

SOUTH PLANNING COMMITTEE – 23 JULY 2019

APPLICATION NO DC/18/4644/VOC

LOCATION Land South and East of
Adastral Park (Brightwell Lakes),
Martlesham

EXPIRY DATE 12 May 2019

APPLICATION TYPE Section 73 - Variation of Condition (VOC) application

APPLICANT Carlyle Land Ltd And CEG

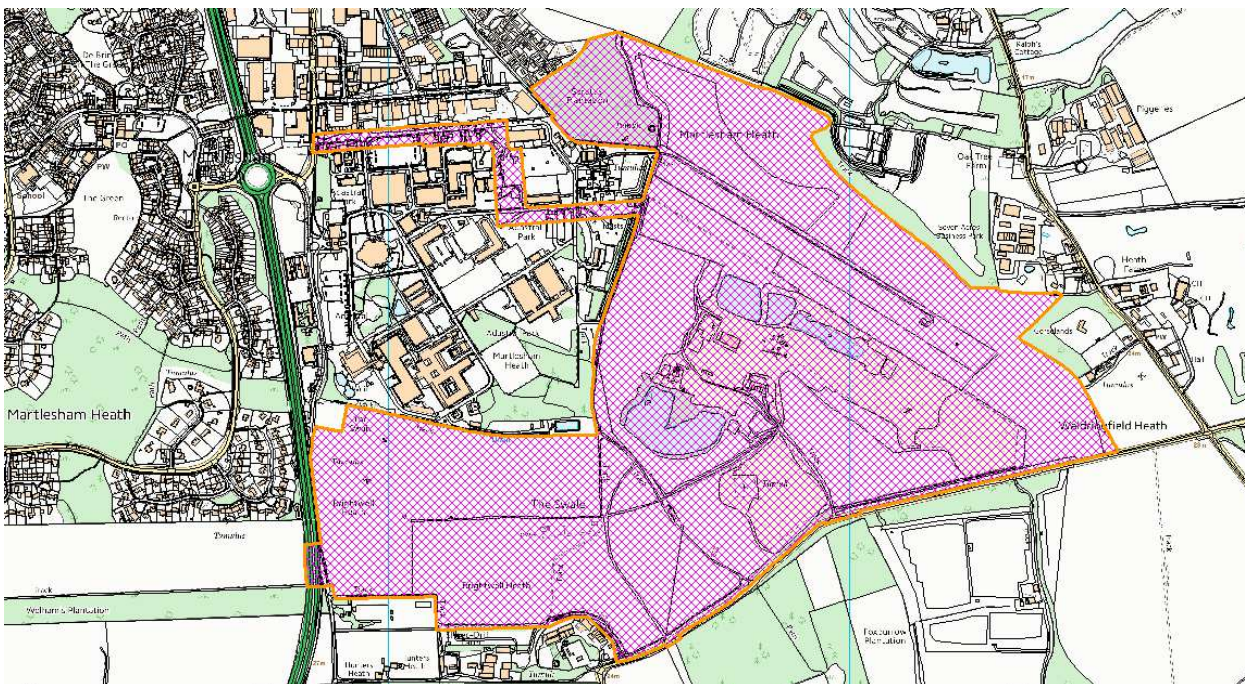
PARISH Martlesham Parish, Brightwell Parish and Waldringfield Parish

PROPOSAL Variation of condition 32 of DC/17/1435/OUT - Outline planning permission for up to 2000 dwellings, an employment area of c0.6ha (use Class B1), primary local centre comprising use Classes A1,A2, A3, A4, A5, B1, C3, D1, D20, secondary centre comprising possible use Classes A1, A3 and A4), a school, green infrastructure (including Suitable Accessible Natural Greenspace (SANGs)), outdoor play areas, sports ground and allotments/community orchards, public footpaths and cycleways, vehicle accesses and associated infrastructure.

CASE OFFICER Ben Woolnough – Major Sites and Infrastructure Manager
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DC/18/4644/VOC – Land South and East of Adastral Park (Brightwell Lakes), Martlesham
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1. EXECUTIVE SUMMARY

This application seeks to vary condition 34 of the Outline planning permission DC/17/1435/OUT which is a condition relating to the timing of completion of vehicular access points serving the site. Currently the condition seeks to deliver the main site access onto the A12 and the western access of Ipswich Road prior to the first dwelling being occupied. The variation sought would change the trigger points for completion of the accesses to allow the western Ipswich Road access to be provided first, enabling up to 200 dwellings to be built in a southern part of the site as part of the first phase of development without the completion of the A12 access.

This change in the trigger points would affect only the first 200 dwellings and the consideration is limited to the effect of the occupation of those homes via one Ipswich Road access. Specifically the only relevant effects are those on the highway network and the effect on the establishment of this new community.

The application has been referred to the Planning Committee by the Head of Planning because of the significance of this Outline planning permission and site and because that application was previously determined by the (Suffolk Coastal) Planning Committee.

The Highway Authority raises no objection to this variation and it is seen as important to enable the 2000 homes and substantial infrastructure to be delivered in a timely manner. The variation of Condition 34 is therefore recommended for approval.

2. SITE DESCRIPTION

- 2.1. The application site comprises of a comprehensive site known as Brightwell Lakes and in the past described as land to the south and east of Adastral Park. It is currently largely used as a sand and gravel quarry with areas of agricultural land, woodland and a large lake.
- 2.2. The application site comprises 113.3 hectares of land to the south and east of Adastral Park, Martlesham. The site falls within the boundaries of three parishes; Martlesham, Waldringfield and Brightwell. The majority of the site lies within Martlesham parish, the southernmost section lies within Brightwell parish and a small part of the most eastern edge of the site lies within Waldringfield parish.
- 2.3. A comprehensive description of the site and its surrounding is contained within the Outline planning permission DC/17/1435/OUT committee report. Web link to view that report: <http://apps.eastsuffolk.gov.uk/committeeminutes/readdocument.asp?docid=22657>

3. PROPOSAL

- 3.1. Outline Planning Permission was granted on 10 April 2018 for the 2000 homes and infrastructure for this new community. 71 Conditions were included on that permission and since then two Reserved Matters applications for first phase on-site roads and green infrastructure have been submitted and have authority for approval from the Planning Committee (October 2018). The applicant has commenced discussions with potential housebuilders and a commencement of development on the site is expected in 2020. Over the past year the Brightwell Lakes Community Forum has also been established with the

first two meetings held between the Council, applicants and community in October 2018 and May 2019 in order to maintain local engagement in the establishment of this new community with surrounding communities.

- 3.2. This application is a request to vary the wording of Condition 34 (*the request to vary condition 32 has since been withdrawn*). The condition on the original approval stated:

32. *The following accesses and highway improvements shall be completed and made available for use in accordance with the relevant permitted drawings prior to occupation of the first dwelling:*

Proposed western signalised access off A12 dual carriageway - drawing number 1039-HL-07 revision C

Proposed priority junction western access off Ipswich Road - drawing number 10391-HL-05 revision E

Shared cycleway and footway connection via Barrack Square - drawing number. 10391-HL-103 revision A

Reason: To ensure that the accesses and walking/cycling routes are designed and constructed to an appropriate specification and brought into use before any other part of the development is commenced in the interests of highway safety and sustainability.

- 3.3. The applicant now wishes to amend this condition to enable up to 200 homes and the B1 employment area to be built in part of the first phase area ahead of the completion of the main A12 access into the site. This would involve the completion of the western Ipswich Road access before any dwelling is occupied and up until 200 occupations that could be the only formal vehicular access into the site. This would enable key infrastructure, services and the central 'Boulevard' spine road to be constructed alongside the first housing on the site. The applicants have specifically cited the costs of initial infrastructure delivery and the resistance of housebuilders to the current condition as a reason for this variation. This reasoning is elaborated on in the consideration section of the report. The applicants therefore wish to vary the wording of the condition to:

32. *The Following highway improvement shall be completed and made available for use in accordance with the relevant permitted drawings prior to occupation of the first dwelling:*

Shared cycleway and footway connection via Barrack Square – drawing number. 10391-HL-103 revision A

The following access and highway improvement shall be completed and made first available for use in accordance with the relevant permitted drawings prior to occupation of the first dwelling within the orange area (being the A area) on drawing 31677 30B or prior to the occupation of the 201st dwelling, whichever is sooner:

Proposed western signalised access off A12 dual carriageway – drawing number 1039-HL-07 revision C.

The following access and highway improvement shall be completed and made available for use in accordance with the relevant permitted drawings prior to occupation of the first dwelling within the area outlined light blue (being the site B area) on drawing 31677 30B or prior to the occupation of the 301st dwelling, whichever is sooner:

Proposed priority junction western access off Ipswich Road – drawing number 10391-HL-05 revision E.

The penultimate paragraph referring to the 301st dwelling ensures that the Ipswich Road access is delivered at a particular trigger if the current proposal to deliver that access first does not go ahead and instead delivery is focussed on housing off the A12 access first. The condition therefore allows flexibility for two options of access delivery.

4. CONSULTATIONS/COMMENTS

4.1. Martlesham Parish Council - The Parish Council comments as follows on this planning application:

- The Council regrets that there is a move away from the original agreed planning permission whereby the infrastructure would have been provided on the A12 at an early stage. It is disappointing to see this good plan being derailed so soon.
- If it is not possible to carry out the plans according to the previous conditions, the Council would prefer to see both accesses to the new development constructed simultaneously.
- If the Ipswich Road access comes forward first, the Council would like to see adequate calming measures for the Ipswich Road.
- The alterations to the conditions should not put the Foxhall Road roundabout under undue pressure from excessive traffic.
- If housing in the blue area comes forward first, measures must be taken to avoid a situation where this development becomes isolated geographically, i.e. does not have good pedestrian/cycling or public transport connectivity to services & facilities.

4.2. Waldringfield Parish Council

Erratum: The letter has an error in the drawing numbers: “1039-HL-07 Revision C” should be “10391-HL-07 Revision C” (this is actually carried over from the original condition 34).

p2, para 2 (“However, understandably, housebuilder B...are not prepared to proceed with any development with such a condition as fulfilment of the same is out of their control.”): Surely the fact that the fulfilment of condition 34 is out of housebuilder B’s control would have been known (or at least predictable) when the conditions were agreed last year. Yet CEG made no mention of this potential problem at the time.

p2, para 5 (“Moreover, the condition itself serves no useful purpose...”): It is true that if the condition is interpreted as merely requiring the provision of the access junction and not the attached boulevard, then it would serve no useful purpose. However, that is clearly ridiculous.

“It does not require the provision of the boulevard running from the A12 access into the site as far as site B.” The reason for Condition 34 is “Reason: To ensure that the accesses and walking/cycling routes are designed and constructed to an appropriate specification and brought into use before any other part of the development is commenced” (DC/17/1435/OUT, §34, *our emphasis*). Although the condition doesn’t explicitly refer to the boulevard or Site B, it requires the route to be brought into use, and it is difficult to see how that could happen without the provision of the boulevard.

p2, para 6 (“The original condition did not require the A12 access and initial completions to be served off that entrance...”): The whole point of condition 34 is that the initial completions would be served off the A12 entrance. Why else would it require the route to be brought into use before any other part of the development is commenced?

The argument that the original condition simply requires completion of the access, but no actual road, before occupation of the houses is absurd. How can the access be “brought into use” if it doesn't connect to anything? The reason the boulevard isn’t shown on the plan is that the detailed design of the boulevard wasn’t within the scope of the planning conditions. “...but all units could be served from the Ipswich Road”: There is no mention of all units being served from the Ipswich Road in condition 34 or any of the other conditions. It is in fact precisely the opposite of what condition 34 was designed to achieve. It also contradicts what CODE said in its response to Waldringfield PC’s consultation comments (“Applicants’ (CODE’s) response: ...the majority of traffic would be expected to use the primary junction to the A12”, *see below*).

In the *Parish Council Consultation Schedule, May 2017*, in response to Waldringfield PC’s concerns, CODE agreed that the boulevard should be provided in phase 1:

Consultee (Waldringfield PC) response – main issue

Deliver the primary A12 junction earlier in order to set habits for residents to enter and leave the site in westerly and more direct direction.

Applicants’ (CODE’s) response

Applicants prepared to include in the phasing programme to be secured through condition or planning obligation, the delivery of the A12 access and boulevard to the school site in phase 1 of the development. The Ipswich Road accesses will still be required but the majority of traffic would be expected to use the primary junction to the A12. (our emphasis).

Throughout all the discussions between CEG, SCDC and Waldringfield PC it has been very clear that when referring to the A12 ‘access’ or the Western Ipswich Road ‘access’, all parties were including the roads associated with the individual junctions: e.g. the A12 junction and the Boulevard, and the Western Ipswich Rd junction and what is now called the Western Spine Road. It was these discussions, noted in the 2017 document, that finally led to conditions being applied to the A12 ‘access’ and the Western Ipswich Rd ‘access’. It is entirely unacceptable for CEG to now be disconnecting the A12 Junction from the Boulevard, particularly in relation to Condition 34.

p2, penultimate para (“The following access...prior to occupation of the first dwelling within the orange area...or prior to occupation of the 201st dwelling, whichever is sooner”): This makes no sense. How could the occupation of the 201st dwelling happen before the occupation of the first dwelling? Does ‘201st’ refer to dwellings outside site A? At the very least it is ambiguous.

p3, para 1 – as above, except it refers to the 301st dwelling in site B instead of the 201st in site A.

The phasing of the access in relation to the occupation of the houses was made perfectly clear by Brookbanks:

“As the assessment within this note demonstrates, the A12 access point, considered purely in modelling capacity terms, is not required until the 301st occupation. However, the Applicant considers it beneficial to provide the A12 access prior to any occupation in order to achieve the most efficient method of on site construction and internal movement. Therefore, the A12 access point is confirmed to be delivered prior to any occupation.”
(Technical Note: Response to SCC Consultation Return – dated 3rd January 2018, p8, our emphasis)

If provision of the boulevard is delayed by this proposed variation it means that all the heavy plant used in the preparation of the land, and construction of the extension of Brightwell Barns plus circa 430 dwellings (nearly a quarter of all the dwellings on the site, and more than already exist in Waldringfield) will have to use the narrow, bendy, rural road (Ipswich Rd) and the supposedly ‘secondary’ Western Access off the Ipswich Rd. This road is busy enough already; the amount of traffic trying exit onto the Foxhall Road roundabout is going to increase dramatically, and it is already difficult to get out in busy periods. This was one of the issues that prompted the agreement with CEG/SCDC in order to protect ‘the rural nature of the Ipswich Rd’.

The letter requesting the variation, referred to at the beginning of this response, makes no mention of the main reasons Waldringfield Parish Council and others are so concerned that the boulevard is operational before the first house is occupied. One of these reasons is described in the preceding paragraph, the other reason is that without the A12 ‘T’ junction and connecting boulevard, new residents will get into the habit of using the Ipswich Rd Western junction, and this habit will be hard to break when the boulevard arrives. We have made this point on many occasions, and were under the impression that CODE/CEG had agreed. It now seems that they have changed their minds. This not only means that (if the requested variation is approved) the problems we feared are likely to be realised, but it also undermines trust between CODE/CEG and the local community.

The real reason for these changes is obviously money. CEG want to get the income from the houses in sites A and B before they have to pay for the boulevard. Whilst the desire to save money is understandable, this situation was entirely predictable when the conditions were agreed. It is reasonable to assume that CEG had factored in the financial implications, including cash flow issues, of the phasing of the development at the time the conditions were negotiated and then agreed. If CEG weren’t aware of the potential cash flow problems, then they should have been. If they were aware, but decided to keep quiet about it, knowing they would need to request a variation later, then they would be guilty of duplicity.

- 4.3. Brightwell, Foxhall and Purdis Farm Parish Council – No comments received
- 4.4. Woodbridge Town Council – Recommend approval
- 4.5. Melton Parish Council – Do not wish to make any comments

- 4.6. Rushmere St Andrew Parish Council - Recommend approval
- 4.7. Kesgrave Town Council - The committee feel due to the complexity of the variations listed they are unable to provide comment.
- 4.8. Suffolk County Council Highway Authority – The variation proposed for Condition 34 is acceptable, if the scheme was developed in such a way that the initial phase was served off Ipswich Road it would be illogical to insist on the A12 access being provided at a very early stage. I am content that the trigger proposed provide for a flexible access strategy with sufficient control to ensure that the primary A12 access junction is delivered at a suitable time. The traffic implications at the Foxhall Road / A12 roundabout of this change are not significant, given that only a small proportion of the overall traffic tested through the Transport Assessment process is affected by the change proposed.

(The following two paragraphs are no longer relevant to the application as the variation of Condition 32 has been withdrawn from the application)

I do not see the need for the amendment to Condition 32, this simply requests that the details of the A12 speed management gateway features are submitted and approved prior to commencement, to allow for these details to be approved at an appropriate time, before the implementation of the speed limit TRO. It is accepted that the A12 speed limit strategy should be implemented in parallel with the design and construction of the A12 site access, as this will be the initial mitigation scheme on the A12. Early design and approval of these designs is essential for the co-ordinated delivery of key A12 junction improvements, reduced speed limits, enforcement cameras and measures to highlight the change in speed limit and nature of the A12, linked to Brightwell Lakes. Therefore I would recommend that condition 32 remains as drafted.

The reduced A12 speed limits will not be implemented ahead of the opening of the A12 access, as the public would not see the need for the lower speed limit on the currently national speed limit dual carriageway. We will only agree to the implementation of the lower speed limits when the appropriate gateway and mandatory signing is approved and ready to be fully implemented in parallel with the TRO sealing process. The police enforcement measures also need to be implemented in parallel with the speed limit change, to ensure speed limit compliance. Therefore I do not understand the reason for requesting the de-coupling of the gateway features from the TRO implementation, and we would recommend that this amendment is rejected.

- 4.9. Historic England - Do not wish to raise any comments
- 4.10. Highways England - The conditions the applicant is seeking to vary are outside the control and scope of the strategic highway authority and therefore do not wish to offer a view on the proposed variations of these conditions.
- 4.11. Environmental Protection – Do not wish to raise any comments
- 4.12. Third Party Representations None received

5. PUBLICITY

Category	Publication date	Expiry	Publication
Major Application Setting of a Listed Building Public Right of Way EIA development Archaeology	14.02.2019	07.03.2019	East Anglian Daily Times

6. SITE NOTICES

Site notice type	Reason	Date posted	Expiry date
General site notice	Major Application Setting of a Listed Building Public Right of Way EIA development Archaeology	14.02.2019	07.03.2019

7. PLANNING POLICY

7.1. Section S38(6) of the Planning and Compulsory Purchase Act 2004 states that the planning application is to be determined in accordance with the development plan unless material consideration indicates otherwise.

7.2. National Planning Policy Framework (2019).

7.3. East Suffolk Council- Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (adopted July 2013) the following policies are relevant to this application:

Policy SP1 Sustainable Development
Policy SP1A Presumption in Favour of Sustainable Development
Policy SP2 - Housing numbers and distribution
Policy SP3 - New homes
Policy SP5 – Employment Land
Policy SP10 - A14 and A12
Policy SP11 - Accessibility
Policy SP12 – Climate Change
Policy SP18 - Infrastructure
Policy SP19 – Settlement Policy
Policy SP20 – Eastern Ipswich Plan Area
Policy DM12 - Expansion and intensification of employment sites
Policy DM20 - Travel plans
Policy DM22 – Design Function
Policy DM23 – Residential Amenity

7.4. The new Local Plan (covering the former Suffolk Coastal area) was submitted to the Planning Inspectorate (PINS) for examination on Friday 29th March 2019, and the hearings are to take place in August 2019. Full details of the submission to PINS can be found through this link: www.eastsuffolk.gov.uk/localplanexamination . At this stage in the plan

making process, the policies that received little objection (or no representations) can be given more weight in decision making if required, as outlined under Paragraph 48 of the National Planning Policy Framework (2018). Certain policies are now considered to have some weight in determining applications; these have been referenced where applicable. The relevant policies are:

SCLP4.5: Economic Development in Rural Areas,
SCLP6.1: Tourism
SCLP6.2: Tourism Destinations
SCLP6.3: Tourism within the AONB and Heritage Coast
SCLP9.5: Flood Risk
SCLP9.6: Sustainable Drainage Systems
SCLP10.1: Biodiversity and Geodiversity
SCLP10.2: Visitor Management of European Sites
SCLP10.3: Environmental Quality
SCLP10.4: Landscape Quality
SCLP11.1: Design Quality
SCLP11.2: Residential Amenity
SCLP11.3: Historic Environment
SCLP11.4: :Listed Buildings
SCLP11.7: Archaeology
SCLP11.8: Parks and Gardens of Historic or Landscape Interest
SCLP12.34: Strategy for the Rural Areas

8. PLANNING CONSIDERATIONS

Background of the requested variation of condition 34

- 8.1. The considerations of this variation of condition application should be limited to the effects of the timing of delivery of two access points into the development on the highway network and the early establishment of this strategic site and new community.
- 8.2. The two access points under consideration, a new junction with traffic lights onto the A12 and a priority junction onto Ipswich Road, are approved details of the Outline permission and are not up for any reconsideration in terms of the principle of their use, their location and general design. The Transport Assessment and effect of 2000 homes was scrutinised thoroughly by the Highway Authority, Highways England and the Local Planning Authority at Outline planning permission stage. It was found to be sound and not resulting in severe impacts on the highway network or any safety issues as a result of the development of 2000 homes on this site. The various access designs and mitigation measures for A12 junctions were also considered and approved. In addition, the Outline permission accepted in principle that the a package of speed reductions would come forward on the A12, Ipswich Road and Foxhall Road and these have been funded by the developer as part of a current Traffic Regulation Order being assessed by the Highway Authority.
- 8.3. The Outline Planning permission gave consideration to the timing of accesses and mitigation works and these are secured in the conditions of the permission and in obligations of the Section 106 agreement. One important matter of timing related to the delivery of vehicular accesses into the site and trigger points based on residential occupations.

- 8.4. At least one of the four vehicular accesses into this site will need to be completed to enable the first occupation of homes. As the site will be phased from west to east the two key accesses for the first 1000 homes will be the A12 access and the Ipswich Road west access. When the Outline application was first submitted the applicants proposed to deliver the Ipswich Road west access first, with the A12 access opening after approximately 200 dwellings were occupied.
- 8.5. Within the consideration of the Outline application, that approach was amended and the applicants proposed that a condition would be applied to the permission requiring the A12 access to be delivered before any dwellings are occupied. This was made in response to requests from the local community, particularly the requests of Waldringfield Parish Council. It should be noted that there was no specific officer request for this change in timing, nor any request from the Highway Authority. It was however a preferable outcome to see the site delivering homes from the most western part of the site first and to see the prominent main entrance to the site delivered as the earliest part of the development. It was necessary to condition 'trigger' points for various accesses and highway works, the following summary sets out what these were:
- Signalised access junction onto A12- prior to first occupation.
 - Footway and cycle lane provided along Barrack Square up to Adastral Park main gate, prior to first occupation.
 - Ipswich Road west junction – prior to first occupation.
 - Ipswich Road east junction - prior to the first use of the school or the occupation of any dwelling with direct access to this access.
 - A12/Anson Road/Eagle Way and Gloster Road Highway works, prior to the 301st occupation.
 - Foxhall Road Roundabout and Seven Hills/Junction 58 A14 works, prior to the 601st occupation.
 - Northern Quadrant Road, prior to the 1200th occupation.
 - Tesco Anson Road Roundabout works, prior to the 1500th occupation.
- 8.6. It should be noted that Condition 34 relating to the A12 access and Ipswich Road west access were tied to delivery of the access prior to any occupation but the condition did not limit the number of dwellings having to be served by the access after its completion. Theoretically it is therefore currently possible for condition 34 to be used to deliver the A12 access serving 1 dwelling and the Ipswich Road west access to be delivered at the same time serving potentially 500 dwellings alone.
- 8.7. That scenario is highly unlikely to occur since it is very much in the developer's interest to deliver the A12 access early, as the key gateway into the site. The A12 access and boulevard also open up multiple housebuilder parcels in contrast with the Ipswich Road west access, which is likely to serve only one housebuilder. Most importantly the boulevard and A12 access are essential to route services and utilities serving all 2000 homes, the school and local centre. Services and utilities will run under the boulevard and therefore occupation of any dwelling is reliant upon the boulevard and A12 access being commenced. It is however now recognised that simultaneous installation of the services and utilities and completion of homes is not possible whilst also relying on the A12 junction as the first usable point of access. Under current circumstances the applicants would have to complete the services

and utilities and complete the final surfacing of a substantial length of the boulevard prior to any dwelling being occupied. This approach creates significant up-front infrastructure costs.

- 8.8. It also needs to be well recognised that this strategic site has major up-front infrastructure and site preparation costs. The cash flow of the master developer is important in delivering the first homes on this site and enabling it to continue to deliver at a good pace. Securing housebuilders prior to commencement is essential for the infrastructure investment and housebuilders currently interested in the site are not willing to proceed with the currently worded condition 34. This application therefore seeks to allow up to 200 dwellings to be delivered off the Ipswich Road west access whilst the boulevard and A12 access is built at the same time. This approach will enable an earlier commencement of housebuilding and then by 200 occupations (at the very latest) the A12 access would be complete, along with a significant length of the boulevard, creating the infrastructure for the first 1000 homes to come forward. It should be noted that a single housebuilder would deliver on average around 50 dwellings per year. Once early infrastructure is in place the site could potentially support up to five housebuilders at the same time.
- 8.9. Importantly, the delivery of the all-through school site needs to be recognised in this relationship. The school site is also reliant on the boulevard being delivered in order to provide a school site serviced with electricity, broadband, water and drainage. The Section 106 agreement obligates the developer to hand over a level and serviced school site to the County Council upon the occupation of 100 dwellings. This increases the importance of an early commencement of the construction of the boulevard and A12 access. Again the school site is a major up-front infrastructure cost which increases the need to achieve some return from the site in selling off serviced housebuilder parcels to justify substantial up-front costs and deliver homes and infrastructure are delivered simultaneously.

Highway effects of the variation of condition 34

- 8.10. The primary consideration of this proposed variation is the effect that the use of the Ipswich Road west access by up to 200 dwellings may have on the highway network. The principle of the use of this access is accepted and under the current wording of the condition the access would still be used by a large number of early occupants of the site. The difference resulting from the proposed variation is that the new occupants would not have a choice to use either the Ipswich Road west access or the A12 access; at least not until the A12 access is delivered. As a result of the approved masterplanning it is likely that approximately 200 dwellings would be served predominantly off the secondary road leading from the Ipswich Road west access and the current reserved matters application for that secondary road also includes traffic calming measures to ensure it is less attractive for use by residents of parcels not served off it. Therefore there is no significant difference in the effect of 200 homes having a single point of access, via Ipswich Road west, in the early years of the development.
- 8.11. Some local concern relates to those early residents creating congestion on the Foxhall Road A12 roundabout. However the trigger point, dictated by the Outline application Transport Assessment and traffic modelling dictates that the improvements to that roundabout are not required until 600 dwellings are occupied. Well before that point the A12 access and potentially also the Ipswich Road east access would be open and in use. There is no adverse effect in this variation to access delivery on the highway network and specifically not on junctions proposed to be improved later into the development. The effect on the highway

network would not be severe, which is the test to be applied by paragraph 109 of the NPPF. This is confirmed in the consultation response of no objection from the Highway Authority.

- 8.12. Concerns regarding increased use of Ipswich Road by construction traffic are noted. However the routing and control of construction traffic is limited in its consideration to the pre-commencement Construction Management Plan condition. As a result of the expansive nature of the site, existing access and routes and the amount of site re-profiling required, the primary construction access has always been expected to be the existing quarry access, which will become a residential access later into the development. This access is also well used currently by quarry traffic which will cease or vastly reduce in the coming years.

Community effects of the variation of condition 34

- 8.13. It is important in the creation of a new community as substantial as this to consider the quality of environment and sustainability of the location of earliest residents. Community cohesion with existing communities and the creation of a strong sense of community with Brightwell Lakes are important considerations. Under the circumstances of the proposed variation of this condition it is possible that 200 homes would be developed in a relatively isolated position on the site until further housebuilder parcels commence. The parcel off Ipswich Road west will benefit from the Brightwell Barns development adjacent, providing some employment opportunities. That site also has a small café which would be open to use by those early residents.
- 8.14. Importantly the new residents of that parcel need to be able to access services and facilities to the north west in Martlesham, particularly education and retail facilities. For that purpose the Outline permission included a condition requiring each housing application to be accompanied by an interim access strategy, setting out pedestrian and cycle routes to be provided during the construction period to reach local destinations. That condition will remain applicable and should be addressed alongside the reserved matters application for the housing. In the case of housing off the Ipswich Road west access, this parcel will include a newly created bridleway on the southern edge of the site. This is to be delivered alongside a green 'SANG' link and this will lead on to the existing southern boundary bridleway and onto the A12 pedestrian and cycle path, leading north into Martlesham. The bridleway leading north along the eastern Adastral Park fence will also be an available option to access Martlesham sustainably. In light of these connections and the temporary and expected nature of fragmented site delivery, this proposed variation would have no adverse effects on the creation of this community and its sustainability.
- 8.15. Outside of the locally perceived highway effects on local residents there would be no significant direct or indirect effects on existing local residents as a result of this variation.

9. CONCLUSION

- 9.1. The concerns raised by Waldringfield in respect of the change in the applicant's position on this condition are well noted and have been discussed in the recent Brightwell Lakes Community Forum. The local community understandably feel that promises were made in the Outline application, to deliver the A12 first and the applicants are now proposing something different. It is however important to focus on the clear reasons for this variation and the relevance of the variation to the delivery of both housing and infrastructure on this

site. It is regrettable that this has caused such concern for some members of the community however the material considerations in this case dictate that there will be no adverse effects in this variation of condition.

- 9.2. It is anticipated that this variation will enable two areas of the first phase of the site to be delivered together, allowing increased rates in occupation and increased speed of delivery of essential on-site infrastructure, including the school. There will be no adverse effects on the highway network or creation of this community with this variation to Condition 34. The proposed variation has no material affect on the Environmental Impact Assessment of the Outline Application, including the Transport Assessment, the conclusion of which was that there would be no likely significant environmental effects resulting from this development as a whole. The proposal is therefore acceptable and condition 34 should be varied as requested by the applicants.

10. RECOMMENDATION

Approve permission to issue the variation of condition 34 to state:

34. The Following highway improvement shall be completed and made available for use in accordance with the relevant permitted drawings prior to occupation of the first dwelling:

Shared cycleway and footway connection via Barrack Square – drawing number. 10391-HL-103 revision A

The following access and highway improvement shall be completed and made first available for use in accordance with the relevant permitted drawings prior to occupation of the the first dwelling within the orange area (being the A area) on drawing 31677 30B or prior to the occupation of the 201st dwelling, whichever is sooner:

Proposed western signalised access off A12 dual carriageway – drawing number 1039-HL-07 revision C.

The following access and highway improvement shall be completed and made available for use in accordance with the relevant permitted drawings prior to occupation of the first dwelling within the area outlined light blue (being the site B area) on drawing 31677 30B or prior to the occupation of the 301st dwelling, whichever is sooner:

Proposed priority junction western access off Ipswich Road – drawing number 10391-HL-05 revision E.

As a Variation of Condition application, all previous conditions are reapplied to this permission and it acts as a new decision notice for the Outline approval (time limits adapted to address the passage of time). The Section 106 agreement does not require any variation owing to a clause written into the agreement applying the Section 106 agreement to any subsequent Variation of Condition application.

BACKGROUND INFORMATION:

See application ref: DC/18/4644/VOC and DC/17/1435/OUT
at www.eastsuffolk.gov.uk/public-access