and enhancements.

**BMSDC Landscaping (Place Services)** – In terms of the likely visual effect on the surrounding landscape, the proposal will inevitably have an impact on the existing rural character of Claydon. The main development constraint is the requirement to ensure (according to Policy GP1 of the Mid Suffolk Local Plan 1998 and First alteration 2006) the proposed development “maintains and enhances the character and appearance of the surrounding area”.

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

- 1) A landscape strategy needs to be produced which demonstrates how the proposal links with the surrounding residential and movement network, in order to create an appropriate public realm and provide suitable levels of amenity space. The submitted illustrative masterplan (Ref: Illustrative Landscape Masterplan) fails to show this to the adequate level of detail. The submitted landscape strategy should include the following sections:
  - a. Context and character
  - b. Landscape Design strategy
  - c. Landscape masterplan (Inc. visuals/perspectives)
  - d. Public open space
  - e. SUDs strategy
  - f. Boundary treatments (Inc. sections)
  - g. Hard landscaping Strategy
  - h. Tree Strategy
  - i. Planting Strategy
- 2) A detailed landscape planting plan, landscape maintenance plan and specification, (which clearly sets out the existing and proposed planting), will need to be submitted, if the application is approved. We recommend a landscape maintenance plan for the minimum of 3 years, to support plant establishment. SuDS features such as detention basin and others with landscaping elements are also to be included on the landscape management plan and ensure that adoption is in place prior construction. This is to ensure appropriate management is carried out and to maintain functionality as well as aesthetics.
- 3) A detailed boundary treatment plan and specification will need to be submitted as part of a planning condition, if the application is approved.
- 4) The residential edge to the east and south (fronting Norwich Rd and Church Lane) needs to relate to existing local character, this could be reinforced in the proposed Landscape Strategy.
- 5) Street trees should be proposed on the Illustrative Landscape Plan to imitate what was proposed in the LVIA and on the Proposed Site Layout Plan.
- 6) SUDs could be incorporated into the overall landscape design further by including rain gardens and/or swales. These could be proposed on movement routes or within amenity green spaces.

**Historic England** – Second Response 19 February 2018.

Historic England provided advice on the initial application in a letter dated 11 July 2017. In response to our letter the applicants' agent met with us in the autumn of last year to discuss amendments and

additional supporting information. In light of this we have updated our advice, however this letter should be read in conjunction with our earlier letter.

Historic England's principal concern related to the impact of the proposed housing development on the setting of the Church of St. Mary. In line with the national Planning Policy Framework, we recommend that efforts were made to reduce the level of harm. We suggested further consideration was given to exploring whether the eastern boundary of the housing took full advantage of the topography to reduce the harm and to the potential to screen the development from the churchyard in the area shown in viewpoint 10. We also advised that consideration should be given to whether the development could be screened in views from the park at Shrubland by revising the siting of the eastern houses.

In response to our advice, the number of plots at the east end of the development has been reduced to seven. These are also proposed as single storey houses, as are a number of the houses directly west of these plots. The reduction of the plots to 7 provides an area of open space adjacent to Church Road where planting is proposed. A thicker line of planting is also proposed at the northern end of the planting buffer. In addition, other trees are also shown in the gardens of these houses.

The updated wireline from viewpoint 10 within the churchyard shows how locating single storey properties here has reduced the visibility of the development from this location. With the exception of the gap at the field gate, generally only the upper parts of the roofs would be visible. Viewpoint 13 shows the church and the development site from the north. The wireline demonstrates how lowering the height of the houses and the omitting the plot at the south east corner has reduced the impact of the development. It is now set further away from the church in these views and the ridge lines sit below the horizon.

The effect of the revisions on the setting of Shrubland Hall is shown in viewpoints 1 and 2. These show a reduction in the mass of the development at the eastern end. In views from the ground, viewpoint 2, this brings the height of the development down to approximately the height of the treeline. This would help to reduce the impact of the development in views from Shrubland.

We welcome the amendments to the proposals which show that efforts have been made to reduce the harm to the heritage assets. These have helped to reduce the impact of the development on views from the churchyard and views of the church from the north. They have also reduced the impact on Shrubland Hall to a very modest level of harm. The proposal does however remain for a large development which would have an impact on the setting and significance of the Church of St. Mary. It would obscure views of the church from the Norwich Road, viewpoint 5. It would also affect the approach to the church from the west along Church Road, viewpoints 7 and 9. This would result in harm to the significance of the church. The harm to the historic environment should therefore be weighed against the public benefit the development would deliver in line with the National Planning Policy Framework. If your authority is minded to grant consent, this should be conditional upon your approval of details including materials and the implementation and maintenance of the landscaping proposals.

#### Recommendation

Historic England has concerns regarding the application on heritage grounds because of the impact on the setting of the Church of St. Mary. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 131 and 132 of the NPPF.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice.

**Historic England** – First Response 11<sup>th</sup> July 2017. The application seeks outline planning permission for a phased development of up to 300 houses on land off Norwich Road. The site lies adjacent to the Church of St. Peter and St. Mary the grade I medieval parish church. It also lies to the south of Shrubland Hall, a historic country estate comprising a grade II\* country house within a grade I registered

landscape. We have concerns about the erosion of the rural setting of the church and consider this would cause harm to the significance of the church and a modest level of harm to the significance of Shrubland Hall. In line with the National Planning Policy Framework (NPPF) efforts should be made to minimise the harm and any harm that cannot be avoided should be weighed against the public benefits of the proposal.

We were asked by the applicant to provide pre application advice on the proposals and visited the site last year. We gave initial advice on the scheme and advice on the proposed viewpoints in emails dated 20 December 2016 and 6 January 2017.

**Natural England** – 25<sup>th</sup> January 2018. We have previously advised that a Habitats Regulations Assessment (HRA) should be undertaken for this development proposal to assess the potential impact of increased recreational disturbance on internationally designated sites within a radius of 13km. We note that discussions have taken place with the District Ecologist with regard to the potential impact of the development from recreational disturbance on the Stour & Orwell Estuaries Special Protection Area (SPA) and Ramsar site. We advise that an appropriate planning condition or obligation is attached to any planning permission to secure a financial contribution from the developer for a suite of ‘off-site’ visitor management measures designed to address the effects of increased recreational disturbance.

**Natural England** – 27<sup>th</sup> July 2017. Revised Response. Based on the information provided in support of the application, Natural England’s view is that there is currently insufficient information to allow likely significant effects to the Stour and Orwell Estuaries Special Protection Area (SPA) and Ramsar site to be ruled out. We also consider that there is insufficient information to rule out adverse effects the Stour Estuary Site of Special Scientific Interest (SSSI).

There is also currently insufficient information on soils and land quality to enable Natural England to provide a substantive response to this consultation as required under the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Please provide the information and re-consult Natural England.

**NHS England** – In its capacity as the primary healthcare commissioner, NHS England has identified that the development will give rise to a need for additional primary healthcare provision to mitigate impacts arising from the development.

Assuming the above is considered in conjunction with the current application process, NHS England would not wish to raise an objection to the proposed development. Otherwise the Local Planning Authority may wish to review the development’s sustainability if such impacts are not satisfactorily mitigated.

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 Archaeological Services** – Yet to receive the final phased trench plan, so advice still subject to minor changes relating to exactly where the residential development begins. However, based on the plans currently proposed the north easterly most sensitive, and potentially nationally important Anglo-Saxon part of the site, which recommend should be preserved in situ, would remain largely if not wholly undisturbed. This area of the site should not have any ground disturbance of any kind and therefore the track and Church carpark indicated would have to be built up to avoid damaging the archaeology. It would also mean that this area of the site would not be a suitable place on which to put a site compound or plant trees.

If this area of the site is left preserved in situ, as shown on the current proposed plans, there will be no grounds to consider refusal of permission as the destruction of the archaeology on the rest of the site can

be mitigated by excavation. However, in accordance with the National Planning Policy Framework, 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.

**SCC Fire & Rescue** – The plans have been inspected by the Water Officer who has the following comments to make.

#### Access and Fire Fighting Facilities

Access to buildings for fire appliances and firefighters must meet with the requirements specified in Building Regulations Approved Document B, (Fire Safety), 2006 Edition, incorporating 2010 and 2013 amendments Volume 1 – Part B5, Section 11 dwelling houses, and, similarly, Volume 2, Part B5, Sections 16 and 17 in the case of buildings other than dwelling houses. These requirements may be satisfied with other equivalent standards relating to access for fire fighting, in which case those standards should be quoted in correspondence.

Suffolk Fire and Rescue Service also requires a minimum carrying capacity for hard standing for pumping/high reach appliances of 15/26 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2000 Approved Document B, 2006 Edition, incorporating 2010 and 2013 amendments.

#### Water Supplies

Suffolk Fire and Rescue Authority recommends that fire hydrants be installed within this development. However, it is not possible, at this time, to determine the number of fire hydrants required for fire fighting purposes. The requirement will be determined at the water planning stage when site plans have been submitted by the water companies.

Suffolk Fire and Rescue Service recommends that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the provision of an automatic fire sprinkler system.

Consultation should be made with the Water Authorities to determine flow rates in all cases.

**SCC Flood & Water** – 7<sup>th</sup> June 2017. If the Planning Authority is minded to grant approval, the Fire Authority will request that adequate provision is made for fire hydrants, by the imposition of suitable planning condition at the planning application stage.

**SCC Highways** – Notice is hereby given that the County Council as Highway Authority recommends that any permission which that Planning Authority may give should include the conditions shown below:

- The proposed access on the west the sharp bend in the Spine Road requires sufficient forward visibility for southbound traffic when vehicles waiting to turn right; the proposed trees on the verges in this location will need placed so they are not in visibility splays.
- The access for the shared road on the south/west of the development is shown to be approximately 9m from the development spine road junction with Norwich Road. This is considered to be too close to the junction with the highway therefore not giving sufficient visibility.
- If lagoon level is designed to be above the highway, the retaining wall/earthworks must both strong and leak proof to avoid any risks of flooding onto the highway.
- The residential roads will require 1m wide adoptable service strips if there are no footways present.
- We have concerns regarding the number of trips created by the development as this would create a considerable amount of additional traffic within a rural village location. The increase in trips and traffic would present a detrimental impact to the road network and landscape character of the area.
- The proposed spine road that goes through the site and closure of Church Lane could encourage 'rat running' through the proposed layout of the spine road. Motorists travelling westbound could

easily turn onto the first road on the left, left again to re-join Church Lane which would still attract motor vehicles to what will be a sustainable corridor to encourage walking and cycling. These 'rat running' vehicles could potentially conflict with the proposed bus diversion through the site as well.

- A safe walking route to the existing primary school (Claydon Primary School) will need to be assessed and identified in the Travel Plan, as the new Primary School is unlikely to be completed during the early phases of the development.
- There needs to be some evidence that the existing bus operators will be willing to divert their bus services through the proposed development spine road to encourage new residents to travel by bus.
- There needs to be further reference in regards to producing a School Travel Plan (in line with Suffolk County Council's guidance) and providing some measures to encourage sustainable transport to the proposed doctors surgery.
- The Local Planning Authority recommends that developers of housing estates should enter into formal agreement with the Highway Authority under Section 38 of the Highways Act 1980 relating to the construction and subsequent adoption of Estate Roads.
- Please note, if permeable paving is proposed on this development, this type of road construction will not be adopted by SCC.
- The Illustrative layout drawing shows links to potential future developments; the Traffic assessment does not address these so this response is only for this outline application. Please note, Suffolk Design Guide point 3.3.8 and 3.3.9 regarding access requirements.

**SCC Rights of Way** – Bridleway 18 is recorded adjacent to the proposed development area. This response does not prejudice any further response from Rights of Way and Access. As a result of anticipated increased use of the public rights of way in the vicinity of the development, we would be seeking a contribution for improvements to the network. These requirements will be submitted with Highways Development Management response in due course.

Whilst we do not have any objections to this proposal, informative notes apply.

**SCC Development Contributions Manager** - Sets out the infrastructure requirements which arise, most of which will be covered by CIL apart from site specific mitigation. This consultation response considers the cumulative impacts of housing growth on primary school provision.

Whilst most infrastructure requirements will be covered under Mid Suffolk District Council's Regulation 123 list of the CIL charging schedule it is nonetheless the Government's intention that all development must be sustainable as set out in the National Planning Policy Framework (NPPF). On this basis, the County Council sets out below the infrastructure implications with costs, if planning permission is granted and implemented.

Site specific matters will be covered by a planning obligation or planning conditions.

The County Council recognises that the District currently do not have a 5 year housing land supply in place, which means that paragraph 49 of the NPPF is engaged which in turn relies on paragraph 14 whereby the presumption is in favour of sustainable development. This is seen as the golden thread running through plan-making and decision-making.

The National Planning Policy Framework (NPPF) paragraph 204 sets out the requirements of planning obligations, which are that they must be:

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development; and,
- c) Fairly and reasonably related in scale and kind to the development.

The County and District Councils have a shared approach to calculating infrastructure needs, in the adopted Section 106 Developers Guide to Infrastructure Contributions in Suffolk.

Mid Suffolk District Council adopted their Core Strategy in September 2008 and Focused Review in December 2012. The Core Strategy includes the following objectives and policies relevant to providing infrastructure:

- Objective 6 seeks to ensure provision of adequate infrastructure to support new development; this is implemented through Policy CS6: Services and Infrastructure.
- Policy FC1 and FC1.1 apply the presumption in favour of sustainable development in Mid Suffolk.

#### Community Infrastructure Levy

Mid Suffolk District Council adopted a CIL Charging Schedule on 21<sup>st</sup> January 2016 and charges CIL on planning permissions granted from 11<sup>th</sup> April 2016. Regulation 123 requires Mid Suffolk to publish a list of infrastructure projects or types of infrastructure that it intends will be, or maybe, wholly or partly funded by CIL.

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

As of 6<sup>th</sup> April 2015, the 123 Regulations restrict the use of pooled contributions towards items that may be funded through the levy. The requirements being sought here would be requested through CIL, and therefore would meet the new legal test. It is anticipated that the District Council is responsible for monitoring infrastructure contributions being sought.

This consultation response mainly deals with the need to address primary school mitigation directly arising from the cumulative impact of developer-led housing growth in the Claydon locality. The County Council's view is that appropriate mitigation should be secured by way of a Section 106 planning obligation. Alongside the CIL Charging Schedule the District Council has published a Regulation 123 Infrastructure List. Under Regulation 123(4) 'relevant infrastructure' means where a charging authority has published on its website a list of infrastructure projects or types of infrastructure that it intends will be, or may be, wholly or partly funded by CIL. In those instances, in which planning obligations are sought by Suffolk County Council they are not 'relevant infrastructure' in terms of the Regulation 123 List published by the District Council. However, it is for the District Council to determine this approach when considering the interaction with their published 123 Infrastructure List.

The details of the impact on local infrastructure serving the development is set out below and, apart from the proportionate developer contributions towards the land and build costs of a new primary school, will form the basis of a future CIL bid for funding:

1. Education. Refer to the NPPF paragraph 72 which states 'The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education'.

The NPPF at paragraph 38 states 'For larger scale residential developments in particular, planning policies should promote a mix of uses in order to provide opportunities to undertake day-to-day activities including work on site. Where practical, particularly within large-scale developments, key facilities such as primary schools and local shops should be located within walking distance of most properties.'

SCC anticipates the following **minimum** pupil yields from a development of 300 dwellings, namely:

- a. Primary school age range, 5-11: 75 pupils. Cost per place is £12,181 (2017/18 costs)
- b. Secondary school age range, 11-16: 54 pupils. Cost per place is £18,355 (2017/18 costs).
- c. Secondary school age range, 16+: 12 pupils. Costs per place is £19,907 (2017/18 costs).

The local catchment schools are Claydon Primary School, Claydon High School and One.

Based on existing forecasts SCC will have no surplus places available at the catchment secondary schools for which CIL funding of at least £1,230,054 (2017/18 costs) will be sought.

At the primary school level the current thinking is the emerging need for a new primary school in the locality taking into consideration housing growth. This need will become clearer when overall housing numbers and likely locations are identified by the District. Ideally this would be identified in a plan-led approach but at present there is a large amount of developer-led growth. Based on this current situation it is therefore considered appropriate to secure a land reservation within this scheme for education use plus proportionate developer contributions to fund the delivery of a new primary school.

Due to the current uncertainty over the scale, location and distribution of housing growth in the Claydon locality it is not clear at this point in time what the most sustainable approach for primary school provision is, but nonetheless:

1. The current Claydon Primary School is at capacity and there is a capital project being pursued to expand it to 630 places in order to deal with existing growth in the locality. Further expansion of this school beyond 630 places is not a tenable option.
2. Whichever strategy is the most appropriate a site of a minimum size of 2 hectares will need to be identified and secured. A new 420 place primary school is currently estimated to cost at least £6.9m to build (excluding land costs).
3. Section 106 developer funds will be sought to pay for the above. This is on the basis that the Mid Suffolk Regulation 123 List does not include funding for new primary schools.

The County Council will require proportionate developer contributions for land and build costs for a new school from this proposed development, which will need to be secured by way of a planning obligation. A proportionate developer contribution, based on the 75 primary age pupils forecast to arise from the proposed development is calculated as follows:

- £6.9m construction cost (excluding land) for a 420 place (2 forms of entry) new primary school.
- £6.9m/420places = £16,429 per pupil place.
- From 300 dwellings it is forecast that 75 primary age pupils will arise.
- Therefore 75 pupils x £16,429 per place = £1,232,175 (2017/18 costs).

Assuming the cost of the site for the new primary school, based on a maximum cost of £100,000 per acre (£247,100 per hectare), is £494,200 for a 2 hectare site and equates to £1,177 per pupil place. For the proposed development, this equates to a proportionate land contribution of 75 places x £1,177 per place = £88,275. However as this proposed development, if granted permission, will include a fully serviced site for the new primary school which is to be transferred

to Suffolk County Council, this will result in the payment of a maximum contribution to the applicant of £100,000 per acre less the proportionate land contribution cost of £88,275 directly arising from this proposed development.

It is proposed that the school site can be separately accessed and serviced, so that the school delivery is not dependent on the housing delivery. An important issue to resolve will be delivering sustainable and safe walking & cycling routes to the new school.

2. Pre-school Provision. Refer to NPPF 'Section 8 Promoting healthy communities'. It is the responsibility of SCC to ensure that there is sufficient local provision under the Childcare Act 2006. Section 7 of the Childcare Act sets out a duty to secure free early years provision for pre-school children of a prescribed age. The current requirement is to ensure 15 hours per week of free provision over 38 weeks of the year for all 3 and 4 year olds. The Education Bill 2011 amended Section 7, introducing the statutory requirement for 15 hours free early years education for all disadvantaged 2 year olds. From these development proposals SCC would anticipate up to 30 pre-school pupils.

In the Ward of Claydon and Barham there is a surplus of places predicted in September 2017. On this basis no CIL funds will be sought for this proposed development.

Please note that the early years pupil yield ratio of 10 children per hundred dwellings is expected to change and increase substantially in the near future. The Government announced, through the 2015 Queen's Speech, an intention to double the amount of free provision made available to 3 and 4 year olds, from 15 hours a week to 30.

3. Play space provision - Consideration will need to be given to adequate play space provision. A key document is the 'Play Matters: A Strategy for Suffolk', which sets out the vision for providing more open space where children and young people can play. Some important issues to consider include:
  - a. In every residential area there are a variety of supervised and unsupervised places for play, free of charge.
  - b. Play spaces are attractive, welcoming, engaging and accessible for all local children and young people, including disabled children, and children from minority groups in the community.
  - c. Local neighbourhoods are, and feel like, safe, interesting places to play.
  - d. Routes to children's play spaces are safe and accessible for all children and young people.
4. Transport issues. Refer to the NPPF 'Section 4 Promoting sustainable transport'. A comprehensive assessment of highways and transport issues will be required as part of the planning application. This will include travel plan, pedestrian & cycle provision, public transport, rights of way, air quality and highways provision (both on-site and off-site). Requirements will be dealt with via planning conditions and Section 106 as appropriate, and infrastructure delivered to adoptable standards via Section 38 and Section 278. This will be coordinated by Suffolk County Council FAO Christopher Fish.

Site specific matters will be covered by a planning obligation or planning conditions.

Suffolk County Council, in its role as local Highway Authority, has worked with the local planning authorities to develop county-wide technical guidance on parking which replaces the preceding Suffolk Advisory Parking Standards (2002) in light of new national policy and local research. It has been subject to public consultation and was adopted by Suffolk County Council in November 2014.

5. Libraries. The libraries and archive infrastructure provision topic paper sets out the detailed approach to how contributions are calculated. A CIL contribution of £216 per dwelling is sought i.e. £64,800, 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  $(30 \times £3,000) = £90,000$  per 1,000 people or £90 per person for library space. Assumes average of 2.4 persons per dwelling. Refer to the NPPF 'Section 8 Promoting health communities'.
6. Waste. All local planning authorities should have regard to both the Waste Management Plan for England and the National Planning Policy for Waste when discharging their responsibilities to the extent that they are appropriate to waste management. The Waste Management Plan for England sets out the Government's ambition to work towards a more sustainable and efficient approach to resource use and management.

Paragraph 8 of the National Planning Policy for Waste states that when determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that:

- New, non-waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and, in less developed areas, with the local landscape. This includes providing adequate storage facilities at residential premises, for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service.

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.

7. Supported Housing. In line with Sections 6 and 8 of NPPF, homes should be designed to meet the health needs of a changing demographic. Following the replacement of the Lifetime Homes standard, designed homes to the new 'Category M4(2)' standard offers a useful way of fulfilling this objective, with a proportion of dwellings being built to 'Category M4(3)' standard. In addition, we would expect a proportion of the housing and/or land use to be allocated for housing with care for older people e.g. Care Home and/or specialised housing needs, based on further discussion with the local planning authority's housing team to identify local housing needs.
8. Sustainable Drainage Systems. Section 10 of the NPPF seeks to meet the challenges of climate change, flooding and coastal change. National Planning Practice Guidance notes that new development should only be considered appropriate in areas at risk of flooding if priority has been given to the use of sustainable drainage systems.

On 18 December 2014 the Secretary of State for Communities and Local Government (Mr Eric Pickles) made a Ministerial Written Statement (MWS) setting out the Government's policy on sustainable drainage systems. In accordance with the MWS, when considering a major development (of 10 dwellings or more), sustainable drainage systems should be provided unless demonstrated to be inappropriate. The MWS also provides that, in considering planning applications:

*"Local planning authorities should consult the relevant lead local flood authority on the management of surface water; satisfy themselves that the proposed minimum standards of operation are appropriate and ensure through the use of planning conditions or planning*

*obligations that there are clear arrangements in place for ongoing maintenance over the lifetime of the development. The sustainable drainage system should be designed to ensure that the maintenance and operation requirements are economically proportionate.”*

The changes set out in the MWS took effect from 06 April 2015.

A consultation response will be coordinated by Suffolk County Council FAO Jason Skilton.

9. Fire Service. Any fire hydrant issues will need to be covered by appropriate planning conditions. SCC would strongly recommend the installation of automatic fire sprinklers. The Suffolk Fire and Rescue Service requests that early consideration is given during the design stage of the development for both access for fire vehicles and the provisions of water for fire-fighting which will allow SCC to make final consultations at the planning stage.
10. 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.

11. Legal costs. SCC will require an undertaking from the applicant for the reimbursement of its reasonable legal costs associated with work on a S106A for site specific mitigation, whether or not the matter proceeds to completion.
12. The above information is time-limited for 6 months only from the date of this letter.

Apart from the planning obligation requirements for the primary school land and build costs, the above will form the basis of a future bid to Mid Suffolk District Council for CIL funds if planning permission is granted and implemented.

I would be grateful if the above information can be provided to the decision-taker in respect of this planning application. The impact on existing infrastructure as set out in the sections above is required to be clearly stated in the committee report so that it is understood what the impact of this development is. The decision-taker must be fully aware of the financial consequences.

**SCC Strategic Development** – Second Response 4<sup>th</sup> January 2018. Reason for re-consultation: Change of description from 8 to 7 self-build plots and additional information dated 22/12/2017. Previously submitted a consultation response by way of letter dated 12 June 2017, which still stands. I have no further comments to make but colleagues who deal with highway and flood planning matters may have additional comments to make.

**Suffolk Constabulary Designing Out Crime Officer** – Have viewed the available outline plans and would like to make the following comments on behalf of Suffolk Constabulary with regards to Section 17 of the Crime and Disorder Act.

I realise as this is an outline proposal further details will be forthcoming at the reserved matters stage, however, I have a number of concerns regarding this application.

1.0 I applaud that the main design facilitates the back to back design of the properties, with no rear alleyways.

1.1 I have concerns around the lack of natural surveillance and security due to the use of carports and the positioning of most of the garages, which are set back too far, allowing the opportunity for crime, into a home owner's rear garden.

1.2 I also have concerns that two undercrofts have been designed, leading into rear courtyard car parking. Such areas introduce access to vulnerable rear elevations of dwellings where the majority of burglary is perpetrated and can provide concealment, which can also encourage anti-social behaviour.

1.3 I trust that the planting for the properties bordering the north western side by Norwich Road, will have low lying vegetation to no more than a height of one metre, so that it can be easily maintained and allow surveillance of the area.

1.4 I have concerns at how the proposed village green and play area at note nine is so close to Church Lane, however, I understand traffic within that area should decrease with the implementation of the new spine road. I would still like to see one metre hooped railing within this area and know that there will be local surveillance provided from nearby housing.

1.5 I have concerns that the footpath on the eastern side of the development could be a generator for crime and I would like to see that area well lit.

1.6 I have concerns over the location of the Doctor's Surgery being so close to the main road, however, I understand owing to nature of the incline landscape this was a more subtle area to sight it.

1.7 I strongly recommend that the surgery is built in line with Secure By Design principles and that the developers contact me in order to make sure the best possible security is implemented.

**Suffolk Wildlife Trust** – Second Response 24<sup>th</sup> January 2018. We note the additional information provided in relation to the potential ecological impacts of this proposal. Whilst mitigation and compensation measures have been identified for several of these impacts, the proposed development does still have the potential to result in some adverse ecological impacts. The proposed development should therefore be determined against national and local planning policy, in particular Mid Suffolk Core Strategy policy CS5 and Local Plan policy CL8 which seek to protect the biodiversity value of the district.

Notwithstanding the above, should it be determined that development in this location is acceptable, it should be ensured that the scheme delivers significant ecological enhancements in accordance with the requirements of the National Planning Policy Framework (NPPF). This should be achieved through the production of an ecological mitigation and enhancement strategy.

**Suffolk Wildlife Trust** – First Response 23<sup>rd</sup> June 2017. We consider that, as currently presented, this application fails to demonstrate that the proposed development will not result in a significant adverse impact on protected and/or UK Priority species and UK Priority habitat. This is contrary to the NPPF and Mid Suffolk DC Local Plan and we therefore object to this application.

## **Representations**

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

- Object to 300 homes in phase 1 with the possibility of a phase 2 being another in 300 homes the future, due to increase traffic through village and surrounding villages.
- schooling is inadequate and on previous building developments developers made false promises that new schools will be built
- this is high quality agricultural land, why build on that when there is plenty of brownfield land.
- postcard view of the church in the day time would be lost and at night when the cross is a light it is magical. Those views would be lost by the development.
- there is an old bylaw that states that view of a church must not be obscured by buildings
- the house on the plans will be higher than our house and our neighbours' so they will be over looking us and will impeach our privacy

- Deer's, badgers, foxes, hares, rabbits and various birds roam around on that land day and night. The land in question and the land immediately adjacent is also a home to a huge range of Bio Diversity, including no less than 4 endangered species (Brown hare (very healthy population), Turtle Dove, Nightingale and Skylark) with Whitethroat, Blackcap, Linnet, Bullfinch Badger, Fox, Buzzard present.
- the drains on the sewage system would not be able to cope with more houses. Anglian Waters own surveys state that the existing drainage which is already prone to flooding cannot cope.
- the noise and dust from the construction site over 5 years would be unbearable to the village
- the application has not been properly advertised, not enough people have been made aware.
- the plans show all main traffic would flow through this housing estate, tractors, sugar beet lorries, buses and all the cars that use Barham church lane as a cut through to Ipswich to avoid the ever growing problems we have on the A14 at Asda exit, it shows Barham church lane being closed at the top, but the bottom junction still open so you will have 2 busy junctions close together which with 300 house = possibly 600 more cars on these roads and surrounding county roads
- the schools in Claydon already over crowded and parking for dropping off and picking up is already a nightmare
- infrastructure cannot cope with this development and others in the local area.
- Dilution of the village life that many people in Claydon and Barham came here for.
- selective presentation of viewpoints and wirelines so that the effect cannot be observed
- loss of open views from the footpath from the church to the hop ground
- Doctors surgery is overloaded and operating from a portakabin on previous open space.
- The emerging developments on the Northern Fringe of Ipswich with inadequate transport links which will inevitably lead to yet more rat running traffic.
- The developer has identified that the additional traffic can just be handled by the existing A14 roundabout, making assumptions about other local developments.
- The Council's own representation to IP/16/00608/OUT in June 2016 is relevant to this case.
- the roads are already running over capacity, as is clearly demonstrated by the extensive damage to verges bringing mud onto to the roads, undercutting the edges and exacerbating an already dangerous situation.
- the area will become even more like a dormitory town, a suburb of Ipswich, with no appreciation of the local environment and existing wildlife.
- the housing will undoubtedly put more pressure on existing wildlife spaces due to noise and light pollution.
- There is plenty of evidence that the existing extensive insect ecosystem is collapsing, every green space removed is a further nail in the coffin.
- The development should be limited in scope and should not come above the existing Eastern boundary.
- There is no local need for a development of this size.
- The development is in Barham which according to your own Housing and Population surveys had a figure of 622 households, so this would not only be an excessive growth, 50%, but would shift the nodal centre. The draft SHLAA May 2016, which incidentally has never been put to local comment or review, makes a suggestion for a possible location of 1000+ houses in the area of which this proposal forms part. Whilst this is early days any suggestion of developments on any part of that plot before we have an agreed strategic plan for the area must be seen as premature. I would also make the observation that the plot on the draft SHLAA does not agree with that shown on this plan.
- The impact of traffic on the Claydon roundabout, it is already accident prone and regularly backs up. The applicant fails to record problems on the A14 which also cause similar problems.
- Consideration needs to be given for all cases in the pipeline (eg Snoasis). Where is the strategic planning?
- national Cycle route passing through the lower part of the site but do not take into account a further 600 cars.

- To suggest "an accessible location in terms of good bus and rail links within walking and cycling distance." when the bus service stops in the evening and the nearest rail station at Westerfield is via the lanes that are now so dangerous no one would cycle to it.
- Bringing more trade to the shops will be limited by parking.
- if granted would open the floodgates to yet more development in the area.
- since this development was initially announced, there have been 4 significant housing proposals in Claydon, Whitton and Barham (not including the developments proposed for Bramford and Gt Blakenham) all adding to the infrastructure and traffic problems. The combined impact is not being considered.
- Whilst I am not against development it needs to be proportionate and considered as whole
- East Anglia is not a dumping ground and neither is the Gipping Valley. It is the planners job consider these things and not to be swayed by popularism nor to run through a tick sheet hiding behind regulations. It is foolish, in the current uncertain climate, to be destroying Greenfield Sites when the food production and distribution could change overnight, nothing to get the old Fisons site into use!
- The way that the way that this application has been handled gives cause for serious concern.
- The change to the new planning system, has not helped. There no longer any references to constraints, so the general public is disadvantaged in that there are no guidelines on what criteria will be used to judge the application.
- Some important documents that are shown in the index are missing. eg DA statement, community involvement, parts of the travel plan and traffic data etc.
- The current primary healthcare facility that exists in the village (a temporary porta cabin) is sitting on land that could be utilised for building a permanent healthcare structure, something that has not been taken into regard.
- It appears that this development is only advantageous and beneficial for the land owner and the developers, not for the public or the current residents of this village. This is a development purely built for financial gain and not public gain or benefit.
- The current GP practice struggles to cope with the current patient load. Therefore, it would be impossible for them to accommodate an additional 900+ people.
- Whilst it is noted that there is a proposed doctors' surgery. No funding has been agreed or proposed to build the surgery and therefore there is no guarantee that it will be built.
- The impact on the environment would be huge, the pollution from the additional vehicles, potentially an additional 600 vehicles.
- Claydon and Barham will become one village and will end up a conurbation of Ipswich.
- Need to protect the rural nature of our community.
- It will only be a matter of time before a serious accident will take place,
- Two years ago, a proposed Travellers site on Claydon Church Lane was turned down on the basis that the traffic accessing and egressing the site would pose a hazard.
- The parking in the village centre is already extremely hazardous;
- The plan should not be approved unless funding for the building of the primary school and nursery on the proposed space is secured (subject to archaeological survey).
- Claydon High Street is extremely busy. Traffic count has been taken from Church Lane but does not take into account traffic from Gt Blakenham direction using the junction opposite the bakery to turn left or right. It is extremely difficult to reverse onto the road from a parking space in the village centre.
- The Suffolk Archaeological report details direct evidence of an Anglo-Saxon settlement and High-Status activity. This is a wonderful and exciting find as it contributes to our regional heritage. Further detailed investigations should be requested to determine if the site is of national interest too before a decision is made.
- Very little infrastructure- few shops, over-subscribed surgery, over-subscribed schools, limited public transport especially at weekends & evenings.
- The roads would no longer be able to offer a manageable public transport service as the roads have no space for an allocated bus lane, the gridlock this development would create would also have an impact of the local bus services.

- There is next to no employment locally so all residents have to travel.
- want my kids to be able to walk safely to school, and visit the local shop without fearing fast cars, and excessive traffic.
- Object as it doubles the existing size of Barham village in one fell swoop,
- increase the area of the Barham/ Claydon conurbation by 25%,
- Destroy another 43 acres of productive farmland.
- The plans do not give any details of the prospective architectural designs for the properties on the site and how they will be seen within the existing landscape, especially in relation to the environment around Barham Church. But the layout of the buildings shown on the Illustrative Landscape Masterplan suggests that some of the building will be of two story height and possibly three stories high, which would dominate the skyline in this area and permanently change the relationship of Barham Church to its environmental surroundings.
- The developers exhibition in September 2016 showed photos and diagrams of renewable energy sources and systems, but no details of which passive and/or active systems are being proposed for use in, or on, the new properties was provided at that exhibition and how any externally mounted systems would impact the existing environment and landscape. This information is not available in the documents on the MSDC website pages, associated with the application either.
- The local area is pretty and the view from the Church and footpath at the top of this development field is relatively unspoilt. Clearly the building of 300 homes would blight this beautiful view and quiet area.
- There are two zebra crossings which could cause problems if the traffic becomes busier. One is outside the Coop and the other is just before the junction of Station Road as you are coming down Norwich Road. Both of these are not ideally placed if there is a lot of traffic.
- In support of this scheme because it is in a sustainable location (access to nearby amenities) and there is a chronic need for more houses to be built. Demand significantly outweighs supply and the result is an increase in house prices meaning younger generations are really struggling to be able to afford their own home
- The field is visited by a large number of birds including Swift, Swallow and Barn Owls. Even at night the field is a wildlife haven and Bats are regular visitors.
- Agree with this new development. Have lived in the village for the last 52 years. Went to the meeting held on the 30th of June in Claydon, found 90 percent of people complaining come from all the other estates which have been built recently so how can they complain about new builds?
- There is insufficient employment within the area for all those expected to populate the houses.
- The footpath along Norwich road which runs into Claydon village has been in need of widening and repair for a number of years and yet still nothing.
- The villages are already struggling with the utilities such as Broadband, Water and Sewage as they are already stretched and in need of additional capacity before anymore homes can be built.
- This development will significantly affect the value of our property.
- The increased volume of traffic will make our garden unusable.
- The disturbance, extra noise, traffic and mess during construction will have a significant impact on residents.
- Light pollution in this area has increased hugely over the last 15 years. Concerned what a further 350 houses and street lighting will have on what is supposed to be a countryside location.
- Suggest that the landowner for this specific development, who owns considerable land locally, be pressured to provide land which would go beyond the new road shown on the plan, to extend and improve the route to Henley 5 ways, and potentially make this road safe.
- If the Community Centre has been dropped from the original plans because the residents had no desire for it; suggest that the whole planned development be dropped because the residents have no desire for 300 new homes, in their village either.
- It was suggested by the Pigeon representative that a development of this scale will complete approx. 5 houses/week. At that rate of completion, the project duration would be 60 weeks. Is it reasonable to expect the local residents to accept the noise, dust, inconvenience and additional construction traffic for a full 5 years?

- The proposed 300 properties would at a low estimate house 900 people. 900 people would require 126,00 litres of water/day to be provided and treated as a waste product (Anglian Water figures at 140litres/day/person). 126,000l/day is 45,900 tonnes of fresh water to be supplied through the infrastructure and to be dealt with at the local Water Recycling Centre.
- The Statement of community consultation failed to mention that the vast majority of local residents are against this development.
- With 1 in 4 households owning a dog and 1 in 6 owning a cat, what impact will 75 dogs and 50 cats have on the wildlife in the surrounding area? Especially Brown Hares, Skylarks and other ground or low nesting birds.
- Flooding from surface water is a real concern, the slope of the field which will now be covered with tarmac will cause flooding of properties lower down. If granted the developers should be prevented from seeking changes to the plan as advertised today (16/6/17).
- All trade and commercial vehicles involved in the site development must be prevented from using Norwich Road Claydon, or Church Lane Barham, to access the site. In summary the infrastructure of Claydon cannot sustain the excessive vehicular pressures, queuing traffic will create environmental pollution.

### **The Site and Surroundings**

10. The site is 24.11 hectares and located to the north of Church Lane and is used for arable farming.
11. To the south of the site is Church Lane, Barham, connecting to Norwich Road along the west boundary. These roads define a strong physical boundary to the site and provide access to residential and commercial properties to the south and west of the site. To the south of Church Lane there is a mix of residential properties, of which mainly the rear gardens front onto the lane. At the north and southern ends, the properties front the lane. There are a broad mix of housing types dating from the later C20 including bungalows, terraced, semi-detached and detached properties. The predominant height of residential buildings in the area are two storey. Along part of Church Lane there is a mature tree belt which runs along the rear gardens of the residential properties which are demarcated by close board timber fencing.
12. To the east of the site is the Grade 1 listed Church of St Mary and St Peter. The churchyard boundary is delineated with mature trees and hedgerows. High hedgerows run interspersed with trees along the field boundary of the site to Church Lane. To the south of the church is Barham Hall, a large detached property set in substantial grounds, of which the garden wall and gateway are Grade II listed.
13. To the south east corner of the site at the corner of Norwich Road and Church Lane is Barham and Claydon surgery. This is a single storey temporary structure set within a hard surfaced car park, bounded by mature hedgerow and trees. Norwich Road, bounds the site to the west. Opposite the junction with Church Lane and Norwich Road to the west is the Grade II listed Henry VIII Farmhouse. Adjacent to the farmhouse, to the west of Norwich Road, are single storey commercial units accessed off Norwich Road. Beyond to the north and west is agricultural land and the A14.
14. To the north of the site are arable fields with native hedgerows defining field boundaries. Some distance to the north is Shrubland Hall which is Grade II\* listed. This is a historic complex containing a number of designated heritage assets set within the Grade I registered park and garden, which is located approximately 800m from the northern site boundary.

15. The site occupies an open area adjacent to the current settlement boundary of Claydon and lies between the existing commercial and domestic uses to the west of Norwich Road and St Mary and St Peters Church to the east.
16. The site is not located within a Conservation Area and there are no Conservation Areas within Claydon or Barham. There are a number of listed buildings within the vicinity of the site, the nearest being the Grade I listed St Marys and St Peters Church adjacent to the east boundary. There are no sites designated for their nature conservation interest and the ecology survey has concluded that there are no protected or notable species on site that would preclude the development proposed.

### **The Proposal**

17. The application seeks to establish the principle of development for;
  - 24.17 hectares of land for residential development
  - Land for a doctors surgery
  - 4.34 hectares of the site for open space
  - Uses associated with the adjacent Church, including an additional access/egress to greatly enhance safety and the creation of new overflow parking provision for peak events such as weddings and christenings
  - Land has been included for a 3-form entry primary school and pre-school following discussions with Suffolk County Council.
18. The proposal is in outline form with only the matter of access included as a matter of detail.
19. In terms of the residential element, the proposal seeks a maximum of 300 units including 35% (105) affordable homes. The applicant identifies that the *“proposed mix will reflect local needs and will include bungalows and self-build plots. The proposed housing has been located near to existing housing and facilities of the village with direct and convenient pedestrian and cycle links to local shops, employment and other amenities”*.
20. The overall density of the development is an average of 16 dwellings per hectare, based on a gross density excluding the reserved site for the school. This reflects the inclusion of a significant green buffer to the church. The density is consistent with adjacent development to the south of Church Lane.
21. Part of the site will be provided as land for the relocation of an enhanced doctors surgery. This will include space for car parking with vehicular access from Church Lane, with pedestrian and cycle links.
22. The open space area is indicated to include
  - Local Areas for Play;
  - Green Public Open Spaces; including extension to Church Grounds; and
  - Green Corridor.
23. An extension to the church grounds is also proposed, utilising part of the open space at the eastern end of the site. This is intended to be a low key construction with a new shingle-type drive providing an attractive entrance, and the car park in a ‘grasscrete’ style form to reduce any potential visual impact.

24. Land is also shown to be provided for the primary school and pre-school, and this is shown to be to the northern end of the site.
25. The application also seeks consent for the detailed layout of a new priority junction from the eastern side of Norwich Road, main access off Church Lane and a new spine road which will provide access via a number of priority junctions to residential dwellings, with access to the doctor's surgery and primary school achieved by priority junctions with Church Lane and Norwich Road respectively.
26. The proposed vehicular access to the development will be designed in accordance with guidance set out in 'Manual for Streets' and includes appropriate visibility splays and sign stopping distances for a 30 mph road. The accompanying Transport Assessment and plans provide further information on these accesses.
27. The road layout has been designed to allow ease of access for refuse and emergency vehicles. The road system will be designed to suit the turning and manoeuvring of these vehicles.
28. A sustainable urban drainage system is also part of the proposal.

### **Main Considerations**

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

### **The Principle of Development**

30. 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.
31. 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).
32. 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.

33. 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. For sites to be considered deliverable they have to be available, suitable, achievable and viable.
34. 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.
35. 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.
36. A summary of the MSDC 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
37. Policy FC01 is the local reflection of the presumption in favour of sustainable development and is embedded within the development plan. It includes the position that where relevant policies are out-of-date at the time of the decision, the Council will grant planning permission (unless material considerations indicate otherwise), taking into account whether any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF overall, or specific policies in the NPPF indicate that development should be restricted. Since there is not, on any measure, a 5 year land supply, paragraph 49 of the NPPF deems the relevant housing policies of the Core Strategy to be out-of-date, so triggering both the 'tilted balance' in paragraph 14 of the NPPF, and the operation of Policy FC01.
38. 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."

39. 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 of the policies within the development plan in the context of the authority not being able to demonstrate a 5 year land supply.

### **Sustainability Assessment Of Proposal**

40. The NPPF provides (Para 187) that *"Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area."*
41. As detailed above, in applying the 'tilted balance' required by paragraph 14 of the NPPF, the Council must decide what weight to attach to all the relevant development plan policies, whether they are policies for the supply of housing or restrictive 'counterpart' policies such as countryside protection policies. In that regard, whilst it is for the decision maker to determine the weight that is to be given to these policies, it is your officer's opinion that policies CS1 and CS2 of the core strategy, FC2 of the Core Strategy Focused Review, along with policy H7 of the Local Plan, should not be considered up-to-date.
42. The assessment of this proposal, therefore, moves to the three dimensions of sustainable development set out in the NPPF.
43. Whilst the application site falls within the parish of Barham, it is to the north of the village of Claydon and is closely related to that village. However, for the purposes of planning policy, it is within the countryside and outside of any settlement boundaries.
44. Paragraph 55 of the NPPF sets out that local planning authorities should avoid isolated homes in the countryside. The site is not considered to be 'isolated' within the meaning of this term as it is adjacent to existing residential dwellings and within reasonable distance of day-to-day facilities and services. Paragraph 17 of the Framework sets out a series of core planning principles, including to *"actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable"*. It is your Officer's opinion that the site represents a sustainable location, being easily accessible to a range of primary and secondary services and facilities, employment opportunities and public transport and cycling routes, and these shall be subject to more detailed assessment later in this report. This includes access to education, employment, retail, services and facilities, sports and recreation via means of transport other than the car. The site also offers the opportunity to maintain or enhance existing bus, cycle and pedestrian routes, which are readily accessible from the site.
45. There is not, therefore, an in principle reason to reject development of this site solely because it is outside any settlement boundaries. The assessment to be made needs to take account of the

economic, social and environmental elements of the scheme and balance these accordingly, relevant development plan policies and whether there are specific policies in the Framework which would direct that development should be restricted.

### **Economic Dimension**

46. The economic benefits of the proposed development should be afforded due weight in the determination of this planning application. Paragraph 19 of the NPPF states that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth, thereby 'significant weight should be afforded to the need to support economic growth through the planning system'.
47. New housing in this location would help to contribute to growth in the local and wider economy. Claydon and Barham is recognised as a Key Service Centre that has a range of local services and facilities which also provide employment opportunities for local residents. These include a selection of local shops, public houses and takeaways, a post office, a primary and secondary school, a doctors surgery, a village hall, community centre, Church Hall, recreation grounds and children's play facilities. All of these are situated within 800m of the application site. Given the proximity of the site to these facilities, it is realistic to consider that residents will walk and cycle to use these, particularly as pedestrian and cycle connections will be improved as part of the development works.
48. Claydon also has significant employment opportunities both within and close to the village. To the west of the site, off Norwich Road are a number of small business units at Hall Farm Cottages. There are also services and facilities that are located within the village centre. Claydon Business Park, near Great Blakenham to the west of the A14 off Gipping Road, approximately 1.5km from the proposal site, has a variety of businesses within offices, workspaces and warehouse units. There are also a number of businesses located to the south of Great Blakenham off Bramford Road including haulage firms and business units in Orion Avenue.
49. The proposed development will help to stimulate additional future expenditure and investment to the benefit of the local economy. The increased number of local residents generated by the development will result in increased spend and footfall in Ipswich and Claydon, supporting and benefitting the existing retail and service offer.
50. The applicant identifies that the construction of the proposed development will support skilled and semi-skilled employment, with 5 jobs (2 on site and 3 programmed for future work) provided for every new home built. Upon occupation, the residents of the proposed development are likely to use and support local businesses and community facilities. Furthermore, by providing a site for a new health centre to expand, it allows for the potential creation of new employment opportunities within the village. Both the construction and occupation of the development would therefore bring about significant economic benefits.
51. In conclusion, the application site is a sustainable location for new development, located close to the settlement of Claydon. The provision of new housing can deliver a range of wider benefits, including growing the local population and increasing the supply of labour. This will ensure that local businesses are able to draw upon residents to maintain and grow the local economy and achieve the aspirations of the adopted and emerging development plan.
52. The development is, therefore, considered to be economically sustainable.

## Social Dimension

53. Paragraph 7 of the NPPF identifies that the social role of sustainable development encompasses *“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”*.
54. The proposal would provide market housing which will contribute to the current housing supply shortfall, and which is considered to be deliverable in the terms set out in the NPPF (see later section on deliverability). This sits comfortably within the definition set out in paragraph 7 of the NPPF, and it is noted that the proposal would deliver a mix of property sizes and forms, thereby making a positive contribution to the housing market, covering a breadth of needs and which offers competition and widens the opportunities for home ownership.
55. The provision of up to 300 new homes will improve the local supply of housing in Claydon and Barham, allowing new opportunities for people to locate and to remain in the village. The inclusion of 105 affordable units will go some way towards meeting local demand for affordable housing and represents a major social benefit by helping to maintain and reinforce a mixed and strong community. This is a significant social benefit, which will be weighed accordingly in the overall planning balance carried out at the end of this report.
56. The provision of land for the relocation of an enhanced doctors surgery allows the opportunity for the practice to expand, thereby future proofing healthcare provision for the villages and surrounding area for many years to come. This matter is discussed in more detail later within this report, as there is some contention as to whether this site is the most appropriate for the provision of healthcare facilities.
57. Furthermore, the provision of land for a pre-school and primary school would enable the expansion of education facilities to meet local needs, and the provision of land for the enhancement of the facilities for the Church adjacent to the site, improvement of pedestrian and cycle links to the Church from the village and improved car parking at the Church will benefit existing and new residents.
58. A significant element of open space is also provided within the scheme, including a parkland area and play areas.
59. For these reasons, the proposal is considered to be socially sustainable. However, prior to moving onto the environmental aspects of the proposal, it is considered appropriate to consider the deliverability of the scheme given that this aligns directly with the social and economic dimensions of sustainability.

## Deliverability

60. The deliverability of development sites is an important factor in both their sustainability (in terms of their tangible delivery of benefits) and in terms of their contribution to the supply of housing in the district. The NPPF states that *“To be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans”*.

61. National planning policy, as contained in the NPPF, requires LPAs to achieve the effective and timely delivery of new housing and the Strategic Housing Market Assessment (SHMA) for Babergh, Mid Suffolk and Suffolk Coastal District Council's and Ipswich Borough Council, published in August 2012, identifies that:
- A lack of choice of housing that affects mobility within the labour-market and, therefore, the economy.
  - The Ipswich HMA (in which this site is located) contains fewer people aged 20 to 40 when compared to the national average, but comparatively more people at or approaching retirement age and older people.
  - A backlog of over 4,000 households in need of a suitable and affordable home in the Ipswich HMA. The supply of new affordable homes and the reuse of existing stock are not sufficient.
  - The delivery of new homes is vital to providing the level of housing, particularly affordable housing, that an area needs.
  - More than ever, new homes need to be built, not only to meet demand, but to deliver the affordable homes that are needed.
62. The proposed development will deliver up to 300 dwellings, of which up to 105 could be affordable. The proposals would therefore lead to a significant increase in the number, and mix, of affordable housing available in the local area and wider district. This is a significant benefit given the persistent under delivery of, and continued need for, affordable housing in the district.
63. The applicants identify that, notwithstanding the various components of this proposal, which brings with it particular infrastructure requirements and provides land for a doctors surgery, school and church expansion, the site is deliverable. Comfort can be taken from the investment made in this application, where the contents of the application demonstrate a commitment to taking the proposal forward and seeing the development delivered. However, this needs to be tempered in the context of the applicant not being the future developer of the land, though it can be seen that significant attempts have been made to bring forward a scheme that sets out positive principles by which to develop the site.
64. There are no known issues surrounding the deliverability of the site that this proposal does not consider and/or address. As such, in conclusion, it is your Officers view that the development is deliverable in terms of the NPPF and that this should be weighed accordingly in the overall planning balance when determining this application.

### **Environmental Dimension**

65. This dimension gives rise to a number of factors that require consideration in the decision-making process. These are looked at under relevant sub-headings, as follows;

#### **Impacts on Landscape and Arboriculture**

66. Paragraph 58 of the NPPF states that proposals should provide appropriate landscaping to ensure that they integrate well into the surrounding locality. This requirement is repeated in one of the requirements of policy H13 of the Mid Suffolk District Local Plan. The application is made in outline form with only access for consideration as a matter of detail. As Landscaping is a matter reserved for consideration at a later date, this assessment therefore considers the impacts on the wider landscape and the potential for landscaping as part of the proposal and how that would be integrated into the development.
67. The landscape of the site is a typical arable field with vegetated boundaries on all sides. The site is contained along most part of the southern boundary to Church Lane by mature hedgerow with

interspersed trees. In the southern corner, the hedgerow is less dense affording views of the fields from Church Lane. There is a small copse of trees at the junction with Church Lane and Norwich Road, and along the western boundary of the site to Norwich Road there is an open grass verge and ditch.

68. The northern boundary to the site is to the adjacent open fields. An established mature hedgerow and trees form the eastern boundary to the adjacent to the Church grounds. The site forms part of a rolling landscape with its high point at the north east, sweeping down to the valley towards the River Gipping to the west.
69. A detailed topographical survey of the site has been undertaken and is submitted with the application. The land slopes from north east at the church down to the south west at Norwich Road.
70. The information supporting the application was supplemented in December 2017, and this included revisions to the landscape proposals following discussion with Historic England. The revisions included a re-design of the new homes along the eastern boundary and the north-eastern section of the site, which saw a number of these homes reduced in height to bungalows to work better with the site levels and reduce the visibility of these units within the wider landscape, in turn enhancing views of the Grade 1 church and retaining the relationship of connected views between it and Shrublands Hall.
71. Five of the self-build plots have been reduced to single storey, and the southern-most self-build was removed entirely (reducing the proposed number from 8 to 7) to open up views of the Church as it is approached from the new footpath along the southern boundary of the site. Updated wirelines were submitted to demonstrate the improvements from the scheme amendments in terms of the relationship with heritage assets and wider landscape and visual impact. This is supported by a Heritage Statement Addendum, confirming that the development will see less than substantial harm in terms of heritage assets with a modest impact on the St Mary's & St Peter's Church and limited impact upon Shrubland's Hall. It should also be noted that the wirelines consider the worst-case scenario for the impact of development without landscape planting as mitigation, which will further improve the position. The parameters plan was also updated to include the Strategic Native Buffer Planting, and a Landscape Strategy plan was produced.
72. The Council's Landscape Consultant made comments on the proposal prior to the submission of these details, but responded to the consultation on these documents only referring back to their original comments. However, the development of a landscape strategy is in accordance with the recommendations made and the updated information is considered to provide a robust and comprehensive submission with regards to the potential landscape impacts of the development.
73. The site is currently an open area of agricultural land which is openly visible from a number of viewpoints. There can be little doubt that a development in this location would have an impact on the landscape of the area and, therefore, the landscaping and design of the scheme is an important facet of the proposal. The extent of the information provided with the application to date and the evidenced discussions that the applicants have had with the church, local community and Historic England, demonstrate that the applicants are aware of the sensitivity of developing this site and have sought to address the relevant issues wherever possible. Detailed design will be a key factor however, in terms of the principles of development that this proposal seeks to establish, it is considered that the proposal shows that a sensitive design solution can be provided.
74. Therefore, in landscape terms it can be concluded that the proposal would result in some harm due to the change in character of the area and the scale of the proposal relative to the existing pattern of development. However, there is no objection from the landscape consultants and the

scheme provides sufficient space and provision for appropriate landscaping to be accommodated at the detailed stage to mitigate localised impacts.

75. Turning specifically to the matter of arboriculture, the Arboricultural Officer identifies that he has no objection in principle to this application subject to it being undertaken in accordance with the protection measures outlined in the accompanying arboricultural report. Whilst a small number of trees and sections of hedgerow are proposed for removal these are generally of limited amenity value and/or poor condition and their loss will have negligible impact on the character of the local area. Any approval issued would require a detailed Arboricultural Method Statement, Tree Protection Plan and monitoring schedule through conditions of the permission in order to help ensure the protective measures referred to are implemented effectively.

#### Impact on Heritage Assets

76. Both the NPPF and Core Strategy place significant emphasis on safeguarding heritage as an important component of sustainable development.
77. With reference to the treatment of the submitted application, the Council embraces its statutory duties and responsibilities in relation to listed buildings, notably the general duties under sections 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the local planning authority to have “special regard to the desirability of preserving [a] building or its setting or any features of special architectural or historic interest which it possesses”.
78. Recent case law on the application of the statutory duty acknowledges that the consideration of the impact of a proposed development on the significance of a designated heritage asset is a matter for its own planning judgement, but that the Local Planning Authority is required to give any such harm considerable importance and weight. However, where special regard to the desirability of preserving heritage assets has been paid and no harm is considered to be posed, the ‘balancing’ of harm (which should be given considerable weight as above) against public benefits as required by the NPPF, is not engaged. Therefore, the heritage impacts resulting from this development are a key factor in assessing the acceptability of this proposal.
79. Historic England provided advice on the initial application in a letter dated 11 July 2017. In response, the applicant engaged with Historic England to discuss amendments and additional supporting information. In light of this, Historic England provided updated advice in February 2018 and, as this is the up-to-date position, this is considered further here.
80. Historic England’s principal concern related to the impact of the proposed housing development on the setting of the Church of St. Mary. They had suggested that efforts were made to reduce the level of harm and suggested further consideration was given to exploring whether the eastern boundary of the housing took full advantage of the topography to reduce the harm and the potential to screen the development from the churchyard in the area shown in viewpoint 10.
81. They also requested that consideration be given to whether the development could be screened in views from the park at Shrubland by revising the siting of the eastern houses.
82. In response to those requests, the number of plots at the east end of the development has been reduced to seven. These are also proposed as single storey houses, as are a number of the houses directly to the west of these plots. The reduction in the number of plots provides an area of open space adjacent to Church Road where planting is proposed. A thicker line of planting is also proposed at the northern end of the planting buffer. In addition, other trees are also shown in the gardens of these houses, though it should be borne in mind that the matter of landscaping and layout are reserved for detailed consideration at a later stage. However, this does demonstrate how the development could be laid out, and how landscaping could be utilised, to

address these impacts as part of the detailed proposal.

83. The updated wireline from viewpoint 10 within the churchyard shows how locating single storey properties here has reduced the visibility of the development from this location. With the exception of the gap at the field gate, generally only the upper parts of the roofs would be visible. Viewpoint 13 shows the church and the development site from the north. The wireline demonstrates how lowering the height of the houses and omitting the plot at the south east corner has reduced the impact of the development. It is now set further away from the church in these views and the ridge lines sit below the horizon.
84. The effect of the revisions on the setting of Shrubland Hall is shown in viewpoints 1 and 2. These show a reduction in the mass of the development at the eastern end. In views from the ground, viewpoint 2, this brings the height of the development down to approximately the height of the treeline. This would help to reduce the impact of the development in views from Shrubland.
85. Historic England welcome the amendments to the proposals which show that efforts have been made to reduce the harm to the heritage assets. These have helped to reduce the impact of the development on views from the churchyard and views of the church from the north. They have also reduced the impact on Shrubland Hall to a very modest level of harm. The proposal does however remain for a large development which would have an impact on the setting and significance of the Church of St. Mary. It would obscure views of the church from the Norwich Road, viewpoint 5. It would also affect the approach to the church from the west along Church Road, viewpoints 7 and 9. This would result in harm to the significance of the church. The harm to the historic environment should therefore be weighed against the public benefit the development would deliver in line with the NPPF.
86. The Council's Heritage Team also considers that the proposal would cause less than substantial harm to designated heritage assets because the extent of proposed development within the setting of listed buildings in the vicinity of the site would erode the rural location and open landscape which contributes to the significance of the assets.
87. The submitted Heritage Statement accompanying the application is helpful in ascertaining the designated heritage assets involved, their individual significance and heritage interest, as well as the potential impact of the development in each case. The Heritage team accords with the conclusion that there will be little harm to the special interest of the listed wall and gateway at Barham Hall as the proposal site contributes little to its significance, even though it is considered to be within the setting.
88. Furthermore, there would be some impacts to Henry VIII Farmhouse, but these impacts would not be detrimental to its already greatly altered immediate setting.
89. The heritage team recognise that the key consideration is to be given to the GI listed church to the east of the site, as well as Shrubland Hall and its registered landscape to the north. The Heritage team accords with the (original) views of Historic England in the broad sense. An indicative masterplan of the proposed residential development provides little detail or concrete proposals in order to mitigate or establish the levels of harm. The site layout and proximity to designated assets will be imperative in reducing the level of harm and making a balanced judgement, weighed against public benefit (NPPF 134). Whilst the immediate setting of Shrubland Hall could be defined as limited to its registered park with a sense of looking in on itself, providing a private and enclosed landscape; the wider surrounding landscape provides an additional contribution in the Hall's narrative as a country house, relating to its wider rural location. Its elevated position further links the Hall with the surrounding landscape and there will inevitably be a level of harm through the alteration of a largely rural vista – particularly evident from the tower at

Shrubland Hall, illustrated with the wireline at Viewpoint 1 – with increased urbanisation; expanding the modern housing already in existence to the south of the proposal site.

90. In a similar vein as Historic England's assessment of the harm to the GI Church of St Peter and St Mary, the Heritage team accord with the view that the current open landscape to the west of the church positively contributes to the setting of the church and encroachment of built development on the majority of this area in the rural landscape would be detrimental to the appreciation and narrative of the church. Its elevated position overlooking the Gipping valley heightens its role as a landmark feature and the encroachment of modern development to its western perimeter would diminish its isolated position away from the village and above the river valley. Mitigation to reduce the level of harm is fundamental in regard to the proximity of development and nature of boundary treatment and natural landscape buffering, by utilising the existing topographical features where the land drops away to the west. In this particular case, the heritage team consider that the proposed green buffer to the eastern periphery of the site would not provide sufficient softening and distinction between the proposed development site and the church; the development could be drawn back further to make use of undulations in the site and utilise the topography and landscape as a natural mitigation measure, alleviating harm to views and setting of the asset. Outline proposals omit these finer details of buffering and landscaping treatment by their nature with the submission of only an indicative site plan and as such does not establish a definitive layout which can mitigate harm to significance due to development within the setting of designated heritage assets. It should be noted, however, that the comments of Historic England (as set out earlier in this section) have evolved since the heritage team provided these comments, and attempts have been made to mitigate the harm as per the summary provided by Historic England.
91. What is also of interest in the consideration of the impacts on heritage assets is the response from the Church, who have taken the opportunity to respond to the consultation on this proposal. The response from the Church notes that;
- During the process, they have found Pigeon have appreciated their issues and come forward with practical proposals to address them.
  - They have had several meetings to discuss the impacts on the church.
  - They believe that certain aspects of the proposal significantly reduce the impact on the church and must be protected in the plans progress into actual development. Those aspects are;
    - The land to be gifted to the church as an expansion of church grounds to provide a break between the churchyard and housing.
    - The financing by the developer of the overflow car park.
    - Provision of new alternative access into the church through the development.
    - New footpath link running up Church Lane.
    - Restriction of housing nearest the church to bungalows.
  - They understand the developers will contribute to an extension to the church hall.
92. The NPPF sets out 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. The response from the church is of particular interest in this regard, as the development is acknowledged to give rise to some harm to the setting of the church, but also brings about a number of benefits to/for the church which require balancing. The balancing exercise, as set out in paragraphs 132-134 of the NPPF is therefore engaged and will be undertaken in the Planning Balance section of this report.
93. With regards to the archaeological issues relative to this development, the Archaeological Service have identified that the site is situated in a topographically favourable location for archaeology of

all periods, overlooking the River Gipping. Within the site itself, extensive scatters of Iron Age, Roman, Anglo-Saxon, medieval and post-medieval finds are recorded on the County Historic Environment Record (BRN 016, 027 and 030). In 2016, pre work was conducted on the site (excluding the reserved site for a primary school). This work included a geophysical survey, assessment of previous metal detected finds from the site and a trial trench evaluation of 3.5%.

94. This work showed activity on the site from the Neolithic through the Bronze Age and Iron Age. Settlement continued through the transition to Roman rule and on into the Anglo-Saxon period. Analysis of the metal detected finds suggests high status Anglo-Saxon activity to the most north easterly part of the site with direct evidence of settlement shown by the excavation of a sunken featured building, containing an inhumation radiocarbon dated to the late sixth-early seventh centuries, and the identification of a buried dark earth deposit. Evidence of further probable Anglo-Saxon structures was identified in the form of a number of postholes. The Anglo-Saxon evidence therefore appears to indicate the presence of a high status middle to late Anglo-Saxon settlement, which is of potentially national importance. This settlement probably relates to the Anglo-Saxon Church of St Mary's, which is located on the edge of the proposed development area (BRH 017).
95. There is very high potential for extensive below ground archaeological remains to survive within this proposed development area. Groundworks associated with development have the potential to damage or destroy any surviving archaeological remains.
96. Based on the plans currently proposed the north easterly most sensitive, and potentially nationally important Anglo-Saxon part of the site, which we recommend should be preserved *in situ*, would remain largely if not wholly undisturbed. This area of the site should not have any ground disturbance of any kind and therefore the track and Church carpark indicated would have to be built up to avoid damaging the archaeology. It would also mean that this area of the site would not be a suitable place on which to put a site compound or plant trees.
97. If this area of the site is left preserved *in situ*, as shown on the current proposed plans, there will be no grounds to consider refusal of permission as the destruction of the archaeology on the rest of the site can be mitigated by excavation. 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.
98. In this regard, the archaeological requirements of the proposal can be mitigated by conditions if planning permission is granted for this development.

### Design and Layout

99. Paragraph 56 of the NPPF states that good design is a key aspect of sustainable development; it should contribute positively to making places better for people. Decisions should aim to ensure that development will function well and add to the overall quality of the area and create a strong sense of place. Furthermore, it provides that development should respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or stifling appropriate innovation.
100. The NPPF goes on to state it is "*proper to seek to promote or reinforce local distinctiveness*" (Para 60) and permission should be "*refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions*" (Para 64). In addition, policy CS5 provides that "*All development will maintain and enhance the environment, including the historic environment, and retain the local distinctiveness of the area*" and thereby echoes the provision of the NPPF.

101. The matters of layout, scale and landscaping are reserved for consideration at a later date. The indicative masterplan provides a layout for illustrative purposes only, and demonstrates the way that future development could be achieved on the site, taking into consideration the principles that were identified within the concept plan, which the applicant's set out at the public consultation stage of the process.
102. On the east of the site an area is reserved for public open space to ensure that the setting of the listed Church is respected and also to enable this space to be utilised by the community with direct links to the Church and Church hall. The extent to which this separation achieves the effect of protecting the setting of the church has already been considered earlier in this report and does not need to be revisited here. The area to the eastern end of the site adjacent to the open space will be reserved for a low density area of self-build plots. The applicant identifies that these plots have been included to allow future purchaser's the opportunity to seek planning consent for their own property on each of these plots in line with the Governments initiative to increase the number of selfbuild homes to meet future housing needs.
103. The remainder of the residential area will be subdivided into parcels of dwellings. This allows for dwellings to address the street frontage as well as overlook open space, providing natural surveillance to these areas. It also enables sufficient back to back distances between properties to be achieved as well as providing ample garden areas. The comments of the Designing Out Crime Officer recognises the safety benefits of the back-to-back relationships of properties in the estate, and commends this element of the design.
104. The layout is also flexible to allow for adequate space for the provision of play spaces. The main public open space will be adjacent to the Church and the precise number of play spaces throughout the site will be determined at the Reserved Matters stage, though four areas of open space are incorporated into the indicative layout. The incorporation of green corridors with footways will create an attractive walk around the development linking to the existing bridleway along the east boundary.
105. The location of the land reserved for a new doctors surgery is at the southern end of the site close to the existing location of the doctor's surgery. This is a convenient location for the existing community and accessible from Church Lane and Norwich Road. Sufficient space has been allowed for car parking, including spaces for those people with disabilities.
106. The applicant also identifies that there will be a hierarchy of streets to the development, where the primary street will incorporate traffic calming measures such as raised tables at locations where green corridors and pedestrian thoroughfares intercept the road. There will then be a lower order of streets that access small clusters of properties and are likely to be designed on the shared space concept where pedestrians are given priority.
107. Sustainable urban drainage features will be located throughout the development feeding into a balancing pond to the lowest end of the site adjacent to Norwich Road to form part of the landscaping at the entrance to the site adjacent to the doctor's surgery land and an attractive gateway feature. Midway along the northern boundary of the site, an indicative access has been maintained for potential access into the site to the reserved school site.
108. Consideration has also been given to the scale and appearance of the development. The Design and Access Statement identifies that the development will have a range of storey heights from single storey to 2.5 storey with bungalows particularly meeting the needs of an ageing population. The final mix will be agreed at a Reserved Matters stage but as a broad principle, development

density will take into account the topography of the site, which rises to the east, as well as the potential to impact upon existing residential properties on Church Lane.

109. It is anticipated that the majority of the proposed properties will be two storeys. The new homes will comprise a mix of detached, semi-detached and terraced dwellings, together with apartments. Within the overall site layout a variation in building height and form can add visual interest to streets and aid orientation and legibility. Gateway buildings at the main entrance to the site off Norwich Road are proposed to mark the entrance of the site.
110. Although the overall scheme is intended to be of a traditional design palette, reflecting the neighbouring built form and settlement, the applicant's consider that there is potential for some modern interpretation to be included within the detailed design of the buildings. Interestingly, the applicant's also identify that there is the opportunity to consider the inclusion of dwellings that have higher energy saving credentials such as Passivhaus. These methods can be incorporated into dwellings that have either a traditional or modern built form.
111. In this regard, the design and layout is considered to provide a positive approach to the development of this site which incorporates strong and well-thought-out design elements to reflect local distinctiveness and create a positive sense of place. The scheme is, therefore, appropriate in layout terms and in accordance with the NPPF and the principles of saved policy GP1.

#### Highway Safety and Transport

112. This section of this report will consider a number of elements, including highway capacity, highway safety, parking provision, accessibility and sustainable travel.
113. Paragraph 32 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. This is interpreted as referring to matters of highway capacity and congestion, as opposed to matters of highway safety. The courts have held that paragraph 32 should not be interpreted to mean that anything other than a severe impact on highway safety would be acceptable (*Mayowa-Emmanuel v Royal Borough of Greenwich* [2015] EWHC 4076 (Admin)).
114. Policy T10 of the Mid Suffolk District Local Plan requires vehicular access into and out of the site to be safe and an assessment made as to whether the existing local roads can suitably accommodate the impact of the proposal, whether adequate parking and turning spaces exist within the site and that the needs of pedestrians and cyclists have been met. This policy is considered to carry significant weight in the determination of this application as it complies with paragraph 32 of the NPPF which requires all schemes to provide safe access for all.
115. Taking first the matters of accessibility and sustainable travel, the site is within walking and cycling distance of the services and facilities within Claydon. There are bus stops on Church Lane, approximately 150m from the centre of the site. From here, there are hourly services to Stowmarket, Needham Market, Bramford and Ipswich. The nearest train station is at Westerfeld with hourly services to Ipswich. National Cycle Route 51 runs along Norwich Road to the south of the site. The site would, therefore, give rise to alternative methods of travel than the car, and accords with the overarching aims of the NPPF to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.
116. The application seeks detailed consent for the layout of the new junction from the eastern side of Norwich Road and the redirected route of Church Lane, along with the new spine road.

117. The proposed vehicular access will be designed in accordance with the guidance set out in Manual for Streets and includes appropriate visibility splays and sign stopping distances for a 30mph road. The design seeks to provide roads that would encourage low road speeds and allow users, including pedestrians and cyclists, to progress through, into, and out of, the development without conflict with vehicles. Level or gently sloping accesses re proposed to all buildings so as to ensure accessibility for all.
118. The LHA raise some issues with the proposed layout which will need to be addressed through the submission of detailed schemes in due course. However, it should be borne in mind when reaching a decision on this proposal that matters pertaining to road layouts within the site would be subject to detailed submissions and, in the event that there is no fundamental objection (such as, perhaps, the site not being able to accommodate those changes in any way) then these would be matters to be dealt with at a later stage.
119. The proposal delivers car and cycle parking above the minimum standards set out in the Council's adopted Parking Standards, thereby ensuring that vehicles can be adequately accommodated within the development.
120. The proposal seeks to encourage the use of alternative methods of transport and includes a Travel Plan within the submitted documents. This has been reviewed by the LHA, who have requested obligations relating to a bond to cover the implementation of the Travel Plan by SCC if the developer fails to deliver the Travel Plan themselves and the subsequent monitoring of the Travel Plan and provision of any mitigation measures if predicted trip rates are exceeded upon occupation of the development.
121. In the absence of any objections from SCC as to the proposed Travel Plan, it is considered that this adequately addresses the requirements of the Travel Plan Officer at SCC and is, therefore, robust and appropriate to mitigate some of the impacts of this development. However, whilst the LHA has not objected to the development and recommends a number of conditions relating to the delivery of the site access, construction management, estate road and footway construction and parking and turning provision on the site, they have also raised concerns as to the number of trips created by the development as this would create a considerable amount of additional traffic within a rural village location. They identify that the increase in trips and traffic would present a detrimental impact to the road network and landscape character of the area.
122. Clarification was sought from the LHA, which was not received at the time of writing this report, as to whether this is a severe impact that would justify refusal of the proposal and, if not, precisely what these impacts are and whether any proposed mitigation would be sufficient to prevent/alleviate these impacts. They have responded to advise that the Transport Assessment provides a reasonable estimation of what movements are likely to occur from this development. It has demonstrated that the existing junctions in the area continue to operate within capacity. Therefore, the additional traffic movements are acceptable from a road/junction capacity perspective. However, the assessment may give underestimated and optimistic trip rate results; not a true reflection of future movement patterns/numbers or how the residents of the development will travel. For instance, the catchment primary school and the secondary school are within walking distance to the site but as we know, many parents drop their children off before going to work. This would be true of residents 'popping' to the shops, therefore the increase in trips and traffic would present an impact to the road network and character of the area; more urban than rural landscape.
123. At this time, therefore, it appears that the LHA are raising concerns that the level of trip movements generated would have a detrimental impact on the road network and the landscape

character of the area, but that this impact would not be severe in the terms set out by the NPPF. This is the situation that will be considered within the Planning Balance section of this report.

### Sustainable Construction/Renewable Energy

124. Whilst the application is made in outline form, the application is supported by a Sustainability and Renewable Energy Statement. This looks to demonstrate that this is a sustainable site for development and that the scheme can be built to meet sustainable objectives and policy CS3 of the Core Strategy Focused Review 2012. Furthermore, the applicant sets out that *“The details of the layout and the design of the built form will ensure that policies in relation to addressing climate change, reducing carbon emissions, renewable energy and protecting environmental assets can be met”*.
125. Whilst the Council’s Sustainability Officer considers that insufficient information has been provided to address policy CS3, this view is not shared by your Officers. The Sustainability and Renewable Energy Statement identifies a number of principles that will be addressed at the detailed design stage, which can be summarised as;
- The development will be in accordance with all current building regulations which offer an extremely high level of energy efficiency to the new dwellings.
  - Building Regulation L1A (Conservation of Fuel and Power) advocates a fabric first approach to reducing energy consumption. This is broadly achieved by a high standard of air-tightness and through enhanced levels of insulation in a building’s walls, floor and roof. The fabric first approach builds in a high level of efficiency which will last the lifetime of the building, rather than renewable technologies which are reliant on future maintenance and renewal.
  - The site will be served by a gas connection which offers an efficient way of providing hot water and space heating through modern, efficient combi-boilers. It would be expected that all radiators would be individually controlled with larger dwellings having two thermostats. All thermostats would allow separate time controls for water and space heating to reduce usage.
  - Smart Meters are now widely available through many gas and electric suppliers. These offer real-time information on cost and usage which helps deliver energy savings. Through the detailed design, the inclusion of Smart Meters can be explored in detail with suppliers.
  - It would be expected that through the detailed design, low-energy bulbs would be specified for 100% of the internal lighting. It would be expected that external lighting would also be low-energy, and in full compliance with highway and ecological recommendations and any planning conditions.
  - All dwellings would comply with Building Regulations in terms of water use, this is currently set at a maximum of 125l/p/p/day. This compares favourably with the UK average of 150l/p/p/day. All new dwellings are fitted with a water meter and Water Butts could also be provided for each dwelling.
  - Whether appliances are included within the sale of units is a detailed design consideration, but if they are, these would be expected to have a minimum efficiency rating of A+. Where appliances are not included, information on the energy ratings system would be provided as part of the Home User Guide
  - During a future detailed application, further information would be provided on a Site Waste Management Plan which would provide detail on recycling or re-use of waste. It is envisaged that the developer would sign up to the Considerate Constructors Scheme.
126. Whilst it is noted that these provisions do not directly address the use of renewable technologies, it is considered that, subject to a condition to secure a detailed energy strategy, the proposal complies with the requisite policy provisions.

### Drainage and Flood Risk

127. The submitted Flood Risk Assessment (FRA) states that the application site lies wholly within fluvial/tidal Flood Zone 1 (low risk) and is at a low risk of flooding from all other sources.
128. The proposed residential development is considered 'more vulnerable' within the hierarchy set out in the Environment Agency's Flood Risk Vulnerability Classification and so is appropriate within Flood Zone 1.
129. The application is supported by a Flood Risk Assessment and a drainage strategy, based on sustainable drainage principles. This demonstrates how varying areas of the development would be drained, including adoptable surface water sewers, attenuation basins and areas of permeable paving. The Flood and Water Team at SCC have reviewed the submitted documents and have responded to advise that they recommend approval of the application. As such, subject to the imposition of conditions, it has been adequately demonstrated that the site is not at risk of flooding and that appropriate drainage can be achieved on the site.

### Agricultural Land Classification

130. Paragraph 112 of the NPPF states that *"Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality"*.
131. A plan has been submitted with the application which sets out the agricultural land classifications affecting the site. This identifies that of the circa. 24 hectares that the site extends to, it is made up of 13.23ha of Grade 2 land, 1.39ha of Grade 3 land and 9.61ha of Grade 4 land. Best and Most Versatile Land (B&MV) includes those in classifications 1-3 and, therefore, the development of this site would result in the loss of a total of 14.62ha of B&MV land.
132. Furthermore, as to the total site area extends to over 20ha, consultation has been undertaken with Natural England on the ALC. Natural England's response identifies that *"From the documents accompanying the consultation we consider this application falls outside the scope of the Development Management Procedure Order (as amended) consultation arrangements, as the proposed development would not appear to lead to the loss of over 20 ha 'best and most versatile' agricultural land (paragraph 112 of the National Planning Policy Framework). For this reason we do not propose to make any detailed comments in relation to agricultural land quality and soils, although more general guidance is available in Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites, and we recommend that this is followed. If, however, you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further"*.
133. There is no reason to suggest that any further B&MV land would be lost by this proposal. Whilst the northern site boundaries do not follow natural field boundaries, the resultant areas of land would be of a size that can remain under active agricultural purposes and would not, therefore, result in their loss to agriculture.
134. For these reasons, the loss of B&MV land in this case is not significant, and would not weigh heavily against the development.

## Land Contamination

135. The Council's Contaminated Land Officer has confirmed that they are satisfied with the submitted information and that there are no further requirements with respect to Land Contamination.
136. As such, the proposal is considered acceptable in terms of the development having adequately addressed land contamination.

## Ecology and Biodiversity

137. Regulation 9(5) of the Conservation of Habitats and Species Regulations 2010 (Implemented 1st April 2010) requires all "competent authorities" (public bodies) to "have regard to the Habitats Directive in the exercise of its functions." For a Local Planning Authority to comply with regulation 9(5) it must "engage" with the provisions of the Habitats Directive. The content of paragraph 118 of the NPPF is also applicable to the consideration of this proposal, as it states that when determining planning applications, consideration must be given to 6 principles. Two of those principles are particularly relevant to the consideration of this proposal, being;
  - If significant harm is caused which cannot be avoided or mitigated by conditions then planning permission should be refused.
  - Opportunities to integrate biodiversity in and around developments should be supported.
138. A Preliminary Ecological Appraisal (PEA) has been undertaken and submitted with this application, together with a Habitat Suitability Index assessment report given the location of ponds and confirmed records of Great Crested Newts (GCN) within the Local Area. A mixture of habitats have been identified but there are no constraints from an ecological perspective that would preclude development of the site. The indicative site masterplan and landscape masterplan demonstrate how the site will be developed with large areas of open space and good levels of planting including site boundaries. This provides excellent opportunities for on-site mitigation and the applicant confirms that engagement will continue with Natural England with specific regard to the approach to GCN habitat
139. The Council's Ecology Consultant raises no objection subject to conditions to secure a proportionate financial contribution towards visitor management measures for the Stour & Orwell Estuaries SPA/Ramsar and ecological mitigation and enhancements. They recognise that the site lies within the 13km Zone of Influence (ZOI) for the Stour & Orwell Estuaries SPA/Ramsar and Natural England's consultation response (Ref 217628) is that this development has the potential to affect these European sites afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations') and the Stour Estuary SSSI which is notified at a national level. To ensure this new residential development is compliant with the Habitats Regulations 2017, the LPA has been advised that a proportionate financial contribution should be sought from the developer. The LPA is currently preparing an HRA screening report to secure this contribution for this application which has been agreed with the applicant. This will set out the precise amount that will be required to be contributed to mitigate these effects.
140. The response from Natural England recognises that that discussions have taken place with the District Ecologist with regard to the potential impact of the development from recreational disturbance on the Stour & Orwell Estuaries Special Protection Area (SPA) and Ramsar site. We advise that an appropriate planning condition or obligation is attached to any planning permission to secure a financial contribution from the developer for a suite of 'off-site' visitor management measures designed to address the effects of increased recreational disturbance. As such, the HRA matters have been adequately addressed.

141. Ecological assessments have been provided by Base Ecology. This includes a Preliminary Ecological Appraisal (April 2017), Great Crested Newt Habitat Suitability Index Assessment (April 2017) and Great Crested Newt addendum (December 2017). These ecological reports include sufficient information to assess the impacts of development on designated sites, protected species and priority species/habitats, and the Council's Ecology Consultant has confirmed that the requisite mitigation can be secured by condition.
142. Suffolk Wildlife Trust have also considered these details and identified some ecological harm in terms of loss of brown hare habitat, in particular. However, they have identified that ecological enhancements can be secured and that these should be secured by a condition. The conditions recommended the Council's Ecological Consultant would achieve these aims and, therefore, the Ecological elements of the proposal are considered to have been met.

### Residential Amenity

143. Policies within the adopted development plan require, inter alia, that development does not materially or detrimentally affect the amenities of the occupiers of neighbouring properties. This requirement is emphasised in the NPPF Core Values in paragraph 17, where it states that all schemes should seek a good standard of amenity for all existing and future occupants of land and buildings.
144. Given the location of the site, it is not considered that the proposal would be likely to give rise to a detrimental impact on the amenity of existing residential properties. The main impacts are, therefore, on the amenity of the potential occupants of the proposed dwellings. The Council's Environmental Protection Officer (EPO) has raised the issue of the proximity of the development to the A14 (approximately 250m) as having the potential to affect the amenity of occupants if not suitably mitigated.
145. The application is made in outline form where the potential for noise mitigation would be dealt with more specifically as part of the detailed design of the dwellings. However, Members need to be satisfied that this issue can be suitably mitigated in order to be able to support the principle of this development. It is your Officers view, including that of the EPO, that given the separation distances which exist, it would be possible to design suitable mitigation into the development which should ensure that acceptable noise levels would be experienced. Unlike the recently considered scheme for 315 dwellings at Old Norwich Road, the EPO is not raising objections to the principle of the development, but simply seeking to make sure that the mitigation is designed into the development at the reserved matters stage.
146. In conclusion, therefore, the site has the potential to result in development that could be affected by road noise. However, the separation distances which exist would enable appropriate acoustic treatment to be included in the detailed design which would ensure that this would not occur. As such, there are no reasons upon which to refuse this proposal on the basis of noise/loss of amenity.

### Other Matters

#### Delivery of Infrastructure/Planning Obligations and CIL

147. The proposal gives rise to a number of infrastructure requirements which would require to be secured through a Section 106 agreement, through onsite delivery or through future CIL bids. This section considers these requirements and their impacts on the viability of the scheme.

148. The Development Contributions Manager at SCC has set out the developer contributions sought to mitigate the harm arising from this proposed scheme. In terms of the education provision, SCC anticipates the following minimum pupil yields from a development of 300 dwellings, namely:
- Primary school age range, 5-11: 75 pupils. Cost per place is £12,181 (2017/18 costs).
  - Secondary school age range, 11-16: 54 pupils. Cost per place is £18,355 (2017/18 costs).
  - Secondary school age range, 16+: 12 pupils. Costs per place is £19,907 (2017/18 costs).
149. The local catchment schools are Claydon Primary School, Claydon High School and One. Based on existing forecasts SCC will have no surplus places available at the catchment secondary schools for which CIL funding of at least £1,230.054 (2017/18 costs) will be sought. At the primary school level, the current thinking is the emerging need for a new primary school in the locality taking into consideration housing growth. This need will become clearer when overall housing numbers and likely locations are identified by the District. Ideally this would be identified in a planned approach but at present there is a large amount of developer-led growth.
150. Based on this current situation it is therefore considered appropriate to secure a land reservation within this scheme for education use plus proportionate developer contributions to fund the delivery of a new primary school. Due to the current uncertainty over the scale, location and distribution of housing growth in the Claydon locality it is not clear at this point in time what the most sustainable approach for primary school provision is, but nonetheless:
- The current Claydon Primary School is at capacity and there is a capital project being pursued to expand it to 630 places in order to deal with existing growth in the locality. Further expansion of this school beyond 630 places is not a tenable option.
  - Whichever strategy is the most appropriate a site of a minimum size of 2 hectares will need to be identified and secured. A new 420 place primary school is currently estimated to cost at least £6.9m to build (excluding land costs).
  - Section 106 developer funds will be sought to pay for the above. This is on the basis that the Regulation 123 List does not include funding for new primary schools.
151. The County Council will require proportionate developer contributions for land and build costs for a new school from this proposed development, which will need to be secured by way of a planning obligation. A proportionate developer contribution, based on the 75 primary age pupils forecast to arise from the proposed development is calculated as follows:
- £6.9m construction cost (excluding land) for a 420 place (2 forms of entry) new primary school.
  - $\text{£6.9m}/420\text{places} = \text{£}16,429$  per pupil place.
  - From 300 dwellings it is forecast that 75 primary age pupils will arise.
  - Therefore  $75\text{ pupils} \times \text{£}16,429\text{ per place} = \text{£}1,232,175$  (2017/18 costs).
152. Assuming the cost of the site for the new primary school, based on a maximum cost of £100,000 per acre (£247,100 per hectare), is £494,200 for a 2 hectare site and equates to £1,177 per pupil place. For the proposed development, this equates to a proportionate land contribution of 75 places  $\times$  £1,177 per place = £88,275.
153. However, as this proposed development, if granted planning permission, will include a fully serviced site for the new primary school which is to be transferred to Suffolk County Council, this will result in the payment of a maximum contribution to the applicant of £100,000 per acre less the proportionate land contribution cost of £88,275 directly arising from this proposed development.

154. It is proposed that the school site can be separately accessed and serviced, so that the school delivery is not dependent on the housing delivery. There appears, therefore, to be no impediment to the delivery of the school resulting from the development itself, where the delivery of the school can be carried forward at the appropriate time without any reliance on the delivery/sale of new housing.
155. This leaves the matter of pre-school provision where it is acknowledged that there is a surplus of places predicted in September 2017 in the Claydon and Barham ward. On this basis no CIL funds will be sought for this proposed development to respond to pre-school provision needs.
156. In respect of libraries, the DCM sets out the requirements which will, again, be sought through future CIL bids if the development is taken forward.
157. Paragraphs 42-43 of the NPPF recognise that advanced, high quality communications infrastructure is essential for sustainable economic growth. The development of high speed broadband technology and other communications networks also plays a vital role in enhancing the provision of local community facilities and services, and that local planning authorities should support the expansion of electronic communications networks, including telecommunications and high speed broadband.
158. The provision of high speed broadband to the development would enable home-working, recognised as having 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.
159. SCC recommend that, 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. As such, any permission granted should include a condition to secure high-speed broadband as part of the development.
160. The matter of health provision and access to health services has been the subject of particular attention, including from the MP who has written to seek reassurances that (if the development takes place) the important infrastructure that Claydon needs, such as a new larger GP surgery, is prioritised as part of any build.
161. The response from the NHS recognises that part of the site will be provided as land for the relocation of an enhanced doctors surgery. In their response dating from June 2017, they advise that any proposed primary healthcare project is subject to CCG and NHS England prioritisation and approval processes, as primary healthcare commissioners, and highlight that details for a proposed new facility for Barham and Claydon Surgery and its location have not yet been discussed with the CCG and NHS England (N.B. It is understood that some discussions have now taken place, but no decisions have been reached on the siting of any new facility).
162. The proposal delivers land for a doctors surgery and does not attract objection from the NHS. However, it is understood there have been some discussions with NHS England as to where the most appropriate location for a new doctors surgery/health centre would be in this locality and, therefore, there is currently no certainty that this site is that upon which a new facility would be provided. In this case, whilst the applicant is offering land for that purpose and thereby seeking to mitigate the effects of the development in this way, and this should be secured in the event that permission is granted, should this land not be required it is necessary to enable alternative

provision to be provided. As healthcare provision is a matter dealt with through CIL, if this site is found not to be required then alternative provision would need to be sought (in terms of an application for funding by NHS England through the CIL process). As the development is CIL liable, this matter is appropriately dealt with by whichever route the healthcare provision requires to be delivered through.

163. In light of all of the above, it is apparent that the infrastructure provisions to mitigate the impacts of the development can be secured through a combination of planning obligations and CIL provision.

#### Prematurity

164. The Planning Practice Guidance confirms that, in the context of the NPPF, arguments that an application is premature is unlikely to justify a refusal of planning permission, other than where it is clear that the adverse impacts of granting permission would significantly outweigh the benefits, taking the policies in the NPPF and any other material considerations into account. It continues by stating that where planning permission is to be refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of planning permission for the development concerned would prejudice the outcome of the plan-making process.

165. The NPPG sets out that such circumstances are likely (but not exclusively) be limited to situations where both the following statements apply:

- a. The development proposed is so substantial, or its cumulative effect would be so significant that to grant permission would undermine the planmaking process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; and
- b. the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

166. The Joint Local Plan is at an early stage of development and can be given limited weight in the decision-making process. The development of this site, given the Council's absence of a deliverable supply of housing land, is not considered to prejudice the emerging Local Plan, which is still some way off being delivered. The Plan can, if necessary, respond to a grant of permission on this site should such a decision be made.

167. As such, it is not considered that there are grounds to refuse permission in this case on the basis of prematurity.

#### Crime and Safety

168. The comments of the Designing Out Crime Officer are noted and provide some positive recommendations as to steps that can be taken through the detailed design of the proposal such that would aid the safety of occupants of the development.

169. As such, it is considered that the detailed elements of the proposal can reflect the principles set out at paragraphs 58 and 69 of the NPPF, which seeks to create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

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

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

- New Homes Bonus
- Council Tax
- CIL

These benefits are noted, however have not been held as material in reaching this recommendation.

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## **PART FOUR – CONCLUSION**

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### **Planning Balance**

171. 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.
172. 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.
173. The development plan includes the Core Strategy 2008, the Core Strategy Focused Review 2012, and saved policies in the Mid Suffolk Local Plan 1998.
174. 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'.
175. 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”.*
176. 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 CS1 sets out a similar approach where relevant Core Strategy policies are out-of-date.

177. As set out at paragraph 38 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, and that in applying the 'tilted balance' required by this paragraph, it is necessary to consider the weight to attach to all of the relevant development plan policies.
178. It is considered that policies CS1, CS2, FC02 and H07 are policies for the supply of housing. It is, therefore, considered that paragraph 14 of the NPPF is engaged with regards to this proposal.
179. However, prior to considering the presumption in favour of sustainable development identified by paragraph 14, it is necessary to consider whether there are specific policies in the Framework that indicate development should be restricted. The footnote to this part of the NPPF identifies, amongst other things, policies relating to heritage assets, as being those which may indicate development should be refused.
180. In consequence of the Council's heritage assessment, the NPPF (para 14, footnote 9 and paragraph 134) and the statutory duty imposed by section 66(1) of the Listed Buildings Act are to be taken into account in the consideration of the policy context.
181. As set out in the judgement on Forest of Dean Council & the Secretary of State for Local Government v Gladman Developments Limited (2016) EWHC 421 (Admin) and at the Court of Appeal in its decision on Barnwell Manor Wind Energy Ltd v East Northants DC [2014] EWCA Civ. 137 when an authority finds that a proposed development would harm the setting of a listed building or the character and appearance of a conservation area, it must give that harm considerable importance and that a finding of harm to the setting of a listed building or to a conservation area gives rise to a strong presumption against planning permission being granted.
182. The NPPF (para. 134) states that 'where a development proposal will lead to less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal including securing optimal viable use'.
183. In this instance, the public benefits of the proposal are summarised as including the following:-
- Through the delivery of 300 dwellings of an appropriate housing mix, including the delivery of 35% (105) affordable homes, the proposal would have inherent social and economic benefits and would meet housing needs and delivery of growth;
  - Provision of land for new primary school
  - Provision of land for new doctor's surgery
  - Provision of land for church expansion, including delivery of a new car park and improved access arrangements
  - Highways Improvements
  - Contributions to improve infrastructure

184. These public benefits are sufficient to outweigh the less than substantial harm to heritage assets identified, even when considerable importance and weight is given to the desirability of preserving those assets. It is clear that the applicants have sought, wherever possible, to reduce the impacts on heritage assets and have engaged in a positive dialogue with both Historic England and the church itself. The benefits resulting from the development which relate directly to the church, including delivery of the car park and the new access arrangements, would help to ensure the longevity of the church and maintain its use as a community facility and heritage asset. This alone is considered to go a significant way to mitigating the less than significant harm that results from the development.
185. Officers have therefore applied the balance required by paragraph 134 of the NPPF, having special regard to the desirability of preserving the setting of the listed building as required by section 66 of the Listed Buildings Act, and given the harm considerable importance and weight. The outcome of this balancing exercise is that those public benefits identified outweigh the less than substantial harm (which is to an extremely low extent), even when that harm is given considerable importance and weight.
186. In this respect, where paragraph 14 of the NPPF provides a presumption in favour of sustainable development, it is necessary to consider whether any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or specific policies in this Framework indicate development should be restricted. The public benefits of the scheme have been weighed against the harm to heritage assets and have been found to outweigh that harm, thereby satisfying the test in paragraph 134.
187. As such, it can be concluded that there are not specific policies in the Framework that indicate that development should be restricted and, therefore, paragraph 14 can be engaged.
188. The Council does not have a five year housing land supply and considers therefore that limited weight should be attached to policies CS1, CS2, FC2, and H07. Whilst it is considered that the proposal does not strictly comply with these policies, any conflicts with these policies should be afforded limited weight.
189. Whilst it has been identified that the proposal does give rise to negative impacts which weigh against the proposal, such as the potential landscape impacts, the impact on heritage assets and the traffic generation which, whilst not reaching the severe level recognised by the NPPF as being sufficient to justify refusal of development, are a concern to the local highway authority; it is considered that the benefits that the scheme brings through the provision of new housing, the securing of 105 (35%) affordable properties, and the contributions towards local infrastructure outweigh the negative elements.
190. Therefore, whilst the proposal is not in accordance with the development plan as a whole, it is considered that the adverse impacts from the proposed development do not significantly and demonstrably outweigh the benefits of the development explained in this report. Furthermore, whilst the restrictions in footnote 9 of the NPPF include impacts on heritage assets, for the reasons explained above none of these policies indicate that development should be restricted.
191. As such, the proposal is considered to be sustainable development, in accordance with the three dimensions of sustainable development set out in the NPPF, and 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 policies FC1 and FC1.1 of the Focused Review 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.**

192. 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**

193. 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 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 (105 dwellings at a mix and tenure to be agreed with the Council's Professional Lead for Strategic Housing)
- New primary school build cost contribution (BCIS linked) of £ £1,232,175 (2017/18 costs)
- Provision of land for primary school site
- Provision of land for doctor's surgery (with appropriate clause should an alternative site be selected)
- Provision of land for church expansion, including delivery of car park
- Travel Plan Implementation Bond, or cash deposit - £158,900
- Implementation of the Travel Plan
- Travel Plan Monitoring for a minimum of five years, or one year after occupation of the final dwelling, whichever is longest
- Contribution of £115,500 for Rights of Way Improvements
- Securing skylark mitigation plots
- RAMS Contribution

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

- Standard time limit
- Submission of reserved matters
- Submission of noise attenuation scheme concurrent with any reserved matters submission
- Landscaping scheme submission concurrent with reserved matters

- Arboricultural Method Statement (including tree protection measures)
- Implementation of landscaping scheme
- Secure and implement sustainability and energy strategy
- Archaeology
- Secure provision of fire hydrants
- Concurrent with reserved matters to submit foul and surface water drainage strategy
- Approved drainage scheme to be implemented in full as approved
- Concurrent with reserved matters details of the implementation, management, and maintenance of the drainage scheme shall be submitted and agreed.
- SUDs details shall be submitted and approved for inclusion in Lead Local Flood Authority's Flood Risk Asset Register.
- Details of construction surface water management shall be submitted and agreed. Development implemented in accordance with approved details.
- Implement Ecological Mitigation measures
- Secure and implement Reptile Method Statement
- Concurrent with Reserved Matters to secure biodiversity enhancement plan
- Lighting Design Scheme to be agreed and implemented
- As required by the LHA
- Construction Management Plan
- Details of materials
- Details and position of footway along Church Lane
- Provision of high-speed broadband
- Provision of a waste management scheme, including provision of bin presentation and storage points.
- Land Contamination

3) That in the event of the Planning Obligation referred to in Resolution (1) above not being secured that the Corporate Manager- Planning for Growth be authorised to refuse planning permission on appropriate grounds.