

Public Document Pack



COMMITTEE:	DEVELOPMENT CONTROL COMMITTEE A
DATE:	WEDNESDAY, 22 JULY 2020 9.30 AM
VENUE:	VIRTUAL TEAMS VIDEO MEETING

Councillors		
<u>Conservative and Independent Group</u> Lavinia Hadingham (Vice-Chair) Matthew Hicks (Chair) Richard Meyer Dave Muller	<u>Green Group</u> Rachel Eburne Sarah Mansel John Matthissen	<u>Liberal Democrat Group</u> John Field

This meeting will be broadcast live to Youtube and will be capable of repeated viewing. The entirety of the meeting will be filmed except for confidential or exempt items. If you attend the meeting and make a representation you will be deemed to have consented to being filmed and that the images and sound recordings could be used for webcasting/training purposes.

The Council, members of the public and the press may record/film/photograph or broadcast this meeting when the public and the press are not lawfully excluded.

AGENDA

PART 1

MATTERS TO BE CONSIDERED WITH THE PRESS AND PUBLIC PRESENT

Page(s)

- 1 **APOLOGIES FOR ABSENCE/SUBSTITUTIONS**
- 2 **TO RECEIVE ANY DECLARATIONS OF PECUNIARY OR NON-PECUNIARY INTEREST BY MEMBERS**
- 3 **DECLARATIONS OF LOBBYING**
- 4 **DECLARATIONS OF PERSONAL SITE VISITS**
- 5 **NA/19/24 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 24 JUNE 2020** 7 - 12
- 6 **TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION SCHEME**

7 **NA/19/25 SCHEDULE OF PLANNING APPLICATIONS** 13 - 16

Note: *The Chairman may change the listed order of items to accommodate visiting Ward Members and members of the public.*

a **DC/20/01717 LAND EAST OF ABBEY HILL, HOXNE, SUFFOLK** 17 - 76

b **DC/20/00585 HARVEYS GARDEN PLANTS, GREAT GREEN, THURSTON, BURY ST EDMUNDS, SUFFOLK, IP31 3SJ** 77 - 114

8 **SITE INSPECTION**

Note: *Should a site inspection be required for any of the applications this will be decided at the Committee.*

Notes:

1. The Council has adopted a Charter on Public Speaking at Planning Committee. A link to the Charter is provided below:

[Charter on Public Speaking at Planning Committee](#)

Please Note the additional public speaking arrangements for virtual meetings as detailed below:

Those persons wishing to speak on a particular application must contact the Governance Officer on the details below at least 1 working day prior to the meeting to receive details about joining the meeting to speak.

They will then be invited by the Chairman to speak when the relevant item is under consideration. This will be done in the following order:

- Parish Clerk or Parish Councillor representing the Council in which the application site is located
- Objectors
- Supporters
- The applicant or professional agent / representative

Public speakers in each capacity will normally be allowed 3 minutes to speak.

If a speaker persistently interrupts or disrupts the meeting they will be removed or asked to leave.

1. Ward Members attending meetings of Development Control Committees and Planning Referrals Committee may take the opportunity to exercise their speaking rights but are not entitled to vote on any matter which relates to his/her ward.

Date and Time of next meeting

Please note that the next meeting is scheduled for Wednesday, 19 August 2020 at 9.30 am.

Webcasting/ Live Streaming

The Webcast of the meeting will be available to view on the Councils Youtube page: https://www.youtube.com/channel/UCSWf_0D13zmegAf5Qv_aZSg

For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact the Committee Officer, Robert Carmichael - committees@baberghmidsuffolk.gov.uk - 01449 724930

Introduction to Public Meetings

Babergh/Mid Suffolk District Councils are committed to Open Government. The proceedings of this meeting are open to the public, apart from any confidential or exempt items which may have to be considered in the absence of the press and public.

Domestic Arrangements:

- Toilets are situated opposite the meeting room.
- Cold water is also available outside opposite the room.
- Please switch off all mobile phones or turn them to silent.

Evacuating the building in an emergency: Information for Visitors:

If you hear the alarm:

1. Leave the building immediately via a Fire Exit and make your way to the Assembly Point (Ipswich Town Football Ground).
2. Follow the signs directing you to the Fire Exits at each end of the floor.
3. Do not enter the Atrium (Ground Floor area and walkways). If you are in the Atrium at the time of the Alarm, follow the signs to the nearest Fire Exit.
4. Use the stairs, not the lifts.
5. Do not re-enter the building until told it is safe to do so.

Mid Suffolk District Council

Vision

“We will work to ensure that the economy, environment and communities of Mid Suffolk continue to thrive and achieve their full potential.”

Strategic Priorities 2016 – 2020

1. Economy and Environment

Lead and shape the local economy by promoting and helping to deliver sustainable economic growth which is balanced with respect for wildlife, heritage and the natural and built environment

2. Housing

Ensure that there are enough good quality, environmentally efficient and cost effective homes with the appropriate tenures and in the right locations

3. Strong and Healthy Communities

Encourage and support individuals and communities to be self-sufficient, strong, healthy and safe

Strategic Outcomes

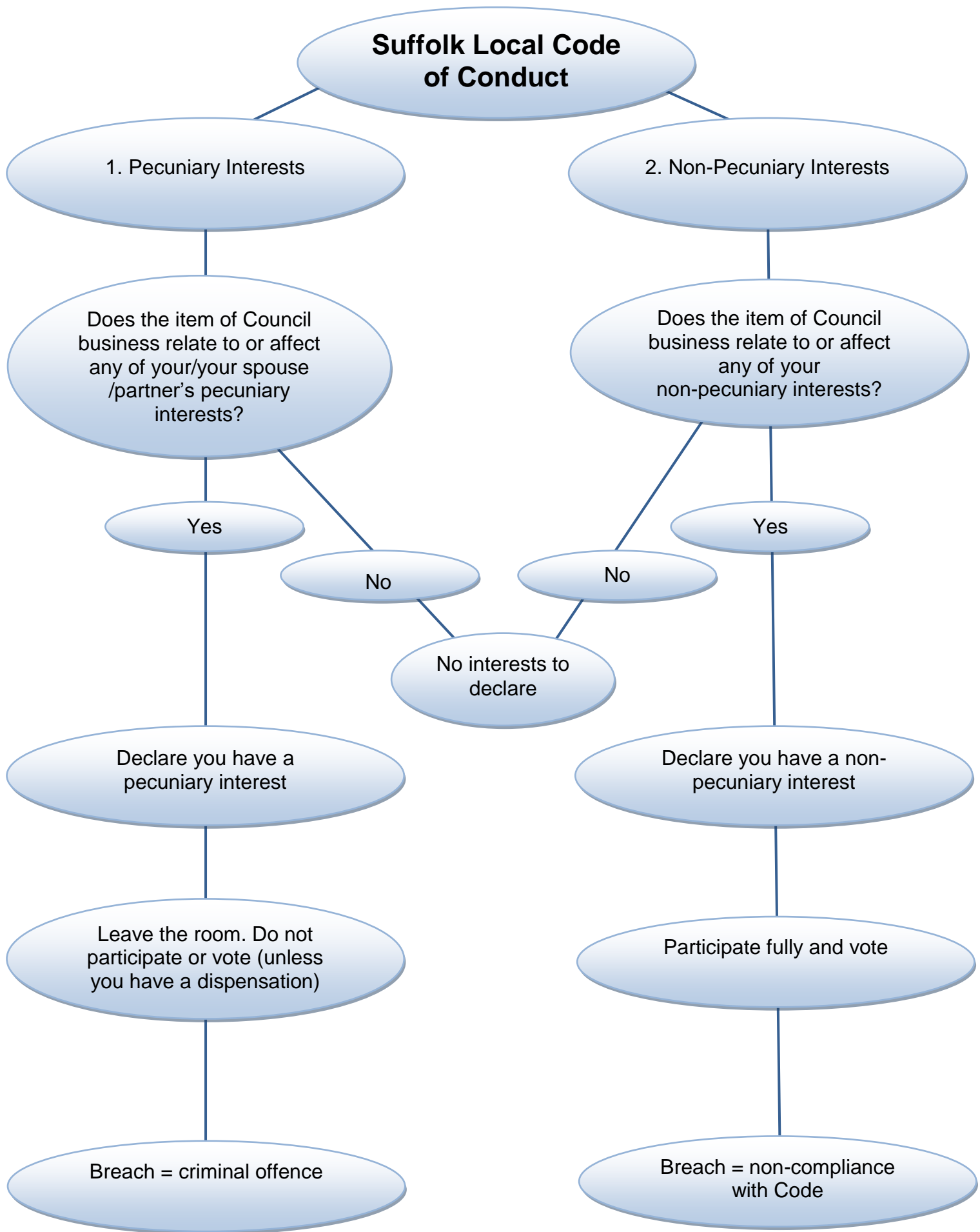
Housing Delivery – More of the right type of homes, of the right tenure in the right place

Business growth and increased productivity – Encourage development of employment sites and other business growth, of the right type, in the right place and encourage investment in infrastructure, skills and innovation in order to increase productivity

Community capacity building and engagement – All communities are thriving, growing, healthy, active and self-sufficient

An enabled and efficient organisation – The right people, doing the right things, in the right way, at the right time, for the right reasons

Assets and investment – Improved achievement of strategic priorities and greater income generation through use of new and existing assets ('Profit for Purpose')



It was Resolved that the Minutes of the meeting held on 13 May 2020 were confirmed as a true record.

116 TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION SCHEME

None received.

117 NA/19/23 SCHEDULE OF PLANNING APPLICATIONS

In accordance with the Council's procedure for public speaking on planning applications a representation was made as detailed below:

Application Number	Representations From
DC/19/01401 & DC/19/01649	Diana Stroh (Bramford Parish Council) Caroline Wolton (Objector) Chris Smith (Applicant) Cllr James Caston (Ward Member)

118 DC/19/01401 & DC/19/01649 LAND TO THE SOUTH OF FITZGERALD ROAD, BRAMFORD, SUFFOLK

118.1 Item A

Application	DC/19/01401 & DC/19/01649
Proposal	Outline Planning Application (some matters reserved)- Residential development of up to 115
Site Location	BRAMFORD – Land to the South of Fitzgerald Road, Bramford, Suffolk
Applicant	Mrs R M Wintour & Hopkins Homes Ltd

118.2 The Case Officer presented the application to the Committee outlining the proposal before Members, the layout of the site and the officer recommendation of approval as detailed in the Committee Report.

118.3 The Case Officer responded to Members' questions on issues including: the bus routes in the area, the reduction in the number of units that had been originally proposed, the Parish Plan, the proposed biodiversity and sustainability measures, proposed highways mitigation measures, that this was a twin track application, the density of the site, and the CIL provision from the site.

118.4 Members considered the representation from Diana Stroh who spoke as the Parish representative.

118.5 The Parish Council representative responded to Members' questions on issues including: the amount of engagement from the Applicant and the sustainable transport links into Ipswich.

118.6 Members considered the representation from Caroline Wolton who spoke as

an Objector.

118.7 Members considered the representation from Chris Smith who spoke as the Applicant.

118.8 The Applicant responded to Members' questions on issues including: engagement with the Parish Council, the sustainability of the site, and the transport links to Ipswich.

118.9 Members considered the representation from the Ward Member, Councillor James Caston.

118.10 Members debated the applications on the issues including: the sustainability of the site, the access to nearby schools, the ribbon development of the proposal, transport links, and cycling routes.

118.11 Councillor Dave Muller proposed that the applications (both DC/19/01401 & DC/19/01649) be approved as detailed in the officer recommendation with the additional conditions as follows:

- Reserved matters to be in general accordance with the indicative plan
- Market Housing Mix to be agreed
- Letter and informative on cycle infrastructure provision priority
- Ensure ringfencing of all monies secured in Section 106 are used for the Bramford Area (may include Sproughton and West Ipswich Fringe)

118.12 Councillor Lavinia Hadingham seconded the motion.

118.13 By 6 votes to 2

118.14 **RESOLVED**

That the application is GRANTED planning permission:

(1) Subject to the prior agreement of a Section 106 Planning Obligation on appropriate terms to the satisfaction of the Chief Planning Officer to secure:

- **Affordable Housing at 35% (all NDSS standard) consisting of:**

Affordable Rent: Total: 30

8 x 3b 5 person Semi-detached @ 93sqm

13 x 2b 4 person Semi-detached @ 79sqm

3 x 2b 4 person bungalows @ 70sqm

6 x 1b 2 person Apartments @ 50sqm

Shared Ownership: Total 10

4 x 3b 5 person houses @ 93sqm

6 x 2b 4 person houses @ 79sqm

- Public Open Space no less than 4Ha inclusive of management company
- Early Years Education contribution totalling £215,721
- Highways contributions for Passenger Transport of £170,000, Raised Bus Stop Kerbs of £15,000 or completion to LHA satisfaction through S278, and Highways Mitigation Scheme of £130,000.
- Skylark Mitigation consisting of 6 plots

(2) That the Chief Planning Officer be authorised to grant Planning Permission upon completion of the legal agreement subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:

1. Reserved Matters Timescale
2. Reserved Matters Details
3. Approved plans
4. Highways – visibility
5. Highways – details of access
6. Highways – surface water discharge
7. Highways – loading / unloading
8. Highways – refuse / recycling
9. Highways – HGV construction
10. Construction and Environmental Management Plan (CEMP)
11. Archaeology (Pre-Investigation)
12. Archaeology (Post-Investigation)
13. Lighting Design Scheme
14. Biodiversity enhancement
15. Ecological appraisal recommendations
16. Landscape and Ecological Management Plan
17. Landscape – advanced planting
18. Landscaping scheme
19. Landscape management plan
20. Landscape SUDs details
21. Surface water management strategy
22. SUDs details
23. Fire hydrant provision details
24. Sustainability measures
25. Limit to 2 storey development

(3) And the following informative notes as summarised and those as may be deemed necessary:

1. Section 38 of the Highways Act 1980
2. Section 278 of the Highways Act 1980

(4) That in the event of the Planning obligations or requirements referred to in Resolution (1) above not being secured and/or not secured within 12 months that the Chief Planning Officer be authorised to refuse the application on appropriate ground.

Additional Conditions:

- Reserved matters to be in general accordance with the indicative plan
- Market Housing Mix to be agreed
- Letter and informative on cycle infrastructure provision priority
- Ensure ringfencing of all monies secured in Section 106 are used for the Bramford Area (may include Sproughton and West Ipswich Fringe)

119 SITE INSPECTION

119.1 None requested.

The business of the meeting was concluded at 11.40 am.

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Chair

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Agenda Item 7

MID SUFFOLK DISTRICT COUNCIL

DEVELOPMENT CONTROL COMMITTEE A

22 July 2020

INDEX TO SCHEDULED ITEMS

<u>ITEM</u>	<u>REF. NO</u>	<u>SITE LOCATION</u>	<u>MEMBER/WARD</u>	<u>PRESENTING OFFICER</u>	<u>PAGE NO</u>
7A	DC/20/01717	Land East of Abbey Hill, Hoxne, Suffolk	Cllr Matthew Hicks / Worlingworth Ward	Jamie Edwards	
7B	DC/20/00585	Harveys Garden Plants, Great Green, Thurston, Bury St Edmunds, Suffolk, IP31 3SJ	Cllr Harry Richardson & Cllr Wendy Turner	Mahsa Kavyani	

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Protocol for Virtual Meetings

Live Streaming:

1. The meeting will be held on TEAMS and speakers will be able to join via invite only. Any person who wishes to speak at the meeting must contact Committee Services at: committees@babergmidsuffolk.gov.uk at least 24 hours before the start of the meeting.
2. The meeting will be live streamed and will be available to view on the Council's YouTube page as detailed below:
https://www.youtube.com/channel/UCSWf_0D13zmegAf5Qv_aZSg

Recording of proceedings:

1. Proceedings will be conducted in video format.
2. A Second Governance Officer will be present and will control the TEAMS call and Livestreaming.
3. Members should display the Corporate Background whilst in attendance at formal meetings; the working together logo should be used for joint meetings.
4. If you are experiencing slow refresh rates and intermittent audio you should turn off incoming video to improve your connection to the meeting (If this also does not work please turn off your own camera).

Roll Call:

1. A roll call of all Members present will be taken during the Apologies for Absence/Substitution to confirm all members are present at the meeting.

Disclosable Pecuniary Interests:

1. A Councillor declaring a disclosable pecuniary interest will not be permitted to participate further in the meeting or vote on the item. Where practicable the Councillor will leave the virtual meeting, including by moving to a 'lobby' space and be invited to re-join the meeting by the Committee Officer at the appropriate time. Where it is not practicable for the Councillor to leave the virtual meeting, the Committee Officer will ensure that the Councillor's microphone is muted for the duration of the item.

Questions and Debate:

1. Once an item has been introduced, the Chair will ask if there are any questions. Members of the Committee will be asked to use the "Hands Up" function within teams. The Chair will then ask Members to speak.
2. Any Councillors present who are not part of the Committee will then be invited to ask questions by using the "Hands up function" within teams. The Chair will then ask Members to speak.

3. At the end of the questions the Chair will ask Members whether they have any further questions before entering into debate.
4. In the instance where a Member of the Committee would like to formally make a proposal, they should raise their hand using the Hands Up function. At this point the Chair would go directly to them and take the proposal. Once the proposal has been made the Chair would immediately ask if there was a seconder to the Motion. If there is it would become the substantive Motion and the Chair would again continue down the list of Councillors until there is no further debate.
5. Upon completion of any debate the Chair will move to the vote.

Voting:

1. Once a substantive motion is put before the committee and there is no further debate then a vote will be taken.
2. Due to circumstances the current voting by a show of hands would be impractical - as such the Governance Officer will conduct the vote by roll call. The total votes for and against and abstentions will be recorded in the minutes not the individual votes of each Councillor. Except where a recorded vote is requested in accordance with the Rules of Procedure.
3. The governance officer will then read out the result for the Chair to confirm.
4. A Councillor will not be prevented from voting on an item if they have been disconnected from the virtual meeting due to technical issues for part of the deliberation. If a connection to a Councillor is lost during a regulatory meeting, the Chair will stop the meeting to enable the connection to be restored. If the connection cannot be restored within a reasonable time, the meeting will proceed, but the Councillor who was disconnected will not be able to vote on the matter under discussion as they would not have heard all the facts.

Confidential items:

1. The Public and Press may be Excluded from the meeting by resolution in accordance with normal procedural rules. The Committee Officer will ensure that any members of the public and press are disconnected from the meeting.

Agenda Item 7a

Committee Report

Item 7A

Reference: DC/20/01717

Case Officer: Jamie Edwards

Ward: Hoxne & Worlingworth.

Ward Member/s: Cllr Matthew Hicks.

RECOMMENDATION –GRANT PLANNING PERMISSION WITH CONDITIONS

Description of Development

Application for Approval of Reserved Matters following outline approval under DC/17/02868 dated 25/08/2017 the Access, Appearance, Landscaping, Layout and Scale for (Erection of up to 4 No. dwellings).

Location

Land East Of, Abbey Hill, Hoxne, Suffolk

Expiry Date: 24/07/2020

Application Type: RES - Reserved Matters

Development Type: Minor Dwellings

Applicant: Danny Ward Builders

Agent: Mrs Sarah Roberts

Parish: Hoxne

Site Area: 0.6 Hectares

Gross Density: (Total Site): 6.6 dph

Details of Previous Committee / Resolutions and any member site visit: None

Has a Committee Call In request been received from a Council Member (Appendix 1): Yes

Has the application been subject to Pre-Application Advice: Yes (DC/20/01043)

PART ONE – REASON FOR REFERENCE TO COMMITTEE

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

The Head of Economy considers the application to be of a controversial nature.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

GP01 - Design and layout of development

HB01 - Protection of historic buildings
HB08 – Safeguarding the character of a conservation area
H13 - Design and layout of housing development
H15 - Development to reflect local characteristics
H16 - Protecting existing residential amenity
CS05 - Mid Suffolk's Environment
CS09 - Density and Mix
NPPF - National Planning Policy Framework

Neighbourhood Plan Status

This application site is a Neighbourhood Plan Area.

The Neighbourhood Plan is currently at:-
Stage 1: Designated neighbourhood area

Accordingly, the Neighbourhood Plan has little weight with no policies drafted to assess against at the time of writing this report.

Consultations and Representations

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

A: Summary of Consultations

Town/Parish Council (Appendix 3)

- Did not support the outline permission
- The details of Parish Council response to outline and withdrawn reserved matters are available online.
- Before submission of this application the agent did 'enter into a dialogue with the parish council and some revisions were made'.
- Unanimously agreed to recommend REFUSAL of the application due to the unacceptable size and scale of the properties and their proximity to and detrimental impact on the Grade II listed building that is St Edmunds Monument.
- Contrary to paragraphs 124, 127, 130, 185, of the NPPF regarding design and contrary to paragraphs 8, 11, 193 and 196 of the NPPF regarding principle of development.

National Consultee (Appendix 4)

Natural England

Natural England currently has no comment to make on the reserved matters application, (amended plans submitted 20.5.20).

County Council Responses (Appendix 5)

SCC - Highways

No objection subject to conditions relating to:

Visibility splays

Manoeuvring and parking

Refuse storage and presentation

SCC - Archaeological Service

The site is of archaeological potential, as set out in my advice letter on the outline consent (attached). For application DC/17/02868, I advised that archaeological work could be undertaken as a condition on outline consent, as there was still an element of flexibility afforded, but that evaluation should be undertaken to inform Reserved Matters applications and allow preservation in situ through design if appropriate. The document submitted with the application is the brief for the work prepared by SCC, not a report on work - the field evaluation therefore still needs to be undertaken to inform the application.

I therefore recommend that the applicant should commission and undertake the evaluation to allow informed decisions on the application (in accordance with the NPPF paragraphs 189 and 190).

Archaeological contractors will be able to prepare schemes of investigation and estimates of cost, based on the brief.

Officer Note – Conditions 7&8 on DC/17/02868 conditioned archaeological investigation.

Internal Consultee Responses (Appendix 6)

Public Realm

The Public Realm team have no comments to make on this application with regards to accessible public open space.

Heritage

Outline permission was granted in 2017. Heritage Team were not asked to advise, but the planning case officer in her delegated report took into consideration local representations made in response to publicity which raised heritage issues relating to the monument.

Her conclusion was that the proposal would not result in harm to the setting, character or appreciation of the monument. She further concluded that the scheme offered opportunity to define access to the monument more clearly than at present.

The monument was added to the statutory list on 24.12.2018. The entry gives reasons for listing as follows: commemorative significance, marking an important event in national history; and locational significance, marking the place identified in legend as the site of King Edmund's murder.

Following listing the Council must observe the statutory duties imposed by the Act in considering reserved matters applications. In making comments on Reserved Matters applications I assume that focus should be on the impact of the proposals for reserved matters in distinction from any impact from the principle of the development or from details of access, which have been approved under the Outline permission. In my response on the previous Reserved Matters application I raised concerns on the visual impact of plot 1, and the lack of emphasis on the access to the monument. In response to pre-application advice the agent has revised Plot 1 and the access to the monument in this application. Following local representations, the agent has further amended the access to the monument re-orienting the houses in plots 2 and 3 so as to acknowledge the access, and giving the landscaping at the access a less formal character.

In my view the proposal successfully addresses the concerns raised by myself previously and will have a neutral impact on the setting of the listed monument.

Other Consultee Responses (Appendix 7)

Suffolk Preservation Society

Conclusion of comments:

The proposals will result in harm to the setting of heritage assets. Para 194 of the NPPF requires that any harm to the significance of a designated heritage asset from development within its setting, requires clear and convincing justification. In this case the development of this gap in the manner proposed cannot be justified when more sensitive alternatives are available. We strongly recommend that the application undergoes Design Review in order to identify a more sensitive scheme, of smaller scale that maximises views of the Monument that meets the needs of the developer while recognising and safeguarding the heritage. This is a rare opportunity to frame views, create and enhanced sense of place and celebrate the Monument. Sadly, this scheme fails to achieve these opportunities and we urge you to resist the application in its current form. We trust that you will find these comments helpful and request that the Society is notified of any future amendments.

B: Representations

At the time of writing this report at least 30 letters/emails/online comments have been received. It is the officer opinion that this represents 15 objections, 0 support and 0 general comment.

Views are summarised below:-

- Drainage and flooding issues
- Traffic intensification
- Impacts to wildlife as a result of hedgerows and trees
- Impact to the listed monument, setting and the route to
- Scale and mass and impacts to local character
- Dominate skyline
- Overshadowing houses opposite
- Needs imagination
- Single storey only
- Concerns relating to the heritage impact assessment
- Green field site
- Not a response to housing need
- Alternative sites available
- Place of great natural beauty.
- Impact to polyfocal character of the conservation areas
- No affordable housing
- Piece meal on adjacent sites
- Impact on 'sacred ground'
- Principle of development – no house on historic site
- Removal of trees unacceptable (taken years to grow)
- Designs not in keeping
- Density too high for sensitive site
- No validation of the removal of the Ash tree
- Little change in the original design.
- Applications refused on site opposite for the same reasons of objection here
- Elevate land will increase the impact
- Impacts to views
- No adequate or sympathetic access to monument
- Concerns with the Heritage Statement submitted not addressing impact

- ‘At best gives a passing glimpse and does not ‘frame’ it as suggested by their design and access statement.’
- Recommendation for a design review panel
- Green field development
- Obscures countryside views
- Comments and concerns with highways conditions
- Impact to polyfocal conservation area
- Mid Suffolk’s Heritage and Settlement Sensitivity Assessment report - this site as having one of Hoxne “Key Views” saying that “ (9) View Looking to Low Street and to the memorial to St Edmund. This shows the inter-relationship of the flood plain and the development on higher ground to the two historic cores as well as the prominent location of the memorial.”
- New occupants will put up fences to restrict views.
- Lacks creativity or sympathy of the location and remain typically new build, executive urban sprawl

(Note: All individual representations are counted and considered. Repeated and/or additional communication from a single individual will be counted as one representation.)

PLANNING HISTORY

REF: DC/17/02868	Outline Planning Application (with some matters reserved) - Erection of up to 4 No. dwellings	DECISION: GTD 25.08.2017
REF: DC/20/00588	Application for Approval of Reserved Matters following outline approval under DC/17/02868 dated 25/08/2017 the Access, Appearance, Landscaping, Layout and Scale for (Erection of up to 4 No. dwellings).	DECISION: WDN 04.03.2020

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1. The site is agricultural land and forms part of a corner of the field located on the northern boundary of Hoxne village.
- 1.2. The site is located approximately 100m from the Hoxne Cross conservation area to the south and approximately 250m from the Hoxne conservation area to the North.
- 1.3. The site therefore sits between the two conservation areas that make up the polyfocal nature of Hoxne.
- 1.4. The site abuts the pavement along the Abbey Hill road. From the path the land slopes up with the site elevated above the road.

- 1.5. Set back from the road by approximately 85m, and to the immediate East of the site is a Grade II listed monument to St Edmunds. The monument was added to the statutory list on 24/12/2018. The entry gives reasons for listing as follows: commemorative significance, marking an important event in national history; and locational significance, marking the place identified in legend as the site of King Edmund's murder. (more details of which are within the principle of development).
- 1.6. There are timber steps from the public footpath next to the road, up the slope, into the western boundary of the site providing access to the monument.
- 1.7. There is a PROW outside the site boundary heading north, away from the site and along an existing track.
- 1.8. The site is adjacent and to the north of a row of, semi-detached, 20th century dwellings known as Nos 1-6 Abbey Hill. These dwellings were described within the outline permission as two-storey dwellings. The dwellings have reduced eaves on the front elevation but not the side or rear, giving them a principle elevation of a tall 1.5 storey dwelling but are more generally two-storey dwellings.
- 1.9. Opposite the site are two residential properties, (Rosemount and Grasmere). All the nearby dwellings are set back from the road and situated in large plots.
- 1.10. The land to the north, wrapping around the site is designated as a Special Landscape Area.

2. The Proposal

2.1 The proposal is a reserved matters application following an outline approval under reference DC/17/02868. for four new dwellings. Matters for consideration are:

- Access
- Appearance
- Landscaping
- Layout
- Scale

2.2 The proposal is for four dwellings:

- Plot 1:
 - Single storey
 - 4 bedroom
 - Floor space 235 sqm
 - Pantiles on the roof and horizontal and vertical weather boarding
 - Detached 2 bay cart lodge with home office (66sqm) .
- Plots 2 and 3
 - Two- storey
 - 3 bedroom
 - Ground floor 72 sqm
 - First floor 72 sqm
 - Total floor 144sqm
 - Render and clay pantiles
 - Ridge: 8.5m / Eaves: 4.51m
 - Detached single bay cart lodge with store (32sqm).

- Plot 4
 - Two- storey
 - 4 bedroom
 - Ground floor 112 sqm
 - First floor 112 sqm
 - Total floor 224sqm
 - Render and clay pantiles
 - Ridge: 8.4m / Eaves: 4.5m
 - Attached garage (included in above sqm).

2.3 The proposal also includes a permissible path to access the monument which starts from the existing steps opening up to 13m wide and funnelling down to 4m wide from approximately 15m into the site and maintaining 4m width to the rear of the site.

2.4 The overall site is 0.6 hectares.

3. **The Principle Of Development**

3.1 The site benefits from an extant outline permission under reference DC/17/02868 issued on 25/08/2017.

3.2 As such the principle has been established, and the key test in regards to this application is whether the proposed access, layout, scale, appearance and landscaping respond appropriately to the character and amenity of the area, having regard to the relevant Local Plan Policies.

3.3 Between the outline application has being approved and the reserved matters application being submitted, the monument was added to the statutory list on 24.12.2018. Therefore, the monument is now considered listed as a heritage asset.

3.4 The entry gives reasons for listing as follows: commemorative significance, marking an important event in national history; and locational significance, marking the place identified in legend as the site of King Edmund's murder.

3.5 The listing of the monument is a material consideration in the assessment of the reserved matters application however it does not void the principle of development. The reserved matter application will still need to have regard to the heritage asset and its setting but does not cancel out the principle of development granted.

3.6 Therefore, the reserved matters application relates to access appearance, landscaping, layout and scale. These elements are taken in the context of the setting of the listed monument, the character of the area and the setting of two conservation areas.

4. **Site Access, Parking And Highway Safety Considerations**

4.1 There are two access to the site. One for plots 1 and 2 and one for plots 3 and 4.

- 4.2 The access for plots 3 and 4, under the outline application, was approved just north and adjacent to the Oak tree labelled as T1 in the Arboricultural Impact Assessment drawing (7933-D-AIA) submitted within this reserved matter application.
- 4.3 However, to preserve the T001 Oak tree the proposal now seeks to move the access.
- 4.4 The first reiteration under the pre-application enquiry sought to place this new access between the two Ash trees T002 and T003. For an access to serve two plots it would need to be meet 4.5m width standards from the Highways Authority. This 4.5m standard would result in the roots of the Ash tree (T002) being adversely impacted. Therefore, the agent took the view to protect the Ash tree and for purpose of the pre-application the proposal reduced the access width to 3m, to meet the highways standards to serve just one plot, thus mitigating the impact to the Ash tree T002. This therefore had a knock-on effect, resulting in the other access, to the north, now serving plots 1, 2 and 3.
- 4.5 However, this shared driveway for plots 1, 2 and 3 now crossed over the permissive path to the monument, to access plot 3 (drawing of this will be shown in the committee presentation to explain).
- 4.6 At the pre-application stage and with further consultation with the Parish Council, it was considered that a driveway that crosses over the permissive path would have adverse impacts on highways safety for the pedestrians using the permissive path to access the monument by way of the future occupants accessing plot 3.
- 4.7 Therefore, the original concept of having plots 1 and 2 accessed off one access and plots 3 and 4 off the another was resumed.
- 4.8 By protecting the Oak tree (T001) (which in the long term would have a greater positive contribution to the character of the area than that of the Ash (T002)) from the access approved in the outline application, the new proposed access will need to be moved northwards, away from its route canopy. However, to ensure the access width meets the Highways Authority standards for access to two plots, preventing the driveway crossing over the permissive path, the Ash Tree (T002) will need to be removed. The Ash tree will be replaced, further consideration in this regards is set out within the landscape section below.
- 4.9 By taking this approach the proposal has not only satisfied the highways standards of a 4.5m wide access for the number of plots served, it also prevents any unnecessary conflict between pedestrians and vehicles accessing plot 3.
- 4.10 As such the proposal has considered the consequences of both options of access and brought forward at the reserved matters application the access proposal which mitigates risk to pedestrians using the permissive path. The new access proposal now does not hinder the Oak tree but will result in the loss of the Ash tree. However, this could be compensated for.
- 4.11 It is therefore considered that the proposal meets the requirements of policies T09 and T10 of the Mid Suffolk Local Plan.
- 4.12 The highways Authority offer no reason to object to the proposal. Conditions are recommended to secure the visibility splays before the use of the access commences, to secure the access standard layouts, secure the areas of parking and manoeuvring and to provide details of bin storage and presentation.

4.13 As no objection has been given by the Highways Authority it is considered that four new dwellings do not result in any significant intensification to the highways network and having regard to paragraph 109 of the NPPF that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts would be severe the proposal is not considered unacceptable in this respect.

5. Design And Layout [Impact On Street Scene]

Setting the scene

5.1 The proposal's scale, mass, design and layout are considered to be important aspects for consideration. This is due to the a) the impact on the street scene which sits outside of but in between two conservation areas, b) the impact on the setting of the listed monument and c) the objections raised.

5.2 As such it is important to state some facts and observations of site.

5.3 The listed monument is set back from the road by approximately 85m.

5.4 Abbey Hill road goes up hill, starting low in the north and sloping upwards moving south.

5.5 The sites topology reflects this, the land at the northern boundary is approximately 28.84m high and the southern boundary approximately 33.34m high. A difference of 4.5m

5.6 The western boundary of the site is instantly elevated from the footpath by the following approximated measurements in front of each plot:

5.6.1 The western boundary is approximately 30cm higher than the path in front of plot one

5.6.2 The western boundary is approximately 1.02cm higher than the path in front of plot two

5.6.3 The western boundary is approximately 1.35cm higher than the path in front of plot three

5.6.4 The western boundary is approximately 1.15cm higher than the path in front of plot four

5.7 After this initial step up into the site, the site is much shallower in topology from west to east. The monument sits on land that is approximately 32.11m high whereas the top of the steps to access the permissive path is approximately 30.96m high. The difference of 1.15m. This increase is over an 85m distance, so is considered very gradual.

5.8 Taken from the edge of the path to the closest part of built form within the plots, the dwellings are set back by approximately the following measurements:

5.8.1 Plot 1 – 33m

5.8.2 Plot 2 – 30m

5.8.3 Plot 3 – 28m

5.8.4 Plot 4 – 20m

5.9 From observations taken on a site visit conducted on the 22/06/2020, the monument is visible from two key positions. A) the pedestrian path leading up Abby Hill, most prominently at the end of the verdant row of hedgerows that separate the path from the highway. And B) at the top of the steps leading to the permissive path. At the bottom of the steps at path level, due to the overgrown nature it is not entirely visible. It is not until you climb the steps that the monument is revealed with a mowed green carpet of grass that is approximately 2m wide and invites you directly to the monument.

- 5.10 It is at this point the appreciation for the monument is truly felt.
- 5.11 Additionally, this point is echoed in the 2018 Heritage and Settlement Sensitivity – Appendix 2, whereby this view across looking directly east is specified as a key view.
- 5.12 The site and the area of land around the monument are currently an agricultural field. There is no prevention of crop going on this field, it being ploughed, or hedgerows being planted on its boundaries.

The setting of the Listed Monument

- 5.13 Based on the two identified viewpoints, the layout of the proposal is such that it still provides these glimpses of the monument from street level through the development, but leans more heavily on the capturing of the grand unveiling as you climb the top of the steps with a signified route which matches the existing situation.
- 5.14 It is noted here that the views through the site, which cross between plots 1 and 2 are unlikely to be controlled fully by planning condition. Whilst the removal of permitted development rights will prevent new fencing being erected in the future, occupants could plant hedging between these plots and would obscure the street view glimpses.
- 5.15 However, this is no different to the current circumstances by which there is no trigger to prevent the growing of crops on the field or planting of hedgerows across the front and side of the site which would also obscure the glimpses to the monument.
- 5.16 The removal of permitted development rights can be sought by means of condition to prevent the erection of fences, extensions and outbuildings. However, as the views could reasonably be obscured as result of the sites current use, I give limited weight to the attempt of protecting the views/glimpse through plots 1 and 2 as shown on the block plan 04G. Nonetheless permitted development right removal would prevent built form intruding upon this view and as such it would be appropriate to secure this by means of condition.
- 5.17 The protection, securing and formalisation of the permissive path which currently and will continue to provide the ‘unveiling of the monument’, as you climb the steps from street level, which is an important feature in appreciating the monument is a benefit of the proposal. The proposal allows for a 13m buffer at the front of the steps which tapers down to 4m wide between plots 2 and 3 and remains this width to the rear of the site.
- 5.18 Plots 2 and 3 have been orientated in way to offer an entrance to the monument, this was because of the comments made within the consultation. Furthermore, the mirror image of the dwellings on plots 2 and 3 provide the legibility and symbolism of the direction of travel towards the monument. In design and layout terms this is welcomed in the goal of place making and given moderate weighting.
- 5.19 Objections relate to alternative options which would see the dwellings lined in more of a V formation to expand the vista of the monument. However, we must consider the application before us and it is considered that this application still provides the important unveiling of the monument in how it is experienced, with subtle symbolism rather than conformed lines or rows of dwellings.

- 5.20 I acknowledge that alternative schemes offer other opportunities, but these also have other adverse impacts by turning away from the street and going against the existing line of development. The proposal in its current form is balance of all of these variables.
- 5.21 Moreover, there is no public right of way over this land currently to access the monument. It is a permissive path. The development will secure this path in perpetuity and as such is considered a public benefit that should be given great weight to.
- 5.22 Given the benefit such a path would offer it would be appropriate to secure the provision of the path via a s106 and details of maintenance condition will be applied.

Street scene and design

- 5.23 The proposal does provide large dwellings but with traditional roof pitches and features such as chimneys and windows at the eaves level. The initial assessment of this is we do not have specific policies that dictate the size or design of the dwellings but rather policies such as GP01 and H15 that seek to protect the character of the surrounding area. Furthermore, no evidence of a finalised housing need survey has been published. As such the size of houses themselves is not a reason to refuse the proposal, however due regard is given to the character and appearance of the proposal with regards to the surroundings and respecting local distinctiveness.
- 5.24 It is also acknowledged here that any built form on a field is going to have an impact on the open countryside nature. As the principle of the development has been secured the assessment is to ensure that the proposal of four dwellings follows design principles to mitigate this harm.
- 5.25 Whilst I have acknowledged the size of the dwellings (as described in paragraph 2.2 above) these are significantly pushed back within their plots (see paragraph 5.8 for distances) as such their impact on the street in this instance is significantly reduced. The orientation of plots 2 and 3 will also ensure that the gaps between built form are maximised along with the 13m buffer at the top of the steps to maintain the open character.
- 5.26 Furthermore, the retention of two existing Ash trees and the existing Oak tree, the planting of a new Ash tree (to replace the loss of T002) and the 13m buffer around the steps up into the site, all of which are elevated from the path along the road, will retain a verdant buffer within the street scene, and offer screening to the dwellings.
- 5.27 When travelling from south to north down Abbey Hill the verdant frontage of the plot is obvious and coupled with the proposed dwellings being situated back in their plots, it is likely only the roof top of plot 4 will be visible just after the existing row of semi-detached dwellings on the right. This would not look out of place in street scene where existing built form (Abbey Terrace) is pushed back in their plots and the roofscapes are the prominent features with glimpses of their front elevations as you pass open driveway entrances. In this sense the proposal would follow the existing form of development and not adversely impact on the street scene when travelling south to north.
- 5.28 There would be an impact however, when travelling from north to south, uphill along Abbey Hill Road. Plot 1 would be seen first after passing the hedgerows on the left-hand side of the road. Plot 1 has been significantly reduced from the withdrawn reserved matters application DC/20/00588. Plot one is now single storey in design, nonetheless it will be an obvious feature of built form in the street scene when travelling up hill. However, the planting of trees T5, T6 and T7 will help shield this

dwelling from the street scene. This will contribute positively in the verdant character of the area and allow glimpses of the built form through driveways and gaps in the tree lines which is consistent with the existing character when traveling further up Abbey Hill on the left and described in paragraph 5.30 when travelling downhill.

- 5.29 Plot two is mostly obscured by the Ash Tree T4 when travelling up hill, making use of the existing features, but still providing glimpses as you travel past within the openings between the trees and driveways. This is similar with plots 3 and 4. However, plot 3 is considered to be most visible when travelling uphill through the two Ash trees T4 and T3. However, its orientation to face down this view and toward the front of the permissive path, guiding the visitor to the monument, means it not only acknowledges the street scene but gives an appreciation of an arrival, creating a sense of place.
- 5.30 The individual plots offer large plot sizes that are similar to those of Abbey Terrace. This provides plenty of amenity space for future occupiers. The 1m tall metal post and rail fencing will provide a traditional boundary treatment and planting of native hedgerows will provide screening to amenity spaces between plots.
- 5.31 Policy CS9 of the Mid Suffolk Core Strategy requires the best use of land by achieving average densities of at least 30 dwellings per hectare unless there are special local circumstances that require a different treatment. The density of 6.6dph is considered low in comparison however, contextually this site is forward of a listed monument and within the space between the polyfocal conservation areas within a village setting. Therefore, the low density is considered justified through the site's special local circumstances. Moreover, the density is similar to the Abbey Terrace dwellings.
- 5.32 The new accesses have been discussed within the highways section above and have satisfied both the highways safety needs and mitigated the loss of verdant character as far as possible.
- 5.33 Details of materials have been provided. However, it is considered that the use of uPVC windows is unacceptable. Similarly, the overuse of render on plots 2,3 and 4 should be diversified. The shine on the proposed black pantiles is considered unacceptable in the setting and should use slate and again diversify the roofscape. This can be dealt with via materials condition.
- 5.34 In all, it is considered that the proposal incorporates and protects important natural landscape features of existing trees and introduces new planting. The density of 6.6dph is considered low but the sites special local special circumstances justifies the lower density according to Policy CS9. Additionally, the dwellings are pushed back within their plots by at least 20m ensuring their bulk and mass is not considered dominated on the street scene, ensuring the proposal respects and maintains the existing built form. These principles follow and comply with policies GP01 and H15 of the Mid Suffolk Local Plan.
- 5.35 Moreover, paragraph 130 specifically states that 'conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development'. In this instance based on my above assessment I consider the proposal to clearly meet the design expectations of the Local plan policies GP01, H13 and H15.

6. Landscape Impact, Trees, Ecology, Biodiversity and Protected Species

6.1 The site is currently an agricultural field that is elevated from the street.

- 6.2 It has been identified from the Heritage and Settlement Sensitivity appraisal as being a key view (9) from west to east. Furthermore, the floodplains to the north and north east of the site make up the Special Landscape Area.
- 6.3 Walking up Abbey Hill road (north to south) and looking east the development does not interrupt the views across to the flood plains and SLA. When arriving at the site (plot 1) the PROW that branches from the pedestrian footpath, goes back on itself (northwards) offering views north and north east. Plot one will momentarily interrupt these views but is negligible as it will be isolated to the pedestrian movement of turning on to this PROW coming from the north.
- 6.4 At this same vantage point, at the north western point of the site, views in a south eastern direction are limited due to the brow of the hill. Moreover, there is not SLA or key view in this direction.
- 6.5 Standing at the base of the stairs at the front of the site (where key view 9 has been identified), the view eastwards is not apparent until you climb the small staircase and stand within the site. Therefore, from the perspective of street level, because of the elevated site, the views to the east are already hindered (albeit not completely obscured), whereas from the same perspective looking north (as if you are walking down hill past the site) the views to the north and north east are not obscured.
- 6.6 When travelling north down Abbey Hill it is considered that the existing verdant frontage in front of plots 3 and 4 shield the views to the north east already. It is not until you get past the stairs and plot 2 that the views north-east will be obscured by plot 1. This impact has been reduced significantly with the introduction of a single storey dwelling here (the massing of the withdrawn reserved matters application was considered unacceptable) and is only momentary as you walk down Abbey Hill road from the stairs towards the PROW. Nonetheless this does have an impact on views across to the SLA looking north and north east at this specific area of the street. As such I shall give this negative impact moderate weighting.
- 6.7 Returning to the top of the staircase within the site. The key view (9) identified is looking directly east towards the monument. The direct line of sight to the monument will remain uninterrupted by securing a 4m wide path. However, the more peripheral views will, as result of the proposal, include the hedgerow planting that will act as the boundary between the 13m buffer and frontages of plots 2 and 3. Additionally, the introduction of the 8.5m high elevations and built form would make up the setting and experience of the key view. As such significant weighting is given to this adverse impact.
- 6.8 However, as you move along the path by approximately 15-20m from the top of the staircase the open character starts to appear again. At the edge of the eastern boundary of the site the open countryside views to the direct north, northeast and east are back and with your back to the development the monument remains in its open countryside setting. The impact identified to this key view in paragraph 6.11 is therefore reduced from significant to moderate.
- 6.9 As outlined in the highways section above, the access conundrum has resulted in the removal of an Ash tree (T002). However, this loss of Ash tree which is not protected is considered to be a significantly less impact than losing the Oak Tree (T001) which would happen under the access detail approved under the extant outline permission. Whilst the Ash tree is larger than the Oak over time the Oak will provide a far better contribution to the street scene than the Ash. Furthermore, the proposal replaces the Ash tree. In doing so the proposal further mitigates the adverse impact on the verdant character of the street scene.

- 6.10 The proposal includes an arboriculturist report and drawing which will be subject to conditions to ensure the protection of the existing trees during the construction phases. Whilst our arboriculturist officer has not provided comments as part of the formal consultation (as the trees are not protected) they have supported the mitigation measure within the arboriculturist report.
- 6.11 The outline application assessed the likelihood of protected species on site. And whilst none were identified, I am conscious of two things, 1) there are large protected trees along Abbey Hill and 2) the proposal may cause some additional light, in what is otherwise a dark area at night. Therefore, I feel it is reasonable to include a lighting scheme condition on any approval to not only prevent the disturbance of foraging bats in the area but also to prevent excessive light pollution.
- 6.12 The site is currently shrub land providing some habitat but is still considered to be agricultural whereby it could be ploughed, and the shrub removed without planning control. The introduction of native hedgerows around each plot boundary will offer a small net gain in habitats along with the introduction of tree planting on the north west boundary of Plot 1 and is secured by condition. I give this positive moderate weighting in my decision making.

7. Land Contamination, Flood Risk, Drainage and Waste

- 7.1 A phase 1 desk study report was submitted at outline stage with no concerns raised.
- 7.2 The site is in flood risk zone 1 which is considered low risk. However, at the bottom of Abbey Hill are flood risk zones 2 and 3. Therefore it is imperative that the proposal does not exacerbate the issue. Hard surface on the driveways have been changed to permeable surfaces to prevent runoff into the road and down the hill. Similarly, the access standards by the highway's authority will require a drain across the access to prevent run off into the road.
- 7.3 Moreover, given the flood risk zones 2 and 3 at the bottom of Abbey Hill it is important to capture as much rainwater as possible to slow down the runoff water and the underground water absorbed by the site heading down hill. I am conscious that building regulations will pick up the detailing of soakaways, however, it is important that this development does not exacerbate the issue and therefore a condition to provide a scheme for capturing surface runoff shall be applied, which shall include the use of water-butts and permeable surfaces.
- 7.4 The proposal will utilise existing utility infrastructure for water and waste. The intensification of four new dwellings is not considered to adversely impact the existing infrastructure and is not a consideration at reserved matters stage.

8. Heritage Issues

- 8.1 The outline application considered the impact of the development on the polyfocal conservation area in principle.
- 8.2 At the time of the outline application the monument was not listed. On the 24/12/2018 the monument was added to the statutory list as Grade II listed.
- 8.3 According to the Historic England website the listing was made based on the following reasons:
- 8.3.1 Historic interest:

* commemorative significance as a memorial referencing an historic episode believed to have been the execution of Edmund, King of East Anglia by the Danes in AD 870;

* locational significance, as a monument marking the place where, according to legend, King Edmund was bound to a tree and executed. The monument was erected on the site of a veteran tree and records the demise of the tree in 1849.

8.3.2 Architectural interest:

* its dignified simple design with a carved crown and arrows symbolising the means of Edmund's execution.

8.4 The setting of the monument within an open countryside area is therefore not reason a reason or justification for its listing. However, further information on the Historic England website does acknowledge the monument's 'prominence'.

8.5 The monuments setting is within an open character of agricultural fields on the edge of the village. The setting also includes how it is experienced. The experience in this instance is through its views coming up Abbey Hill, its unveiling at the top of the access stairs and journey from the top of the stairs to the monument.

8.6 The assessment of the reserved matters application therefore is considered on two aspects; 1) the impact to the setting of the polyfocal conservation areas and 2) the setting and experience of the Grade II listed St Edmunds Monument.

The polyfocal conservation areas

8.7 The important and significant characteristic here is the open and verdant nature between the two conservation areas that lacks significant built form. Allowing built form within this open divide was one reason for refusal that related to an application for 5 dwellings at the Goldbrooks Nursery site that is directly to the north west of this site on the opposite side of the road and extending further into area between the two conservation areas (DC/19/04594).

8.8 However, directly opposite this site are two dwellings (Rosemount and Gransmere). Furthermore, the six semidetached dwellings of Abbey Terrace, five bungalows at the bottom of Abbey Hill Road, and Goldbrooks Nursery are all within the space between the two conservation areas. Therefore, refusing the application for simply being within this area between the two conservation areas would be considered unreasonable particularly as the principle of development has been secured at outline following consideration in this regard.

8.9 An assessment on the impact of the street scene has been made in paragraphs 5.23 -5.42, furthermore an assessment on the impact of views and SLA have been made in paragraphs 6.1 - 6.11.

8.10 In terms of the impact to the polyfocal conservation areas, it is consider that the proposal would match the existing line of development on the opposite side of the road in terms of the boundary lines albeit the built form of plot one would extend past Rosemount. From a built form perspective and from a spatial perspective the proposal is considered acceptable and also considered vastly different from that of the application refused at the Goldbrooks Nursery site where built form would be almost central to the areas of divide between the two conservation areas.

8.11 The proposal site is not in a conservation area itself, and while objections have been received relating to the desire to mimic design characteristic within the conservation areas there is no policy that restricts such an approach. The Abbey Terrace housing to the south separating the site from the

closest conservation area are considered to be lacking positive design features and are of the time they were built (likely 50s or 60s).

8.12 For these reasons set out in paragraphs 8.7 – 8.11 it is my planning judgment that the proposal will not have harm on the conservation areas or their polyfocal character.

The setting of the (now) listed monument

8.13 The significance of the monument has been indicated within paragraphs 8.2 – 8.5.

8.14 As the principle of development was secured prior to the listing of the monument and due to the shape of the site and position between the road and monument it is expected that there will be built form between the two.

8.15 The proposal in this instance has acknowledged this expectation of built form and by having the development set back with significant gaps between buildings the open nature at street level is maintained. The proposal, through its layout, orientation, gaps between dwellings, 13m buffer at the top of the stairs and 4m wide path acknowledges this change in circumstances since the outline was approved. Furthermore, the east boundary site finishes approximately 20m before the monument so once beyond the development, it is considered the monument still sits in a backdrop of open countryside.

8.16 Moreover, as the above report has mentioned already, the climbing of the stairs from street level to site level is truly the unveiling of the monument within landscape. It is this experience that is retained through the direct sight of the pathway. Additionally, the details of assessment relating to creation of place and subtle symbolism of an entrance, described in paragraphs 5.17, 5.18 and 5.19 all contribute positively to how the monument is experienced.

8.17 This is echoed in the Heritage Officers comments who considers that amendments sought through the process of preapplication guidance (which included the widening of the path, the orientation of the plots 2 and 3, the reduction of massing in plot 1) that followed the previously withdrawn reserved matters application has resulted in 'a neutral impact on the setting of the listed monument'

8.18 Contrary to this train of thought, objections from the parish council, Suffolk Preservation Society and local residents see the proposal as having an adverse impact to the setting of the listed monument.

8.19 As stated in paragraph 8.14 built form between the monument and street is expected. As such it is reasonable to assess that what is currently an open setting of the monument will inevitably be impacted by the presence of built form on the site. This harm, as identified by parish council, Suffolk Preservation Society and local residents, is considered the benchmark of harm in my decision making, not that of neutral impact identified by the heritage officer. This harm is considered less than substantial.

8.20 As identified the proposal offers several contributions (see paragraph 8.13) in reducing this harm. Furthermore, once past the built form along the path the monument is still in an open setting and at this point its appreciation intact. As such this is considered to be a low level of less than substantial harm to the setting of the listed monument. Accordingly, I have attributed great weight to this negative impact as per paragraph 193 of the NPPF.

8.21 The outline application made a clear acknowledgement the importance of securing a path and access to the monument. Currently this is a permissive access across the existing site. The proposal will allow the opportunity to secure the path, one that allows the full unveiling, direct sight, and appreciation of the monument, in perpetuity via a legal agreement. This will ensure the enjoyment of the monument can be obtained in the future for both the residents and visitors. I considered this to be a public benefit that is attributed great weight in my decision making.

8.22 Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. In this instance I have identified the less than substantial harm which is attributed great weight. This harm is considered to be balanced by the great weight attributed to the public benefit of securing the public path in perpetuity.

9. Archaeology

9.1 Comments received during the consultation period from Suffolk County Council's Archaeological service refer to the original comments on the outline application.

9.2 The site is considered to have archaeological potential as it is close to the remains of Hoxne Priory at Abbey Farm. As such, at the time of the outline application the advice was given for the submission of Written Scheme of investigative works and results to take place. It was requested that this should take place prior to the submission of the reserved matters application and inform the developments layout.

9.3 However, in the same comments submitted the condition wording recommended was 'No development shall take place' rather than prior to 'submission of the reserved matters application'. Therefore, it is considered that the submission of the reserved matters, without or prior to the submission of methodology and written investigation scheme for archaeology, is not a breach of condition 7 of the Outline permission.

9.4 However, this does mean that the layout has not been informed by the potential archaeological findings which are yet to be investigated. Moreover, part g) of condition 7 of the outline decision states the following:

"The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority."

9.5 Therefore, according to part g) of condition 7 imposed on the outline decision, should any findings of national interest be discovered during the investigative works, SCC and the LPA are still in a position to not discharge the condition as mitigation measures would be obstructed by the layout plan and prevent the development going ahead. Therefore, it is considered that the current condition still provides adequate control on the development should any archaeological findings of merit be discovered.

10. Impact On Residential Amenity

10.1 The proposal does not give rise to any significant impacts to residential amenity relating to loss of light or overshadowing within the site and to the existing neighbours, due to the placement of openings and significant distances between the proposed dwellings and existing.

10.2 Concerns that there may be temporary disturbance during the build will be controlled via condition for working hours.

PART FOUR – CONCLUSION

11. Planning Balance and Conclusion

Site planning history

- 11.1 The proposal benefits from and extant permission under Outline application DC/17/02868.
- 11.2 Since this permission was granted the St Edmunds Monument has been added to the statutory list of historic assets and is therefore considered a GII listed monument.
- 11.3 Whilst this change is a material consideration in the reserved matters application it does not void the outline permission.
- 11.4 Highways offer no reason to refuse the application and all conditions shall be applied. Neutral weighting applied.
- 11.5 The removal of the Ash tree (T002) to allow for the revised access is to be replaced with another Ash tree. This is given neutral weighting.

Design

- 11.6 The proposal seeks to offer views through the site specifically between plots 1 and 2. However, future planting along the boundaries of plot 1 and 2 cannot be controlled via condition (albeit fencing and extensions can) therefore limited weight is given to the benefit of views through as result of layout.
- 11.7 Plots 2 and 3 have been orientated in way to offer an entrance to the monument, additionally the mirror image of the dwellings on plots 2 and 3 provide the legibility and symbolism of direction of travel towards the monument. In design and layout terms this is welcomed in the goal of place making and is given moderate weighting in my decision making.
- 11.8 The proposal, by securing the pathway with direct views from the steps to the monument where the unveiling appreciation takes place is considered a big positive in the design and layout principles and as such is given significant weighting.
- 11.9 The proposal incorporates and protects important natural landscape features of existing trees and introduces new planting. The low density of 6.6dph is considered justified through the special local circumstances. Additionally, whilst the dwellings are large, they are pushed back within their plots by at least 20m ensuring their bulk and mass is not considered dominant on the street scene, ensuring the proposal respects and maintains the existing built form whilst acknowledging the verdant character of the street scene. These principles follow and comply with policies CS09, GP01 and H15 of the Mid Suffolk Local Plan. I give this moderate weighting in my decision making.

Landscape

- 11.10 As per my assessment in section 6 of the above report the proposal, views of the SLA to the north are hindered by plot one when moving north along Abbey Hill. However, this is momentary, as such I have given this moderate weighting.
- 11.11 Additionally, in section 6 I recognised that there is a Key View (9) identified in the Heritage and Settlement Sensitivity (2018) (albeit not a policy) from the top of the stair case looking east directly east towards the monument. The direct line of sight to the monument will remain uninterrupted by securing a 4m wide path. However, the more peripheral views will, as result of the proposal, include the hedgerow planting that will act as the boundary between the 13m buffer and frontages of plots 2 and 3. Additionally, the introduction of the 8.5m high elevations and built form now make up the initial setting and experience of this key view. As such significant weighting is given to this adverse impact.
- 11.12 As per paragraph 6.11 I reduce this weighting from significant to moderate as impact of the views is reduced as you move through the site and along the path as well as the open countryside views to the direct north, northeast and east are restored and when facing away from the development the monument remains in its open countryside setting.
- 11.13 The introduction of native hedgerows around each plot boundary will offer a small net gain in habits along with the introduction of tree planting on the north west boundary of plot 1. I give this moderate weighting in my decision making.

Heritage

- 11.14 For these reasons set out in paragraphs 8.7 – 8.11 it is considered that there will be no harm to the conservation areas or their polyfocal character.
- 11.15 Harm has been identified by Parish Council, Suffolk Preservation Society and local residents to the setting of the listed monument, this is considered the benchmark of harm in my decision making, not that of neutral impact identified by the heritage officer. This harm is considered less than substantial. As identified the proposal offers several contributions (see paragraph 8.13) in reducing this harm. Furthermore, once past the built form along the path the monument is still in an open setting and at this point the monuments appreciation is intact. As such this is considered to be a low level of less than substantial harm to the setting of the listed monument. Accordingly, I have attributed great weight to this negative impact as per paragraph 193 of the NPPF.
- 11.16 The current path is permissive, and the proposal will allow the opportunity to secure the path, one that allows the full unveiling, direct sight, and appreciation of the monument, in perpetuity via a legal agreement. This will ensure the enjoyment of the monument can be obtained in the future for both the residents and visitors. This is considered a public benefit that I attribute great weight to and as such the public benefit balances the harm identified in paragraph 11.15.
- 11.17 On balance I therefore consider the positive weightings attributed in paragraphs 11.6 – 11.9, 11.13 and 11.16 clearly outweigh the weighting given to the negative impacts in paragraphs 11.10, 11.12 and 11.15.

RECOMMENDATION

That authority be delegated to the Chief Planning Officer to Grant the reserved matters application

(1) Subject to the prior agreement of a Section 106 Planning Obligation on appropriate terms to the satisfaction of the Chief Planning Officer to secure:

- The public right of way of the path that leads through the site to the monument.

(2) That the Chief Planning Officer be authorised to BLANK Planning Permission upon completion of the legal agreement subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:

- Approved Plans (Plans submitted that form this application)
- Phasing Condition (To allow phasing of the development and allows spreading of payments under CIL)
- Materials to be agreed
- Securing of replacement Ash tree
- Protection and mitigation measures as outlined in the Arboriculturist report.
- Removal of permitted development rights for extensions, outbuildings and fencing.
- Maintenance scheme for the path to the monument including 13m buffer
- All conditions recommended by the Highway's Authority
- Lighting scheme for external lighting to be agreed
- Energy and renewal integration scheme to be agreed
- Rainwater harvesting to be agreed
- Construction Plan to be agreed.
- Restriction of construction times
- Level access to enable wheelchair access for all dwellings/buildings.

(3) And the following informative notes as summarised and those as may be deemed necessary:

- Pro active working statement
- SCC Highways notes
- Support for sustainable development principles

(4) That in the event of the Planning obligations or requirements referred to in Resolution (1) above not being secured and/or not secured within 6 months that the Chief Planning Officer be authorised to refuse the application on appropriate ground.



Application No: DC/20/01717

Location: Land East of Abbey Hill, Hoxne

Appendix 1: Call In Request	<i>Cllr Hicks</i>	
Appendix 2: Details of Previous Decision	<i>DC/17/02868 – Outline Approved</i>	
Appendix 3: Town/Parish Council/s	<i>Hoxne</i>	
Appendix 4: National Consultee Responses	<i>Natural England</i>	
Appendix 5: County Council Responses	<i>Highways Authority Archaeology</i>	
Appendix 6: Internal Consultee Responses	<i>Public Realm Heritage</i>	
Appendix 7: Any other consultee responses	<i>Suffolk Preservation Society</i>	
Appendix 8: Application Site Location Plan	drawing number 03 received 30/04/2020	
Appendix 9: Application Plans and Docs	Elevations & Floor Plan - Proposed 06C (Plot 1) Elevations & Floor Plan - Proposed 08C (Plot 2) Elevations & Floor Plan - Proposed 10C (Plot 3) Elevations & Floor Plan - Proposed 12A (Plot 4) Elevations & Floor Plan - Proposed 14A Garages (Plots 2&3) Site Plan & Footpath Detail 16C Block Plan - Proposed 04G Street Scene - Proposed 05C Arboricultural Assessment 7933-D-AIA	
Appendix 10: Further information		

Page No.

The attached appendices have been checked by the case officer as correct and agreed to be presented to the committee.



Babergh and Mid Suffolk District Councils

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Consultee Comments for Planning Application DC/20/01717

Application Summary

Application Number: DC/20/01717

Address: Land East Of Abbey Hill Hoxne Suffolk

Proposal: Application for Approval of Reserved Matters following outline approval under DC/17/02868 dated 25/08/2017 the Access, Appearance, Landscaping, Layout and Scale for (Erection of up to 4 No. dwellings).

Case Officer: Jamie Edwards

Consultee Details

Name: Mrs Sarah Foote Clerk, Hoxne Parish Council

Address: Church Hill, Hoxne, Eye, Suffolk IP21 5AT

Email: pc@hoxne.suffolk.gov.uk

On Behalf Of: Hoxne Parish Clerk

Comments

The Parish Council, heavily supported by members of the parish, recommended refusal of the outline permission DC/17/02868. The Parish Council remains of the opinion that if Mid Suffolk had, at the time, been able to deliver a five year land supply the permission would not have been given (by an Officer of the Council and not a Committee decision) to build in a location which is of historic importance and outside of the development boundary for the village.

The Parish Councils response to both the outline application and the original reserved matters application (DC/20/00588 and later withdrawn) can be viewed on the planning portal. The agent then entered into a dialogue with the Parish Council and some revisions were made to the plans. The Parish Council welcomed this engagement.

At a meeting on 6 June, the Parish Council formally considered the revised reserved matters application (plans submitted on 20 May), however, it was unanimously agreed to recommend REFUSAL of the application due to the unacceptable size and scale of the properties and their proximity to and detrimental impact on the Grade II listed building that is St Edmunds Monument. The Parish Council fully supports Suffolk Preservation Societys response to this consultation and likewise would request that the application is submitted to the Suffolk Design Review Panel for scrutiny prior to any permission being granted. We hereby set out policy references to support the Parish Council recommendation for refusal of the application.

The National Planning Policy Framework (NPPF) 2019 sets out three objectives for achieving sustainable development.

a) an economic objective - and particular to this application Mid Suffolk had failed in ensuring that sufficient land of the right types is available in the right places. This land, outside of the development boundary and on the site of a historic monument cannot be the right place for development.

b) a social objective and particular to this application a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities health, social and cultural well-being.

c) an environmental objective and particular to this application to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change

ST EDMUNDS MONUMENT

This development does not protect either the natural or historic environment and the Grade II Listed St Edmunds Monument will be blocked by these proposed dwellings. Rather than using the listed monument as a key design criteria, the current design turns its back on the monument, blocks the currently uninterrupted views to the monument and as such is highly detrimental to the heritage of the village.

An informal agreement has been made with the agent that legal transfer of the land over which the footpath passes should be completed to gift, in perpetuity to the village of Hoxne this land to be administered by the corporate body which is the Parish Council. It is requested that this is a planning condition of any permission granted.

DESIGN AND SCALE OF THE DEVELOPMENT

The Parish Council was disheartened at the size and style of the development proposed. At its very least it pushes the boundaries of the outline permission to build erection of up to four dwellings on the site and is without any consideration of local need. The early results from the Local Housing Needs Survey of Hoxne suggests that there is very little demand for four bedroom properties and the village is in favour of two bedroom properties.

The overwhelming scale and height of the proposed dwellings is not in character to the area. The harm arising from the proposed development would be compounded by the size, scale and design which collectively would undermine the setting of the listed building.

A sympathetically designed development which reflected historic Hoxne and the importance of the site between two parts of Hoxne (a trifocal village) could appear attractive and, indeed, enhance the setting of one of the most important elements in the village. The Parish Councils opinion is that design that has been presented offers no real distinctiveness that would be appropriate to the

gateway to a listed monument or in the sensitive and prominent location that is mid-way between the two primary foci (Babergh and Mid Suffolk Heritage and Settlement Sensitivity Assessment Appendix 2, Place Services).

NPPF Paragraph 124 - The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

NPPF Paragraph 127 - Planning policies and decisions should ensure that developments b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

NPPF Paragraph 130 - planning 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, taking into account any local design standards or style guides in plans or supplementary planning documents.

NPPF Paragraph 185 - Plans should set out a positive strategy for the conservation and enjoyment of the historic environment. This should take into account: c) the desirability of new development making a positive contribution to local character and distinctiveness. There is no evidence in the application submitted that the development can in anyway have a positive contribution on the historic environment in which it will be built. There are no distinctive elements presented in the design and the proposed dwellings could instead be built in any mass housing scheme anywhere in the country and not a small site in the open countryside.

In addition to the above policy references, we would also ask that you view the MSDC Officer planning determination for the site nearly directly opposite to Abbey Hill (DC/19/045954) and particularly the statement of the planning authority when planning permission was refused for this site. We quote:

The proposal results in the loss of the site as an undeveloped area, forming part of the setting and contributing to the significance of two conservation areas. This would result in a medium level of less than substantial harm to a designated heritage asset because the proposed development would considerably suburbanise the rural setting between the two parts of Hoxne Conservation Area, which reflects the historic separation of the settlement into two distinct parts and thus makes an important contribution to its character and appearance. Therefore, the proposal is contrary to policy HB08 which seeks to protect the character of the conservation area. Furthermore, the proposal has no public benefits that significantly and demonstrably outweigh the great weight given to the harm identified to the heritage asset, as set out in paragraph 196 of the NPPF. As

such the proposal would be contrary to the requirements of the NPPF including with regards to the environmental role of sustainable development and furthermore with particular respect to paragraphs 8, 11, 193 and 196 of the NPPF (2018).

From: SM-NE-Consultations (NE)
Sent: 19 May 2020 16:28
To: BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>
Subject: DC/20/01717

Dear Sir/Madam

Our Ref: 316090
Your Ref: DC/20/01717

Thank you for your consultation.

Natural England currently has no comment to make on the reserved matters application.

Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Natural England and the Forestry Commission have also published standing advice on ancient woodland and veteran trees which you can use to assess any impacts on ancient woodland.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

We recommend referring to our SSSI Impact Risk Zones (available on Magic and as a downloadable dataset) prior to consultation with Natural England. Further guidance on when to consult Natural England on planning and development proposals is available on gov.uk at <https://www.gov.uk/guidance/local-planning-authorities-get-environmental-advice>

Yours faithfully

Dawn Kinrade
Natural England
Operations Delivery
Consultations Team

Your Ref:DC/20/01717
Our Ref: SCC/CON/1762/20
Date: 22 May 2020
Highways Enquiries to: Highways.DevelopmentControl@suffolk.gov.uk



All planning enquiries should be sent to the Local Planning Authority.

Email: planning@babberghmidsuffolk.gov.uk

The Planning Department
MidSuffolk District Council
Planning Section
1st Floor, Endeavour House
8 Russell Road
Ipswich
Suffolk
IP1 2BX

For the attention of: Jamie Edwards

Dear Jamie,

**TOWN AND COUNTRY PLANNING ACT 1990
CONSULTATION RETURN: DC/20/01717**

PROPOSAL: Application for Approval of Reserved Matters following outline approval under DC/17/02868 dated 25/08/2017 the Access, Appearance, Landscaping, Layout and Scale for (Erection of up to 4 No. dwellings).

LOCATION: Land East Of, Abbey Hill, Hoxne, Suffolk

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:

Condition: Before the access is first used visibility splays shall be provided as shown on Drawing No. 04F with an X dimension of 2.4m and a Y dimension of 43m and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Condition: Both vehicular accesses shall be laid out and completed in all respects in accordance with Drawing No. DM02 and with an entrance width of 4.5m and made available for use prior to occupation.

Thereafter the access shall be retained in the specified form.

Reason: To ensure that the access is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety.

Condition: The use shall not commence until the area(s) within the site shown on Drawing No. 04F for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

Reason: To ensure that sufficient space for the on site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

Condition: Before the development is occupied details of the areas to be provided for storage and presentation of Refuse/Recycling bins shall be submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

Reason: To ensure that refuse recycling bins are not stored on the highway causing obstruction and dangers for other users.

Note: It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority.

Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense.

The County Council's Central Area Manager must be contacted on Telephone: 0345 6066171. Further information go to: <https://www.suffolk.gov.uk/roads-and-transport/parking/apply-for-a-dropped-kerb/>

A fee is payable to the Highway Authority for the assessment and inspection of both new vehicular crossing access works and improvements deemed necessary to existing vehicular crossings due to proposed development.

Yours sincerely,

Kyle Porter
Development Management Technician
Growth, Highways and Infrastructure

From: Abby Antrobus <Abby.Antrobus@suffolk.gov.uk>

Sent: 16 May 2020 16:19

To: Jamie Edwards <Jamie.Edwards@babberghmidsuffolk.gov.uk>; BMSDC Planning Mailbox <planning@babberghmidsuffolk.gov.uk>

Subject: DC/20/01717 - Land East of Abbey Hill, Hoxne, Suffolk - Archaeology.

Dear Jamie,

Thank you for consulting on the above Reserved Matters application, relating to outline consent DC/17/02868.

The site is of archaeological potential, as set out in my advice letter on the outline consent (attached). For application DC/17/02868, I advised that archaeological work could be undertaken as a condition on outline consent, as there was still an element of flexibility afforded, but that evaluation should be undertaken to inform Reserved Matters applications and allow preservation in situ through design if appropriate. The document submitted with the application is the brief for the work prepared by SCC, not a report on work – the field evaluation therefore still needs to be undertaken to inform the application.

I therefore recommend that the applicant should commission and undertake the evaluation to allow informed decisions on the application (in accordance with the NPPF paragraphs 189 and 190). Archaeological contractors will be able to prepare schemes of investigation and estimates of cost, based on the brief.

Do get in touch if there is anything that you or the applicant would like to discuss,

With best wishes,

Abby

Dr Abby Antrobus

Senior Archaeological Officer

Suffolk County Council Archaeological Service

Bury Resource Centre, Hollow Road, Bury St Edmunds, Suffolk, IP32 7AY

Telephone: 01284 741231

Mobile: 07785950022

Website: <https://www.suffolk.gov.uk/archaeology>

Heritage Explorer: <https://heritage.suffolk.gov.uk/>



2017_08_30

SCCAS_Land at Abbey

-----Original Message-----

From: BMSDC Public Realm Consultation Mailbox <consultpublicrealm@baberghmidsuffolk.gov.uk>
Sent: 21 May 2020 15:41
To: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>
Subject: RE: MSDC Planning Consultation Request - DC/20/01717

Public Realm do not wish to make any comments on this application

Regards

Dave Hughes
Public Realm Officer

-----Original Message-----

From: planningyellow@baberghmidsuffolk.gov.uk <planningyellow@baberghmidsuffolk.gov.uk>
Sent: 01 May 2020 15:27
To: BMSDC Public Realm Consultation Mailbox <consultpublicrealm@baberghmidsuffolk.gov.uk>
Subject: MSDC Planning Consultation Request - DC/20/01717

Please find attached planning consultation request letter relating to planning application - DC/20/01717 - Land East Of, Abbey Hill, Hoxne, Suffolk

Kind Regards

Planning Support Team

Emails sent to and from this organisation will be monitored in accordance with the law to ensure compliance with policies and to minimize any security risks. The information contained in this email or any of its attachments may be privileged or confidential and is intended for the exclusive use of the addressee. Any unauthorised use may be unlawful. If you receive this email by mistake, please advise the sender immediately by using the reply facility in your email software. Opinions, conclusions and other information in this email that do not relate to the official business of Babergh District Council and/or Mid Suffolk District Council shall be understood as neither given nor endorsed by Babergh District Council and/or Mid Suffolk District Council.

Babergh District Council and Mid Suffolk District Council (BMSDC) will be Data Controllers of the information you are providing. As required by the Data Protection Act 2018 the information will be kept safe, secure, processed and only shared for those purposes or where it is allowed by law. In some circumstances however we may need to disclose your personal details to a third party so that they can provide a service you have requested, or fulfil a request for information. Any information about you that we pass to a third party will be held securely by that party, in accordance with the Data Protection Act 2018 and used only to provide the services or information you have requested. For more information on how we do this and your rights in regards to your personal information and how to access it, visit our website.

From: Paul Harrison
Sent: 10 June 2020 17:34
To: Jamie Edwards
Subject: DC 20 01717 Hoxne as amended

Heritage consultation response

Jamie

Outline permission was granted in 2017. Heritage Team were not asked to advise, but the planning case officer in her delegated report took into consideration local representations made in response to publicity which raised heritage issues relating to the monument. Her conclusion was that the proposal would not result in harm to the setting, character or appreciation of the monument. She further concluded that the scheme offered opportunity to define access to the monument more clearly than at present.

The monument was added to the statutory list on 24.12.2018. The entry gives reasons for listing as follows: commemorative significance, marking an important event in national history; and locational significance, marking the place identified in legend as the site of King Edmund's murder.

Following listing the Council must observe the statutory duties imposed by the Act in considering reserved matters applications. In making comments on Reserved Matters applications I assume that focus should be on the impact of the proposals for reserved matters in distinction from any impact from the principle of the development or from details of access, which have been approved under the Outline permission.

In my response on the previous Reserved Matters application I raised concerns on the visual impact of plot 1, and the lack of emphasis on the access to the monument. In response to pre-application advice the agent has revised Plot 1 and the access to the monument in this application. Following local representations, the agent has further amended the access to the monument re-orienting the houses in plots 2 and 3 so as to acknowledge the access, and giving the landscaping at the access a less formal character.

In my view the proposal successfully addresses the concerns raised by myself previously and will have a neutral impact on the setting of the listed monument.

Paul

Paul Harrison
Heritage and Design Officer

22 May 2020

Mr Jamie Edwards
Planning Officer
Mid Suffolk District Council
Endeavour House
8 Russell Road
Ipswich IP1 3BX

Dear Mr Edwards

DC/20/01717 Application for Approval of Reserved Matters following outline approval under DC/17/02868 dated 25/08/2017 the Access, Appearance, Landscaping, Layout and Scale for (Erection of up to 4 No. dwellings).

Land East of Abbey Hill Hoxne Suffolk

I write on behalf of the Suffolk Preservation Society (SPS) to strongly object to the reserved matters application for 4 No. dwellings on Land east of Abbey Hill, Hoxne on the grounds that it will result in heritage harm to the setting of saint Edwards Monument, a grade II listed building and harm together with harm to the setting of Hoxne Conservation Area, contrary to S66 and S72 of the Planning (LBCA) Act 1990.

Impact on Setting of King Edward's Monument

The addition of King Edward's Monument to the statutory list subsequent to the granting of the outline application (17/02868) is a material consideration that must be given full weight in the assessment of the current application.

The Society full concurs with the views expressed by some local residents about the negative impact that the four detached dwellings will have upon the setting of the designated heritage asset and strongly disagrees with the permissive views of the heritage officer. Historic England Guidance is explicit that setting is defined as how an asset is experienced and not simply in terms of views and intervisibility. In this case the listed building derives significance, in part, from its isolated position, as a landmark set slightly apart from the village, which can be experienced from various viewpoints within the landscape. To permit four substantial detached dwellings in the immediate foreground of the memorial will fundamentally disrupt the setting and thereby undermine the significance of the monument.

The NPPF at para.192© states that in determining applications, local planning authorities should take account of *the desirability of new development making a positive contribution to local character and distinctiveness*. The Society considers that the substantial, standard suburban house types fail to meet this test. We support the view of those villagers calling for a review of the design approach and suggesting that the numerous examples of estate village architecture in the village should be a starting point when designing a scheme for this site. While we acknowledge that consent has been given for 4 No. dwellings, they must be significantly smaller in scale and, in a layout, (terrace or semi-detached) concentrated at the south end of the site, creating a much more generous open green space to permit comprehensive views and most importantly access to the Monument. The Society agrees that this case raises such important design challenges, constraints and opportunities that it is necessary that this case is referred to the Suffolk Design Review Panel for proper scrutiny.

Impact on Hoxne Conservation Area

The site is unusual in that Hoxne is a poly-focal settlement, with one settlement focussed around the church and one the abbey. Both of these settlements have been designated as separate parts of the Hoxne Conservation Area. The largely undeveloped area between the two elements is an important part of the historic narrative of the historic settlement's development. The open countryside between the two settlements has undergone an element of infilling over the years with ribbon development on the edges of both communities. The outline consent from which the reserved matters application flows, (Ref 17/02868) is one of huge regret.

The council's Heritage and Settlement Sensitivity Assessment (part of the evidence base for the emerging local plan produced by Place Services, March 2018) identifies Hoxne as having an overall high rating for both historic value and susceptibility to change. The report identifies Hoxne, amongst others, as particularly vulnerable to poorly located development and the potential for allocations in these villages as likely to be lower and recommends that any applications should be given especial consideration before they are granted. The report concludes that the poly-focal nature of Hoxne should be preserved with any new development designed to preserve and respect this historic settlement pattern.

The application extends across the whole site, with excessively large footprints and of a height that results in bulky, standardised design. We note the reduction in height of plot one from a two storey to a single storey dwelling, but consider it to be insufficient to ameliorate the impacts identified.

The current scheme by virtue of its scale, height, layout and design have the effect of suburbanising the important gap which in turn detracts from the setting of both conservation areas.

Conclusion

The proposals will result in harm to the setting of heritage assets. Para 194 of the NPPF requires that any harm to the significance of a designated heritage asset from development within its setting, requires clear and convincing justification. In this case the development of this gap in the manner proposed cannot be justified when more sensitive alternatives are available. We strongly recommend that the application undergoes Design Review in order to identify a more sensitive scheme, of smaller scale that maximises views of the Monument that meets the needs of the developer while recognising and safeguarding the heritage. This is a rare opportunity to frame

views, create and enhanced sense of place and celebrate the Monument. Sadly, this scheme fails to achieve these opportunities and we urge you to resist the application in its current form. We trust that you will find these comments helpful and request that the Society is notified of any future amendments.

Yours sincerely

Fiona Cairns IHBC MRTPI
Director

Cc: Chairman, Hoxne Parish Council
Phil Butler - SPS Mid Suffolk District
Babergh/ Mid Suffolk Heritage Team
Ward Councillor

Philip Isbell - Corporate Manager
Growth & Sustainable Planning

Mid Suffolk District Council
131 High Street, Needham Market, Ipswich IP6 8DL

Website: www.midsuffolk.gov.uk



OUTLINE PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)
ORDER 2015

Correspondence Address:

Mrs Sarah Roberts
Roberts Molloy Associates
3 Church Lane
Bressingham
DISS
IP22 2AE

Applicant:

Danny Ward Builders
C/O Agent

Date Application Received: 23-May-17

Application Reference: DC/17/02868

Date Registered: 26-May-17

Proposal & Location of Development:

Outline Planning Application (with some matters reserved) - Erection of up to 4 No. dwellings

Land Adj 6 Abbey Terrace, Abbey Hill, Hoxne, Eye Suffolk

Section A – Plans & Documents:

This decision refers to drawing no./entitled HAH-02 received 23/05/2017 as the defined red line plan with the site shown edged red. Any other drawing showing land edged red whether as part of another document or as a separate plan/drawing has not been accepted or treated as the defined application site for the purposes of this decision.

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

Application Form - Received 23/05/2017

Design and Access Statement - Received 23/05/2017

Sustainable Development Statement - Received 23/05/2017

Land Contamination Questionnaire - Received 23/05/2017

Defined Red Line Plan Location Plan and Indicative Site Layout HAH-02 - Received 23/05/2017

A Phase I Desk Study Report to support an outline planning application for residential development on land at Abbey Hill, Hoxne. - Received 24/07/2017

Section B:

Mid Suffolk District Council as Local Planning Authority, hereby give notice that **OUTLINE PLANNING PERMISSION HAS BEEN GRANTED** in accordance with the application particulars and plans listed in section A subject to the following conditions:

1. **ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: TIME LIMIT FOR RESERVED MATTERS APPLICATION:**

Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission, and the development must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates the final approval of the last such matter to be approved.

Reason - Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

2. **ACTION REQUIRED PRIOR TO COMMENCEMENT OF WORKS: PRE-COMMENCEMENT CONDITION: APPROVAL OF RESERVED MATTERS**

Before any development is commenced, approval of the details of the appearance, scale and layout of the building(s), the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained in writing from the Local Planning Authority.

Reason - To enable the Local Planning Authority to secure an orderly and well designed development in accordance with the character and appearance of the neighbourhood and in accordance with the Development Plan. This condition is required to be agreed prior to the commencement of any development in accordance with proper planning principles to allow public engagement on the outstanding reserved matters and ensure no significant adverse harm results.

3. **APPROVED PLANS & DOCUMENTS**

The development hereby permitted shall be carried out in accordance with the drawings/documents listed under Section A above and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non material amendment following an application in that regard.

Reason - For the avoidance of doubt and in the interests of proper planning of the development.

4. **ACTION REQUIRED PRIOR TO : PROVISION OF ACCESS**

The new vehicular access shall be laid out and completed in all respects in accordance with Drawing No. DM03; and with an entrance width of 4.5m and made available for use prior to occupation. Thereafter the access shall be retained in the specified form.

Reason - To ensure that the access is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety.

5. **ACTION REQUIRED PRIOR TO FIRST USE OF ACCESS: HIGHWAYS - PROVISION OF VISIBILITY SPLAYS**

Before the access is first used visibility splays shall be provided as shown on Drawing No. 02 and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Reason - To ensure vehicles exiting the drive would have sufficient visibility to enter the public highway safely, and vehicles on the public highway would have sufficient warning of a vehicle emerging to take avoiding action.

6. ACTION REQUIRED PRIOR TO USE/OCCUPATION - HIGHWAYS: PROVISION OF PARKING.

The use shall not commence until the area within the site shown on Drawing No 02; received 23/05/2017; for the purposes of manoeuvring and parking of vehicles has been provided and made functionally available. Thereafter that area shall be retained and remain free of obstruction except for the purpose of manoeuvring and parking of vehicles.

Reason - To ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would otherwise be detrimental to highway safety.

7. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT - ARCHAEOLOGICAL WORKS

No development shall take place within the area indicated in the red line site plan until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. The scheme of investigation shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording.
- b. The programme for post investigation assessment.
- c. Provision to be made for analysis of the site investigation and recording.
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation.
- e. Provision to be made for archive deposition of the analysis and records of the site investigation.
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

Reason - To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development. This condition is required to be agreed prior to the commencement of any development to ensure matters of archaeological importance are preserved and secured early to ensure avoidance of damage or loss due to the development and/or its construction. If agreement was sought

at any later stage there is an unacceptable risk of lost and damage to archaeological and historic assets.

8. ACTION REQUIRED PRIOR TO THE FIRST OCCUPATION OF DEVELOPMENT -
ARCHAEOLOGICAL WORKS

No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under condition 7 and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason - To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development.

9. ACTION REQUIRED: PROVISION OF PATH THROUGH SITE

Notwithstanding the details shown on the indicative layout submitted, pedestrian access shall be provided from the public highway to the eastern edge of the site in the form of a clearly defined pathway separate to the vehicular access points of the hereby approved development. The details of this path and how it is to be delineated, maintained and made available for public access shall be submitted as part of any reserved matters applications made pursuant to this outline planning permission.

Reason - In the interests of maintaining the appreciation and historic significance of, and access to, the Monument of St Edmunds.

SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:

NPPF - National Planning Policy Framework
FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
CS01 - Settlement Hierarchy
CS02 - Development in the Countryside & Countryside Villages
CS04 - Adapting to Climate Change
CS05 - Mid Suffolk's Environment
GP01 - Design and layout of development
H07 - Restricting housing development unrelated to needs of countryside
H17 - Keeping residential development away from pollution
H13 - Design and layout of housing development
H15 - Development to reflect local characteristics
H16 - Protecting existing residential amenity
H17 - Keeping residential development away from pollution

NOTES:

1. **Statement of positive and proactive working in line with the National Planning Policy Framework (NPPF)**

The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. The NPPF encourages a positive and proactive approach to decision taking, delivery of sustainable development, achievement of high quality development and working proactively to secure developments that improve the economic, social and environmental conditions of the area. In this case the applicant took advantage of the Council's pre-application service prior to making the application. The opportunity to discuss a proposal prior to making an application allows potential issues to be raised and addressed pro-actively at an early stage, potentially allowing the Council to make a favourable determination for a greater proportion of applications than if no such service was available.

2. Highways Note

It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense.

The County Council's Central Area Manager must be contacted on Telephone: 01473 341414. Further information go to: <https://www.suffolk.gov.uk/roads-and-transport/parking/apply-for-a-dropped-kerb/>

A fee is payable to the Highway Authority for the assessment and inspection of both new vehicular crossing access works and improvements deemed necessary to existing vehicular crossings due to proposed development.

Babergh and Mid Suffolk District Councils have adopted Community Infrastructure Levy (CIL) charging which affects planning permissions granted on or after 11th April 2016 and permitted development commenced on or after 11th April 2016. If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling or holiday let of any size your development may be liable to pay CIL and you must submit relevant documents to our Infrastructure Team telling us more about your development, who will pay CIL and when the development will start. You will receive advice on the amount you have to pay and what you have to do and you can find more information about CIL on our websites here:

[CIL in Babergh](#) and [CIL in Mid Suffolk](#) or by contacting the Infrastructure Team on: infrastructure@baberghmidsuffolk.gov.uk

This relates to document reference: DC/17/02868

Signed: Philip Isbell

Dated: 25th August 2017

**Corporate Manager
Growth & Sustainable Planning**

Important Notes to be read in conjunction with your Decision Notice

Please read carefully

This decision notice refers only to the decision made by the Local Planning Authority under the Town and Country Planning Acts and DOES NOT include any other consent or approval required under enactment, bylaw, order or regulation.

Please note: depending upon what conditions have been attached to the decision, action may be required on your part before you can begin your development. Planning conditions usually require that you write to the Local Planning Authority and obtain confirmation that you have discharged your obligations. You should read your decision notice in detail and make a note of the requirements placed on you by any conditions. **If you proceed with your development without complying with these conditions you may invalidate your permission and put your development at risk.**

Discharging your obligations under a condition:

You should formally apply to discharge your conditions and the relevant application forms are available on the Council's website. The Local Planning Authority has 8 weeks to write to you after you submit the details to discharge your conditions. You should always account for this time in your schedule as the Local Planning Authority cannot guarantee that conditions can be discharged quicker than this. A fee is applicable for the discharge of planning conditions.

Building Control:

You are reminded that the carrying out of building works requires approval under the Building Regulations in many cases as well as a grant of planning permission. If you are in doubt as to whether or not the work, the subject of this planning permission, requires such approval, then you are invited to contact the Building Control Section of Babergh and Mid Suffolk District Councils.

Appeals to the Secretary of State:

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- As this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice [reference], if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.*
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.*
- As this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.*
- As this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.*
- As this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.*
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.*
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

MEMBER REFERRAL TO COMMITTEE

(Completed form to be sent to Case Officer and Chief Planning Officer – Sustainable Communities)

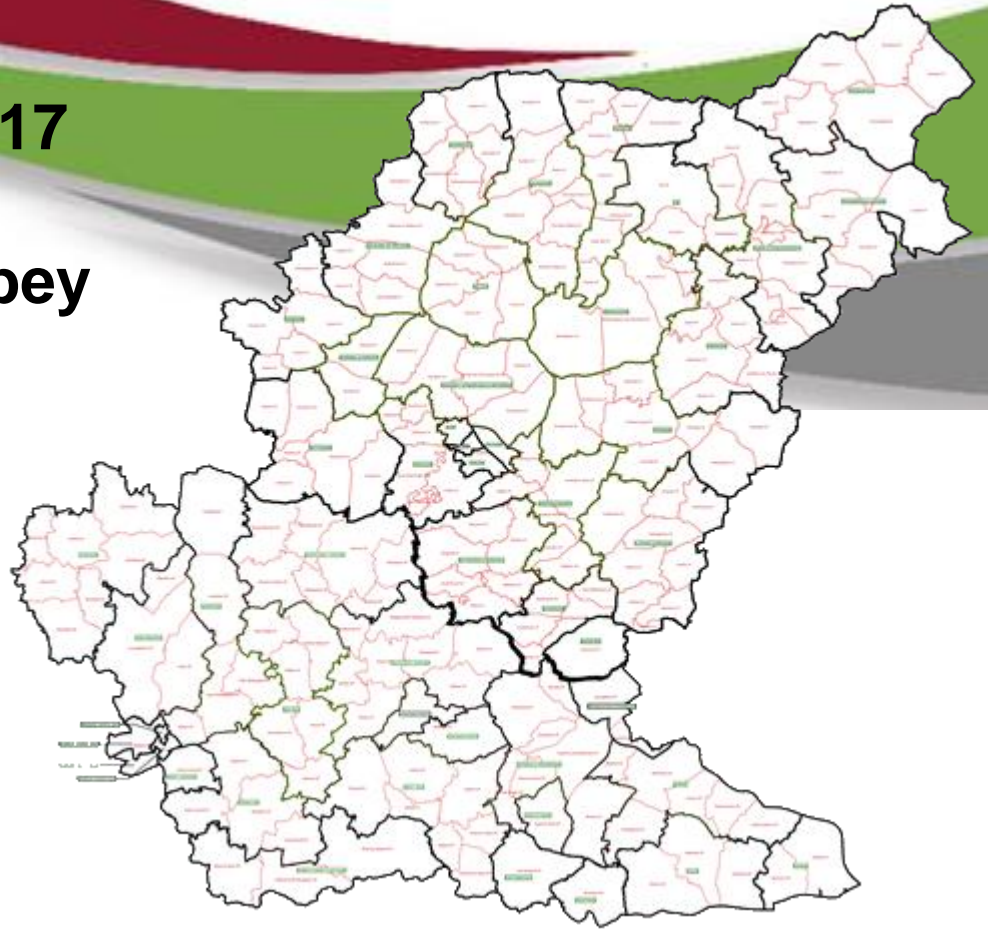
Planning application reference	DC/20/01717 - Abbey Hill
Parish	Hoxne
Member making request	Matthew Hicks
Please describe the significant policy, consistency or material considerations which make a decision on the application of more than local significance	Since the Outline was granted the monument near the site has been listed.
Please detail the clear and substantial planning reasons for requesting a referral	Reserved matters application reflects design and layout considerations and design is therefore key to ensuring the monument's setting and the bi-focal conservation areas are respected.
Please detail the wider District and public interest in the application	The site is between two conservation areas and since the outline was granted the monument near the site has been listed
If the application is not in your Ward please describe the very significant impacts upon your Ward which might arise from the development	
Please confirm what steps you have taken to discuss a referral to committee with the case officer	Discussed at outset.

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Application No: DC/20/01717

**Address: Land East of Abbey
Hill, Hoxne**

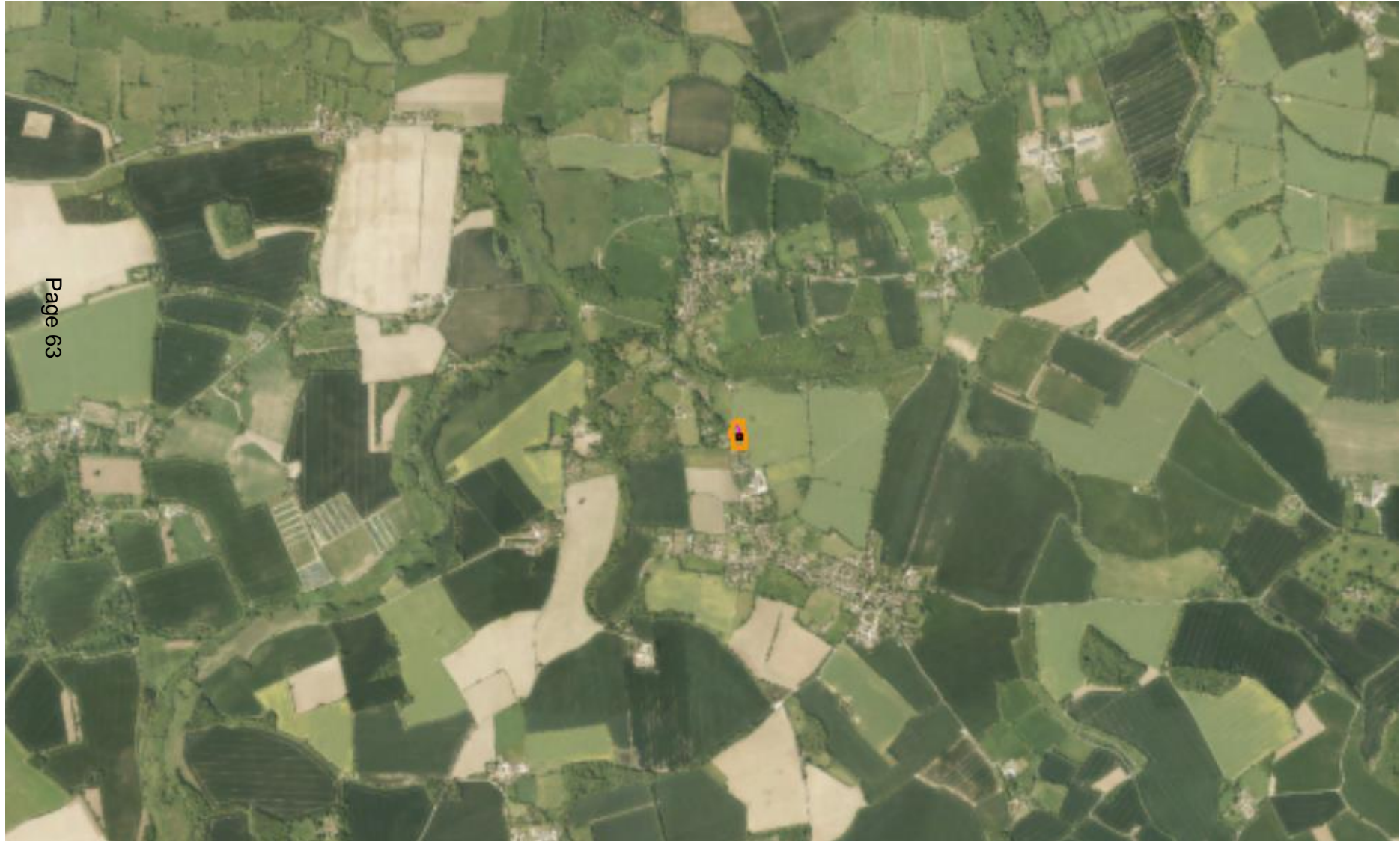
Page 61



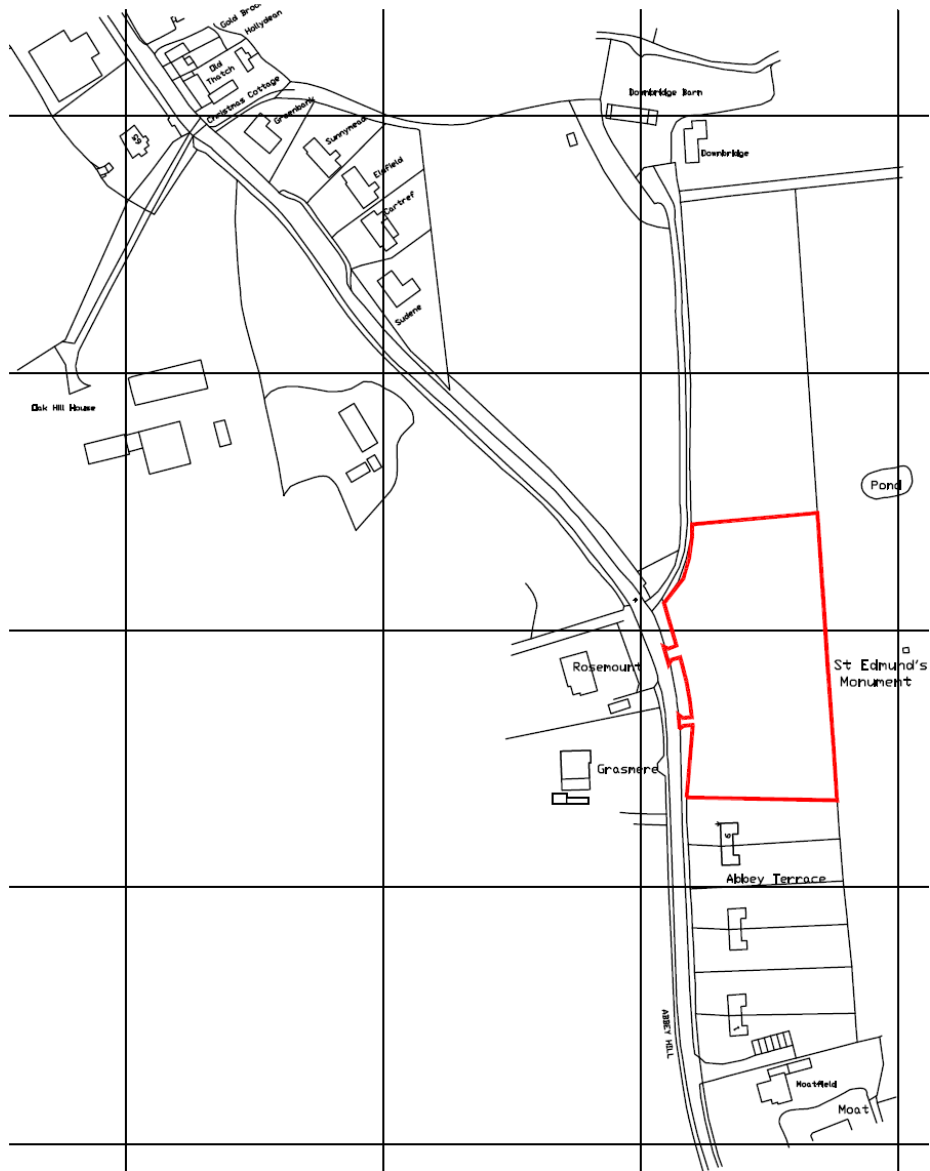


Aerial Map – wider view

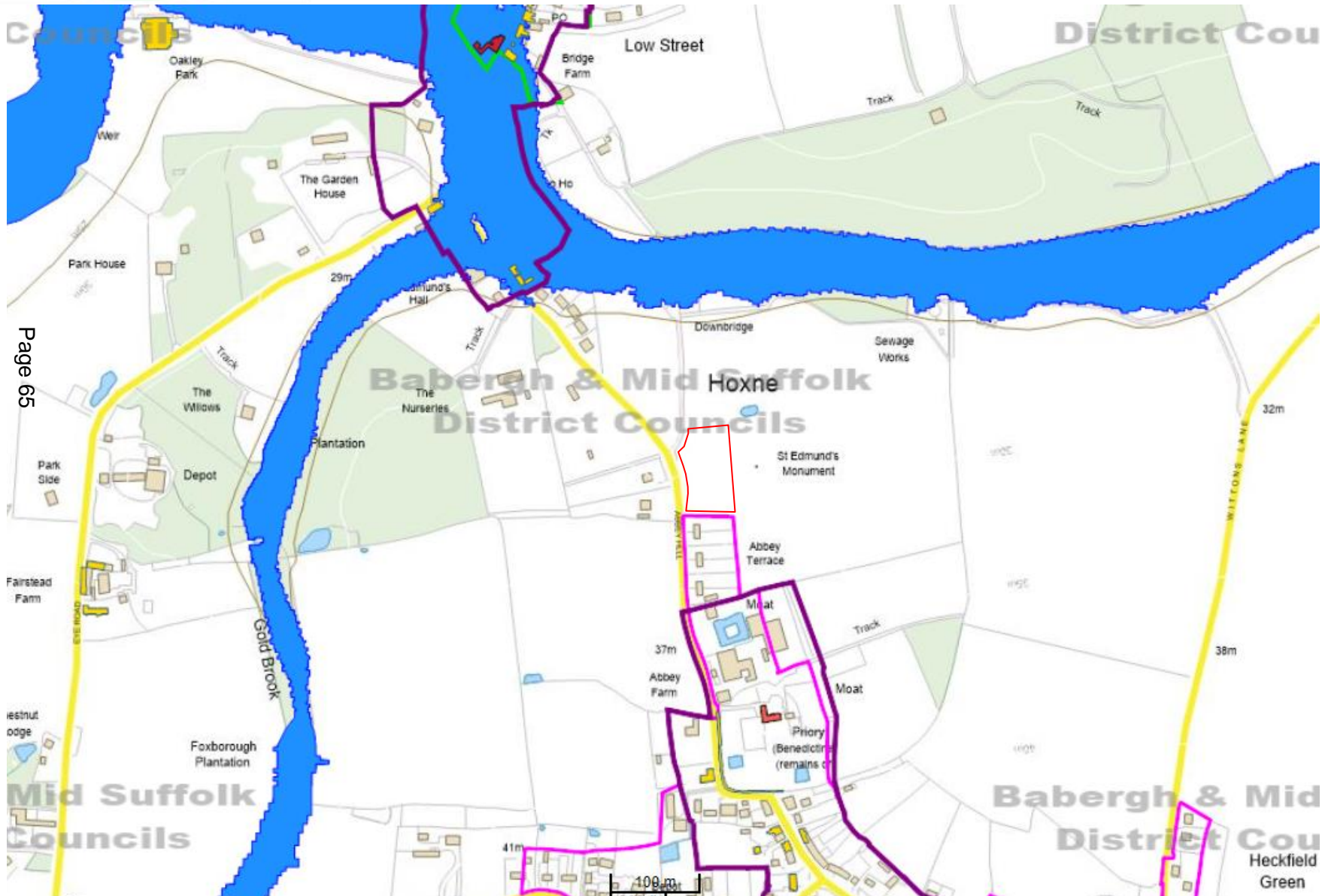
Slide 3



Site Location Plan

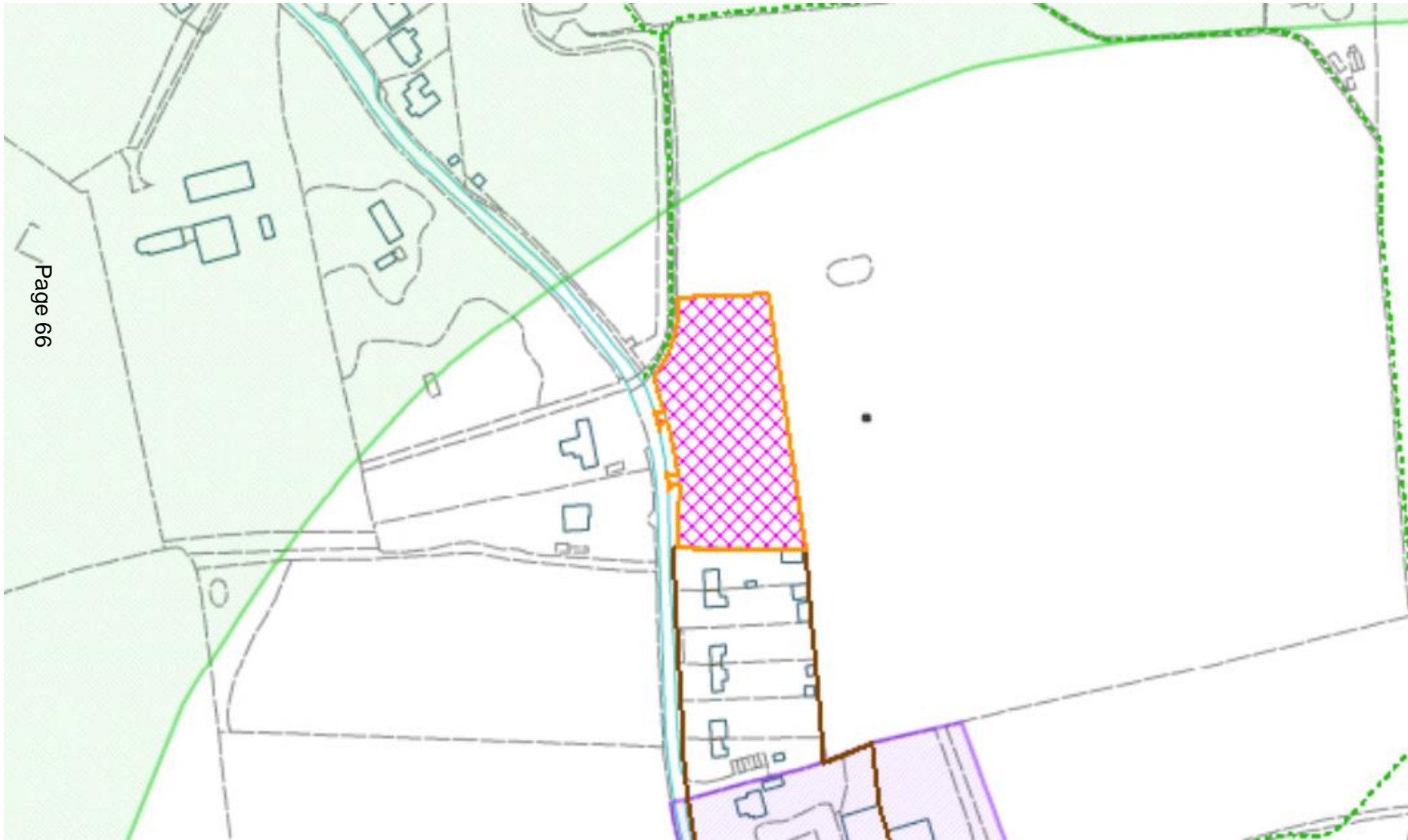


Constraints Map



Constraints Map

-  Conservation Area
-  Special Landscape Area
-  Built Up Area Boundaries
-  Public Rights of Way

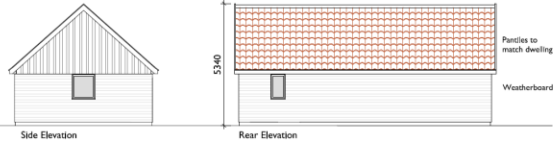


Site Layout

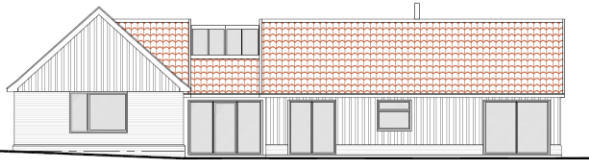


Plans and Elevations – Plot 1

Slide 8



Side Elevation Rear Elevation



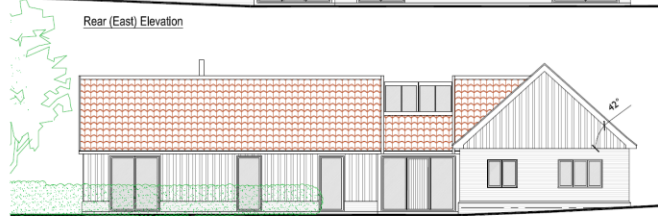
Rear (East) Elevation



Side (North) Elevation



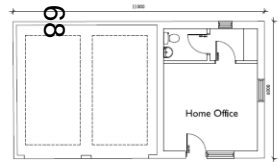
Side Elevation Side Elevation (onto Abbey Hill)



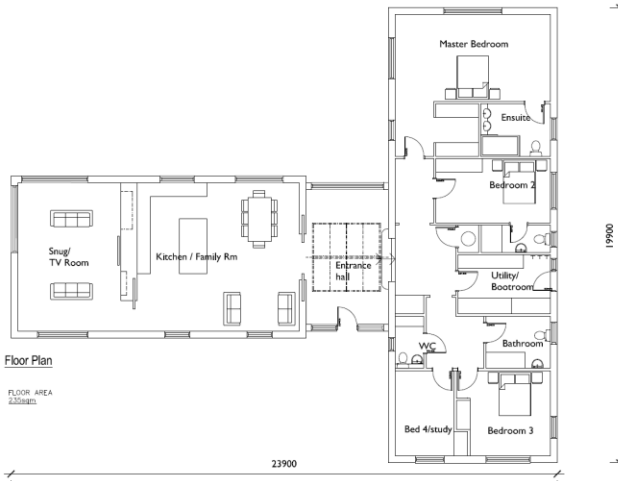
Front (West) Elevation



Side (South) Elevation



Page 68

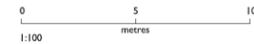


Floor Plan

FLOOR AREA 235sqm

23900

19900



C.	02.04.20	Minor revisions
B.	27.03.20	Plot 1 Redesigned to Single Storey
A.	29.01.20	Minor Client Revisions
Ref.	Date	Revision

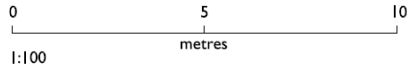
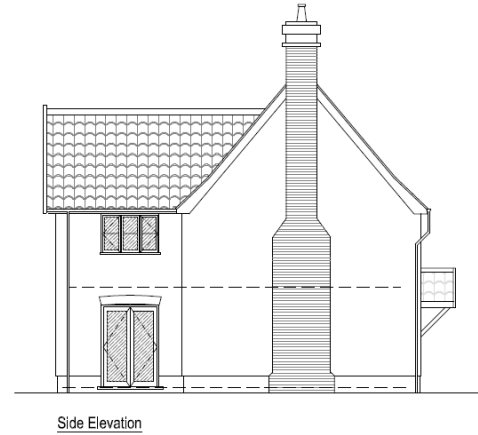
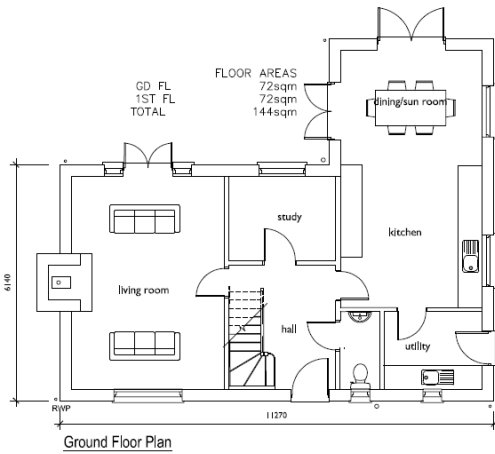
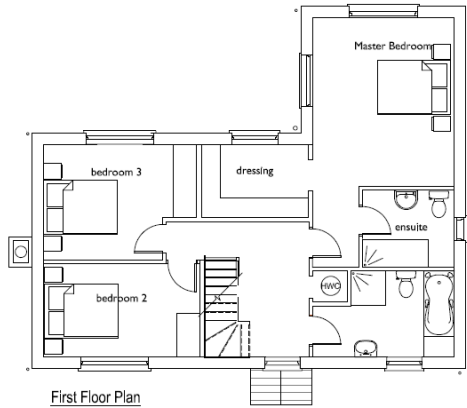
Ensure all dimensions are checked on site prior to ordering of prefabricated elements. Ensure minimum headroom requirements are met for all structures.
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architects & consultants
3 church lane
breasingham diss
norfolk
IP22 2AE
ROBERTS MOLLOY LIMITED ©
Tel: 01379 687705
E-mail: info@robertsmolloy.co.uk

PROJECT:
LAND AT ABBEY HILL
HOXNE

TITLE:
PLOT 1 - DETACHED DWELLING + CARPORT
FLOOR PLANS & ELEVATIONS

Scale: 1:100@A1 Date: January 2020
JOB No. HAH DRG No. 06C



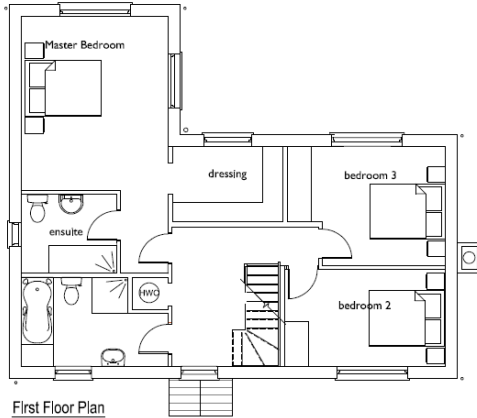
C. 30.06.20 Plot 2 only
B. 02.03.20 Reduced to 3-bed
A. 29.01.20 Revised Design
Ref. Date Revision

<p>Ensure all dimensions are checked on site prior to ordering of prefabricated elements. Ensure minimum headroom requirements are met for all staircases. Do not scale from this or any other drawing. Any discrepancies, contact the issuer. This drawing or any of its contents cannot be used except with the express written permission of the issuer. Without such permission no responsibility is taken for its content.</p>		
<p>ROBERTS MOLLOY architects & consultants</p>	<p>3 church lane bressingham diss norfolk IP22 2AE</p>	<p>ROBERTS MOLLOY LIMITED © Tel: 01379 687705 E-mail: info@robertsmolloy.co.uk</p>
<p>DETAIL: PLOT 2 - 3-BED HOUSE PLANS & ELEVATIONS</p>	<p>PROJECT: LAND AT ABBEY HILL HOXNE</p>	
<p>Scale: 1:100@A3</p>	<p>Date: January 2020</p>	<p>JOB No. HAH DRG No. 08C</p>

Plans and elevations – plot 3

Slide 10

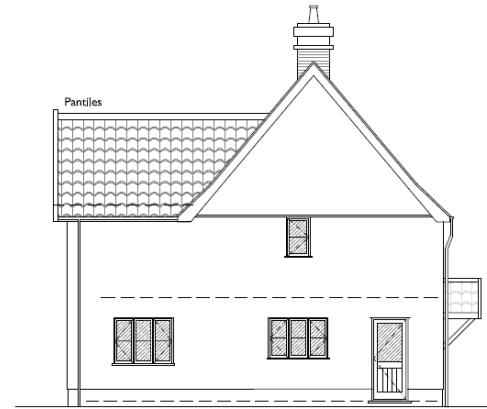
Page 70



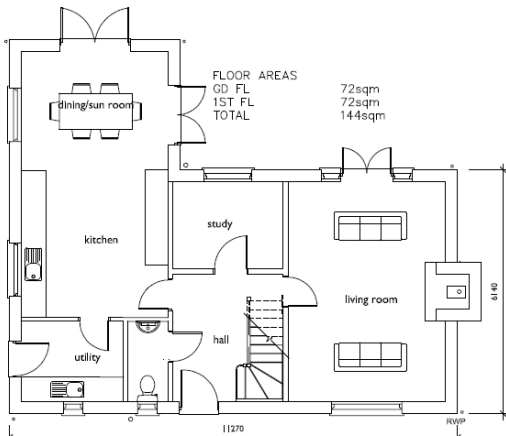
First Floor Plan



Rear Elevation



Side Elevation



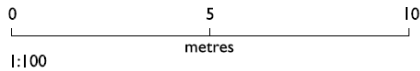
Ground Floor Plan



Front Elevation



Side Elevation

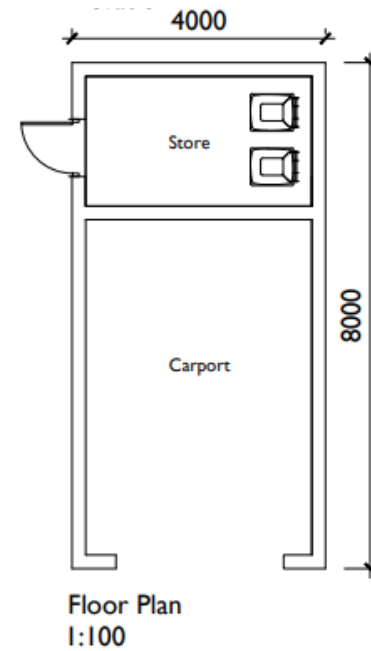
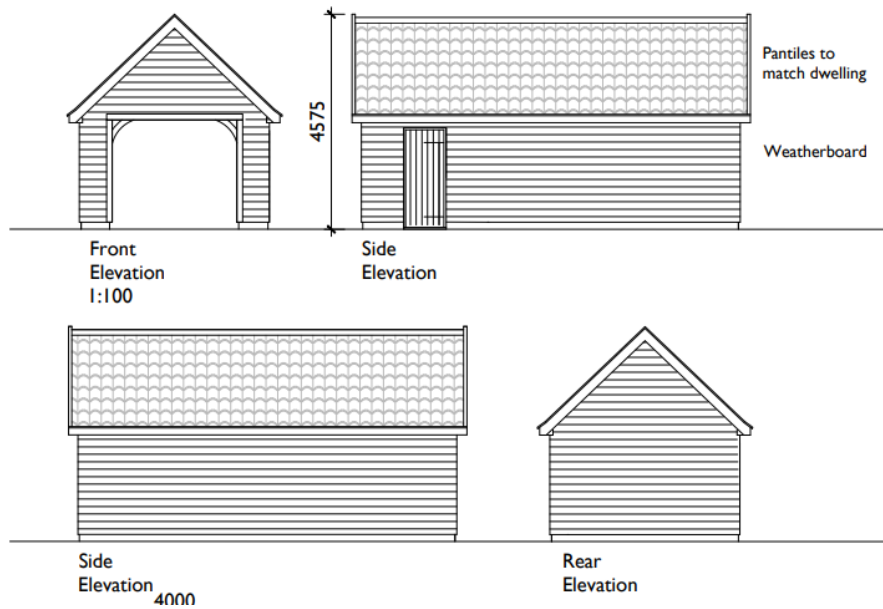


C. 30.06.20 Plot 3 only
B. 02.03.20 Reduced to 3-bed
A. 29.01.20 Revised Design
Ref. Date Revision

Ensure all dimensions are checked on site prior to ordering of prefabricated elements. Ensure minimum headroom requirements are met for all staircases. Do not scale from this or any other drawing. Any discrepancies, contact the issuer. This drawing or any of its contents cannot be used except with the express written permission of the issuer. Without such permission no responsibility is taken for its content.

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		PROJECT: LAND AT ABBEY HILL HOXNE	
DETAIL: PLOT 3 - 3-BED HOUSE PLANS & ELEVATIONS		Scale: 1:100@A3	Date: January 2020
		JOB No. HAH	DRG No. 10C

house designs June 2020 DWG



Elevations – Plot 4



Front Elevation - West



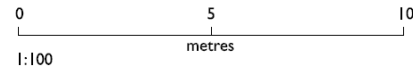
Rear Elevation - East



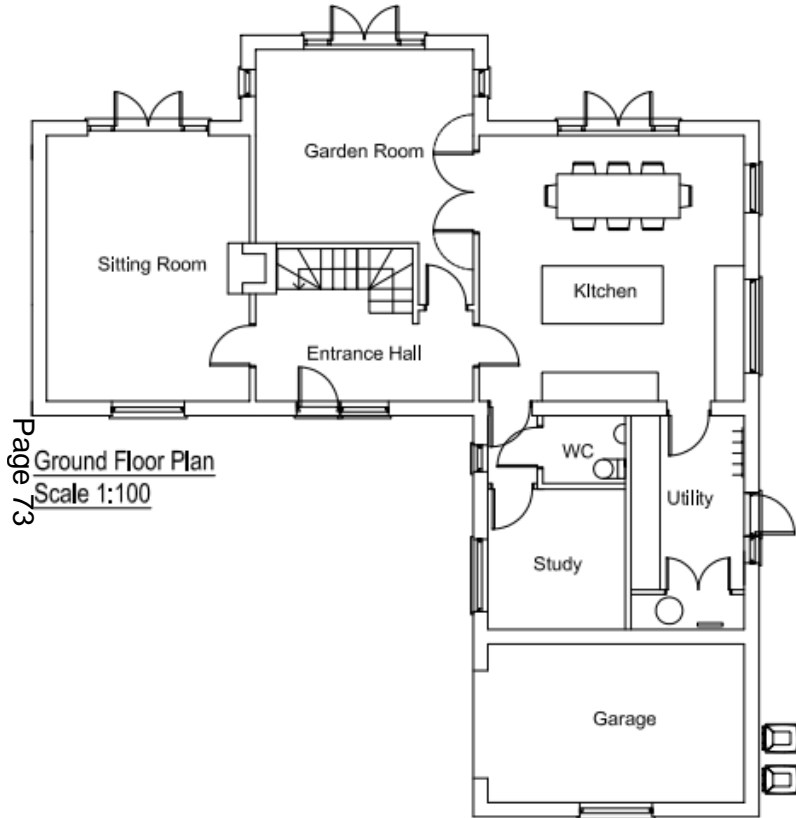
Side Elevation - South



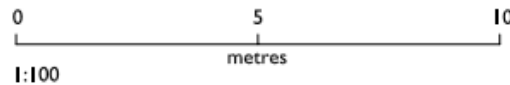
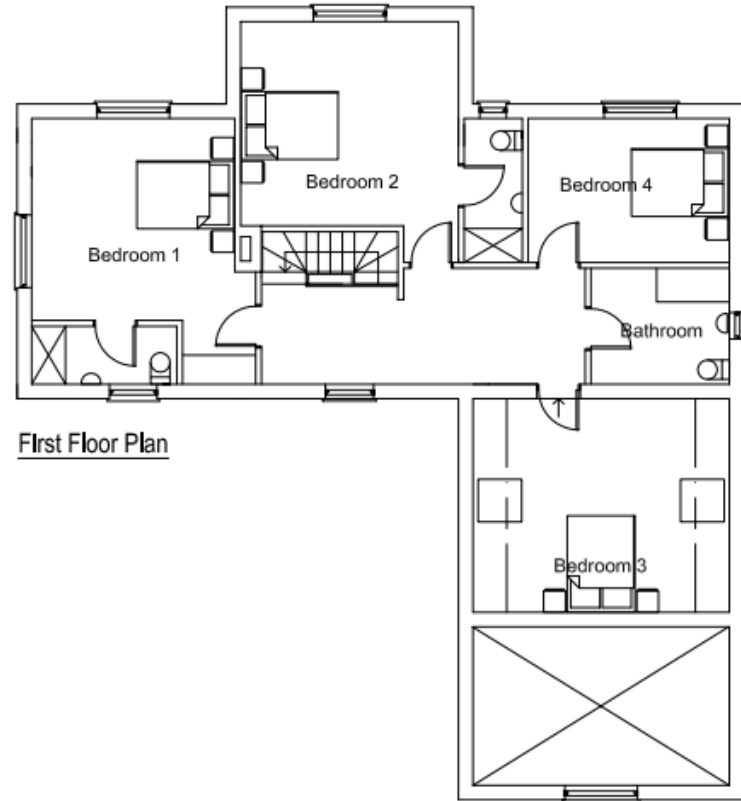
Side Elevation - North



A. Ref.	29.01.20	Revised Design
Date		Revision
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		ROBERTS MOLLOY LIMITED © Tel: 01379 687705 E-mail: info@robertsmolloy.co.uk
DETAIL: PLOT 4 - DETACHED DWELLING ELEVATIONS		PROJECT: LAND AT ABBEY HILL HOXNE
Scale: 1:100@A3	Date: January 2020	JOB No. HAH
		DRG No. 13A



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A. 29.01.20 Revised Design
Ref. Date Revision

Ensure all dimensions are checked on site prior to ordering of prefabricated elements. Ensure minimum headroom requirements are met for all staircases. Do not scale from this or any other drawing. Any discrepancies, contact the issuer. This drawing or any of its contents cannot be used except with the express written permission of the issuer. Without such permission no responsibility is taken for its content.

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DETAIL: PLOT 4 - DETACHED DWELLING FLOOR PLANS		PROJECT: LAND AT ABBEY HILL HOXNE	
Scale: 1:100@A3	Date: January 2020	JOB No. HAH	DRG No. 12A

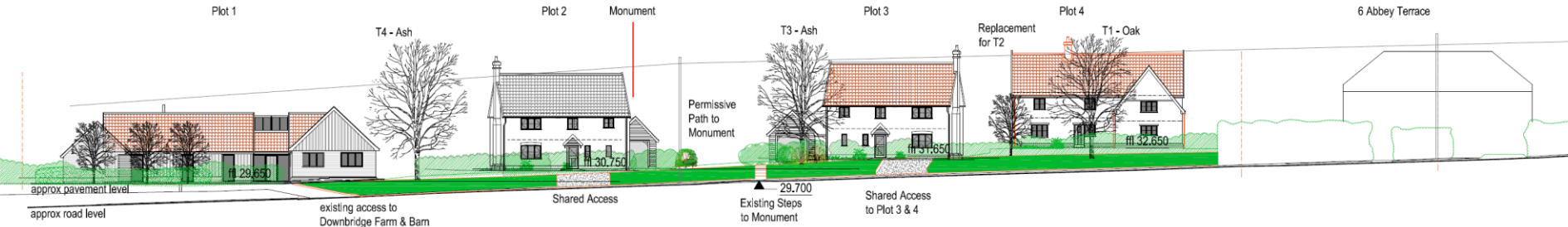
Indicative Landscape Scheme along Permitted Path Slide 14



Page 74

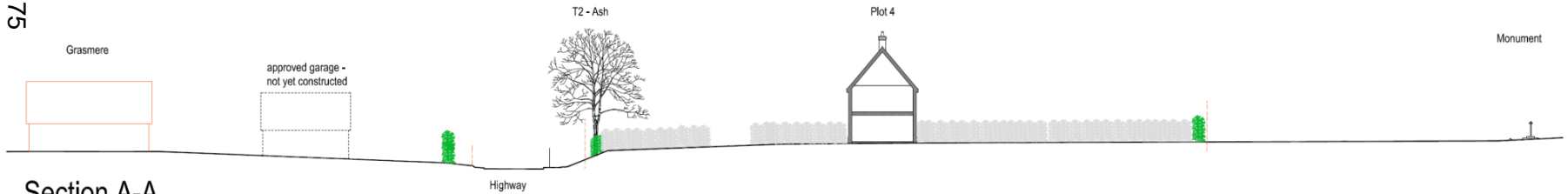
LANDSCAPE SCHEME
 PERMISSIVE PATH
 Comment
 BARBEY HILL

Street scene and site sections

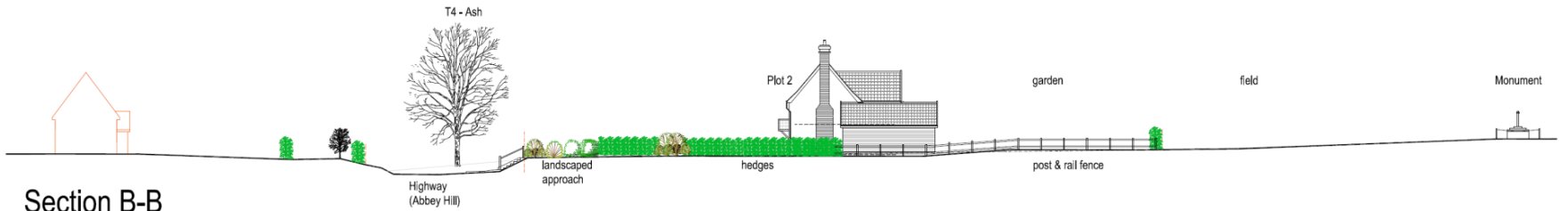


Streetscene

Page 75



Section A-A



Section B-B

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Agenda Item 7b

Committee Report

Item 7B

Reference: DC/20/00585

Case Officer: Mahsa Kavyani

Ward: Thurston

Ward Member/s: Cllr Harry Richardson. Cllr Wendy Turner

RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS

Description of Development

Planning Application - Erection of dwelling with associated works, including provision of landscaping and internal access road

Location

Harveys Garden Plants, Great Green, Thurston, Bury St Edmunds Suffolk IP31 3SJ

Expiry Date: 17/07/2020

Application Type: FUL - Full Planning Application

Development Type: Minor Dwellings

Applicant: Mr R Harvey

Agent: Locus Planning Ltd

Parish: Thurston

Site Area: .45ha

Density of Development:

Gross Density (Total Site): N/A

Net Density (Developed Site, excluding open space and SuDs): N/A

Details of Previous Committee / Resolutions and any member site visit: None

Has a Committee Call In request been received from a Council Member (Appendix 1): No

Has the application been subject to Pre-Application Advice: Yes

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason:

The application was 'called-in' by an elected member.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

NPPF National Planning Policy Framework 2019

Core Strategy Focused Review 2012:

FC01 - Presumption In Favour of Sustainable Development
FC01_1 - Mid Suffolk Approach to Delivering Sustainable Development
FC02 - Provision and Distribution of Housing

Core Strategy 2008:

CS01 - Settlement Hierarchy
CS02 - Development in the Countryside & Countryside Villages
CS05 - Mid Suffolk's Environment

Mid Suffolk Local Plan 1998:

GP01 - Design and layout of development
HB1 – Protection of historic buildings
H7 – Restricting housing in 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
T09 - Parking Standards
T10 - Highway Considerations in Development
CL08 - Protecting wildlife habitats

Supplementary Planning Documents:

Suffolk Adopted Parking Standards (2019)
Suffolk Design Guide

Neighbourhood Plan Status

This application site is within the adopted Thurston Neighbourhood Plan (2019) area. The Thurston Neighbourhood Plan (TNP) has significant weight, forming part of the local development plan.

Consultations and Representations

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

A: Summary of Consultations

Town/Parish Council (Appendix 3)

Thurston Parish Council

Please be advised that the Parish Council, having sought to be consistent in its approach for all applications outside of the settlement boundary as described in the made Thurston Neighbourhood Plan objects to this application and would ask that the following comments be considered in its recommendation of refusal:

1. As has been stated on the original application for this site, the proposal is outside of the adopted built-up area boundary and as such is contrary to not only policies within the Mid Suffolk Local Plan but also the made Thurston Neighbourhood Development Plan (NDP) POLICY 1: THURSTON SPATIAL STRATEGY which states that all new development in Thurston parish shall be focused within the settlement boundary of Thurston village as defined within the Policies Maps on pages 76-77 of the Thurston NDP.
2. As the proposed development is outside of the current defined settlement boundary allocated by Mid Suffolk District Council for Thurston, it is contrary to the spatial strategy in Policy CS1 of the Core Strategy. Being in conflict with Policy CS1 would also bring it in conflict with Policies FC1 and FC1.1 of the Core Strategy Focused Review (Adopted December 2012). The conflict with the development plan would therefore be an adverse impact of the proposed development.
3. Whilst the Parish Council is aware that there is an outstanding current legal challenge to the weighting of the Thurston NDP for another planning application in Thurston, albeit of a significantly larger scale, it should still be remembered that the Thurston Neighbourhood Plan is a statutorily made/adopted "development plan" within the meaning of s. 38(3)(c) of the Planning and Compulsory Purchase Act 2004 which provides by Policy 1: Spatial Strategy that "new development in Thurston Parish shall be focused within the settlement boundary...", in accordance with which any planning application should be determined "unless material considerations indicate otherwise", see s. 38(6).
4. Paragraphs 4.1-4.6 of the Neighbourhood Plan explain the reasoning behind the Spatial Strategy in the Neighbourhood Plan and the justification of why growth should be focused within the settlement boundary.
5. It is felt that the proposal, given its location would represent a detached and isolated new dwelling in a predominant rural countryside character which would have an urbanising effect on a rural area defined by informally placed dwellings.
6. The new dwelling would be incompatible with the wider rural open countryside character and visual appearance and would therefore have a negative adverse effect on the rural character of the area. The proposed development would therefore appear discordant when viewed against the established grain of development which would have a significantly detrimental effect on the character of the area. Policy 9 of the Thurston NDP requires all new development to be designed to ensure that its impact on the landscape and the high-quality rural environment of Thurston is minimised.
7. As has been stated previously, the general approach in the Thurston NDP, fully supported by the Parish Council is that growth will be focused on the 5 significant sites which were granted planning permission as of 2017 (which are located within the settlement boundary as amended by the Neighbourhood Plan) and on small scale infill sites within the settlement boundary. As these sites are expected to provide high quality schemes which generally enhance the public realm and improve accessibility for pedestrians and cyclists, it is felt that this proposal will neither enhance nor protect the village facilities given its location outside of the settlement boundary.
8. The Parish Council is concerned that the change in the use of land from agricultural to residential would see an intensification of activity on the site, which, coupled with movement from the new dwellings and customers / deliveries to and from the business and café throughout the day and any activity from the business itself will result in an intensified use of the area and will have cumulative impacts on the amenity of future occupiers of the new proposed dwelling and consequently may place unreasonable restrictions on the existing business jeopardising its viability.

9. The Parish Council contents that the proposals fails to achieve the environmental objective as outlined by the NPPF as, given its location, it can offer no measures that will contribute to the requirement to use natural resources prudently, nor will it minimise waste and pollution, and by the reliance of future residents on the use of the motor vehicle to access facilities and services, it will fail to achieve measures that will aid adapting to climate change, including moving to a low carbon economy.

10. As Thurston currently has approval for in excess of 1,000 new dwellings, it is felt that this site will offer little or no significant economic benefits either in the short term (the construction phase associated with the development will stimulate the local economy through the employment of construction workers/professionals and the sourcing of building materials) nor in the long term with future occupiers utilising local services and facilities and supporting the local economy.

11. Again, as has been previously stated elsewhere there are a significant number and range of dwellings currently being built in Thurston (four of the significant five sites have commenced work (pre-COVID19) to provide significant support to supporting strong, vibrant and healthy communities and as such the social objective to achieving sustainable development can easily be achieved without granting planning approval to further development within the countryside which will have limited or no social benefit.

12. Paragraph 78 of the NPPF seeks to promote sustainable development in rural areas, advising; 'housing should be located where it will enhance or maintain the vitality of rural communities'. Paragraph 103 of the NPPF also states: 'Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health. Given the location of the site, the Parish Council argues that the proposal will not be in accordance with POLICY 6: KEY MOVEMENT ROUTES as it fails to ensure that safe pedestrian and cycle access to link up with existing pavements and cycle infrastructure is achievable and that the route to facilities and services in both Thurston and Norton will not be able to ensure that access by disabled users and users of mobility scooters is secured.

13. Furthermore the proposal has failed to demonstrate that it has addressed the impact of the additional traffic movements on the safety and flow of pedestrians and cyclists. A such the proposal also fails to accord with paragraph 109 of the NPPF as there are no footways linking the proposed area with the main settlement of the village or indeed the settlement boundary and as such little opportunity to encourage other modes of transport. Access on foot would require walking along stretches of Norton Road in the roadway as there is no footway nor is there any opportunity to create a new cycle route.

14. Paragraph 108 of the NPPF seeks to ensure that appropriate opportunities to promote sustainable transport modes can be or have been taken up, given the type of development and its location. Given that the site is in a rural location within a rural district, and there are limited sustainable transport solutions, it cannot be argued that there will not be a reliance for travel by private car. This is not only contrary to para. 108 but also contrary to the sustainability objectives of Policies FC1 and FC1.1 of the Mid Suffolk Core Strategy Focused Review (December 2012).

In summary, the Parish Council in objecting to this proposal requests that consideration be given to the following:

- The precedent for refusal has been set by MSDC on the grounds that this was development in the countryside and isolated from the main settlement;
- Outside of the curtilage of the settlement boundary – contrary to the made Thurston NDP;
- Impact on nearby heritage buildings;
- Given that future residents of the dwellings will be reliant on the private car to access facilities and services in Thurston and/or Norton, the proposal, by the very nature of its location, must be regarded as unsustainable;
- No safe means of alternative travel modes such as cycle or foot to access facilities and services in either Thurston or Norton;

- The proposal will result in an overdevelopment of a small area which will fail to enhance, protect or conserve the environmental conditions of this area nor will it enhance or protect the local character of the area;
- Concerns are also raised, at the relative ease, given the layout of the site, for a further two plots to be added back in at a later date;
- The principal to build does not change the Parish Council's position over dwellings in the countryside.

National Consultee (Appendix 4)

Natural England

No comments.

County Council Responses (Appendix 5)

SCC - Fire & Rescue

No comments.

SCC - Highways

No objections subject to conditions.

Internal Consultee Responses (Appendix 6)

Heritage

No comments.

Public Realm

No comments.

Planning Policy

No comments.

Environmental Health - Land Contamination

No comments.

B: Representations

At the time of writing this report at least seven comments have been received. It is the officer opinion that this represents five objections and two supporting comments. A verbal update shall be provided as necessary.

Grounds of objection summarised below:

Contrary to Thurston NP

Outside settlement boundary

Rural character/landscape harm

Insufficient supporting infrastructure

Precedent for further dwellings

All issues raised, where relevant have been addressed within Officer's report.

(Note: All individual representations are counted and considered. Repeated and/or additional communication from a single individual will be counted as one representation.)

PLANNING HISTORY

REF: DC/18/03993	Prior Approval Application under Part 6, Class A of Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2, Part 6 - Erection of agricultural building.	DECISION: WDN 17.10.2018
REF: DC/18/04714	Planning Application. Erection of an agricultural building and hardstanding.	DECISION: GTD 17.12.2018
REF: DC/19/05037	Discharge of Conditions Application for 4471/16- Condition 3 (Visibility Splays), Condition 4 (Parking and Turning), Condition 5 (Surface Water Discharge Prevention) and Condition 6 (Refuse Bins and Collection Areas)	DECISION: WDN 12.11.2019
REF: DC/20/00585	Planning Application - Erection of Dwelling with Associated Works, Including Provision of Landscaping and Internal Access Road	DECISION: PDE
REF: 3438/10	Continued use of building without compliance with condition 5 (purposes for which building may be used) including use as a cafe/restaurant, condition 4 (sale of items unrelated to horticulture) and condition 3 (hours of operation) of planning permission 1043/06 (Erection of dual purpose farm admin & information display building).	DECISION: GTD 09.02.2011
REF: 0051/06	Permanent agricultural dwelling.	DECISION: GTD 21.06.2006
REF: 0822/05	Proposed agricultural dwelling	DECISION: WDN 07.07.2005
REF: DC/18/00143	Outline Planning Application. (Access to be considered) - Erection of up to 4 dwellings	DECISION: REF 06.03.2018
REF: DC/18/02262	Outline Planning Application (some matters reserved) - Erection of 2 single storey dwellings and creation of access (re-submission of refused application DC/18/00143).	DECISION: REF 20.07.2018
REF: DC/18/04714	Planning Application. Erection of an agricultural building and hardstanding.	DECISION: GTD 17.12.2018

REF: DC/19/05392	Notification for Prior Approval for a Proposed Change of Use of Agricultural Building to 2no Dwellinghouses (Class C3) and for Associated Operational Development. Town and Country Planning (General Permitted Development) Order 2015, Schedule 2, Part 3, Class Q	DECISION: AFDR 14.01.2020
REF: DC/20/00585	Planning Application - Erection of Dwelling with Associated Works, Including Provision of Landscaping and Internal Access Road	DECISION: PDE
REF: 4471/16	Notification for Prior Approval for a Proposed Change of Use of Agricultural Building to a Dwellinghouse (Class C3), and for Associated Operational Development. Conversion of existing barn to form two dwellings.	DECISION: GTD 23.12.2016
REF: 0017/08	Erection of agricultural dwelling (submission of details pursuant to Outline Planning Permission 0051/06)	DECISION: GTD 26.02.2008
REF: 1043/06	Erection of dual purpose farm administration and information display building (revised scheme to that previously permitted under Planning Permission reference 0790/05).	DECISION: GTD 06.11.2006
REF: 1044/04/	CREATION OF NEW VEHICULAR ACCESS WITH 25 METRE LINKING ROADWAY.	DECISION: GTD 12.01.2005

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1. The application site comprises approximately 0.45 hectares of agricultural land situated on the southern side of Norton Road, Great Green, Thurston. The site forms part of the 'Harveys Garden Plants' nursery, a horticultural business (defined as agriculture for the purposes of the Town and Country Planning Act 1990) operating from a series of growing tunnels, buildings and land distributed to the east of Oak Road and to the south of Norton Road. The application site itself relates to a parcel of land subject to an existing building (occupied as a café) and areas of hardstanding, providing car parking and the previous location of display areas/tunnels.
- 1.2. An existing agricultural building lies to the east, subject to a recent grant of permission for conversion to two dwellings (DC/19/05392). To the north and west lies Norton Road and beyond that a residential property 'Navarac', where a number of recent permissions will collectively provide four dwellings.

- 1.3. The site is not located or near to any designated heritage assets (either buildings or Conservation areas), or areas designated for local or national environmental/landscape significance. The site is in Flood Zone 1.
- 1.4. The site is located outside any settlement boundary defined in the development plan.

2. The Proposal

- 2.1 The application seeks full planning permission for the erection of a single storey, four bedroom dwelling. The development includes a detached double garage sited adjacent the northwestern side of the dwelling. External materiality includes black weatherboards over a red brick plinth with clay pantile pitched roofs.
- 2.2 The existing vegetation at the road frontage, including hedgerow and mature trees, is to be retained. No vegetation is proposed to be removed.
- 2.3 Vehicle access will be via the existing access arrangement from Norton Road.

3. Policy Context

- 3.1 The starting point for any planning decision is the development plan, as identified in Section 38(6) of the Planning and Compulsory Purchase Act 2004. Determination of any application must be made in accordance with the plan unless material considerations indicate otherwise. One such material consideration is the NPPF. The NPPF can override development plan policy if it is not consistent with the provisions of the NPPF.
- 3.2 Paragraph 11 of the NPPF explains that there is a presumption in favour of sustainable development which comprises economic, social and environmental objectives. It goes on to indicate that where the development plan is absent, silent or policies which are most important for determining the application are out-of-date, planning permission should be granted unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF as a whole; or unless specific policies in the NPPF indicate that development should be restricted.
- 3.3 In view of advice in paragraph 11(d) of the NPPF, it is necessary to consider how consistent the most important policies in the development plan are with the NPPF, to assess what weight should be attached to them. Paragraph 213 explains that due weight should be given to relevant policies according to their degree of consistency with the NPPF, the closer the policies in the plan to those in the NPPF, the greater the weight that may be given.
- 3.4 The development plan for the area comprises a combination of the Core Strategy 2008, the Core Strategy Focused Review 2012, and 'saved' policies of the Local Plan 1998. The Joint Local Plan is emerging, currently in Regulation 18 phase with the consultation period recently completed. In accordance with the requirements of Paragraph 48 of the NPPF, very limited weight is attached to the emerging Joint Local Plan in consideration of the merits of the proposal, given the preparatory stage of the document.
- 3.5 For the purposes of the application at hand, the following documents are considered to form the adopted Development Plan:
 - National Planning Policy Framework (2019)
 - Mid Suffolk Core Strategy Focussed Review (2012)

- Mid Suffolk Core Strategy (2008)
- Mid Suffolk Local Plan (1998)
- Thurston Neighbourhood Plan (2019)

- 3.6 The application is made in full. Local policies concerned with detailed design and residential amenity, including saved Policy GP1 and H16 respectively, are deemed 'most important', noting their consistency with national policy.
- 3.7 Policy CS1 and CS2 of the Core Strategy, saved Policy H7 of the Local Plan are policies most important for determining the application. Policy CS1 identifies a settlement hierarchy as to sequentially direct development, forming part of a strategy to provide for a sustainable level of growth. The Policy identifies categories of settlement within the district, with Towns representing the most preferable location for development, followed by the Key Service Centres, Primary then Secondary Villages. Policy CS2 restricts development in the countryside to defined categories. Local Plan Policy H7 seeks to restrict housing development in the countryside in the interests of protecting its existing character and appearance.
- 3.8 The exceptional circumstances test at Policy CS2 applies to all land outside the settlement boundary, as does saved Policy H7. This blanket approach is inconsistent with the NPPF, which favours a more balanced approach to decision-making. The NPPF does contain a not dissimilar exceptional circumstances test, set out at paragraph 79, however it is only engaged where development is isolated. The definition of isolation in the context of this policy has been shown within court judgements to relate to *physical* isolation only. The subject land is not physically isolated and it must follow that paragraph 79 does not engage.
- 3.9 Having regard to the advanced age of the Mid Suffolk settlement boundaries of the settlement hierarchy set out at Policy CS1, and the absence of a balanced approach as favoured by the NPPF, the policies most important for determining the application are deemed out-of-date, a position well established by the Inspectorate in recent Mid-Suffolk appeals. This conclusion is reached irrespective of Council's five year housing supply position. As a result, the weight to be attached to these policies has to be commensurately reduced and the default position at paragraph 11d of the NPPF is engaged, that is, granting permission unless (i) the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development or (ii) the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 3.10 Turning first to (i) above, footnote 6 at NPPF paragraph 11d states that the policies referred to at 11d are those in the NPPF relating to: habitats sites and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets; and areas at risk of flooding or coastal change. None of these areas/assets are relevant to the site or scheme.
- 3.11 This leaves the second limb of the paragraph 11d test, requiring an assessment of the adverse impacts and benefits of the proposal, and the associated balancing exercise. This assessment is set out at sections 4 to 10 of this report.
- 3.12 The Thurston Neighbourhood Plan (TNP) was adopted in October 2019, forms part of the development plan and therefore forms a material consideration in the determination of planning applications within Thurston Parish. As emphasised by the Parish Council, the overriding thrust of the TNP is to focus residential growth within the settlement boundary of Thurston village. Policy 1 does however not prevent or impose a restriction on development in the countryside outside of the settlement boundary. Applying such a restriction would conflict with the balanced

decision making approach which underpins the NPPF. Therefore simply because a development proposal is located outside the settlement boundary does not necessarily mean that it is an unacceptable planning outcome in local (TNP) terms. Consideration must be given to all relevant matters, including competing policy aspirations, and a balanced judgement made.

4. Sustainability of Location

- 4.1 The Inspectorate considered the sustainability of an appeal site adjacent the subject site (the appeal site shared the same access that is relied upon in the current application) in May 2019 (DC/18/02262; APP/W3520/W/18/3216944). The Inspector determined that site not be isolated, observing:

'...some travel by private vehicle is likely in rural areas such as this. However, in this case there is also some opportunity to use public transport given the available bus service that is not so distant from the appeal site to be inaccessible. Moreover, Thurston is not so distant that long car journeys would occur to gain access to services necessary for day-to-day living. In addition, due to the existing dwellings in Great Green, the addition of two dwellings would not significantly add to the journeys that already occur from this location...I conclude that the location would not be unsuitable for the proposed development with regard to whether occupants of the proposed dwellings would have adequate access to services and facilities without undue reliance on private vehicle use.'

- 4.2 Having regard to the Inspector's findings, and noting the application proposes a single dwelling rather than two as considered on appeal, it is concluded that the site represents a sustainable location for the housing density sought.

5. Character and Appearance

- 5.1. The character of the area is appropriately described in the supporting Planning Statement:

'The area is of a typically rural character, attributed to the predominance of agriculture and the extent of mature trees and hedgerows. Despite this however, the presence of residential development is nonetheless apparent and contributes to the area. To the west of the site, existing dwellings extend along the northern side of Norton Road, the most easterly of which is formed by 'Navarac'. As noted, permission has been granted for the erection of four dwellings on land adjacent to the property, effectively extending housing to Poplar Farm Lane, directly opposite and past the proposal site. To the east of the site, consent has been granted for the conversion of an agricultural building to two dwellings, providing a significant two storey residential development immediately adjacent to the proposal site. As a whole, the appearance, scale and form of dwellings in the area is not altogether uniform; however, the general spaciousness and verdant nature of properties remains a prevailing characteristic.'

- 5.2 The site is developed with the café building that is proposed for removal. To the front of the café building and dominating the site is a large hardstand used for vehicle parking. To the rear of the cafe building is a building approved for residential conversion, visible in the backdrop to the site. The appearance of the site is informal. Officers agree with the applicant, the site in its current form is of limited landscape value.
- 5.3 The proposed dwelling will be set well back from the road, essentially in the same location as the café building (sited slightly forward of the existing building). The dominant hardstand will be removed, replaced with a domestic curtilage with driveway and garden. The dwelling is of limited (single storey) height, is low slung in appearance, and incorporates pitched roofs, a traditional building form. The garaging is set to the side of the dwelling in an obtrusive location. Unlike the café building it will replace, the material finishing comprises muted earthy tones, with visually

recessive black weatherboarding and traditional clay pantiles to the roofs. A domestic curtilage featuring a visual unobtrusive traditional styled dwelling, set well back from the street, offers a respectful character outcome. The generous front setback is consistent with the setbacks of the dwellings within the two distinct groupings nearby, helping to maintain the open character and appearance of the area. Any urbanising effect is very limited given the proposal essentially comprises a replacement building and the development will present in the context of existing and approved development, most notably the converted dwellings to the rear.

- 5.4 In addition to a generous front setback, the dwelling is sited such that the setbacks from side boundaries are also sufficiently generous to accommodate landscape planting. This ensures the development retains a sense of spaciousness, rather than appearing cramped or overdeveloped, while planting will offer a verdant quality enhancing the wider setting.
- 5.5 The new site boundaries must be carefully treated to ensure the open character of the area is further enhanced, for example by the adoption of a treatment like traditional post and rails. Such a treatment will offer a 'soft feel' to the boundary, as required by Policy 4 of the TNP. Hard and soft landscaping can be adequately managed by planning condition.
- 5.6 The proposal has been carefully considered, designed and sited in a manner that minimises the impact on the landscape and rural environment, responding positively and in support of Policy 4 and Policy 9 of the TNP. For the same reasons the scheme accords with Policy H13 and Policy H15.
- 5.7 The Parish Council notes a concern in respect to the impact on nearby heritage buildings. The separation distance, intervening vegetation, buildings and road between the site and the nearest heritage building (northwest at Elm Green Farmhouse) is such that it gives no cause for concern regarding heritage character harm. Noteworthy is an absence of objection from Council's Heritage Team. There are no heritage grounds to justify withholding planning permission.

6. Residential Amenity

- 6.1 Saved Policy H13 of the Local Plan seeks to ensure new housing development protects the amenity of neighbouring residents. Saved Policy H16 of the Local Plan seeks to protect the existing amenity of residential areas. Paragraph 127 of the NPPF sets out a number of core planning principles as to underpin decision-taking, including, seeking to secure a high standard of amenity for all existing and future occupants of land and buildings.
- 6.2 There is nothing in the application that suggests the residential amenity of neighbouring residents, including future occupants of the adjacent building approved for residential conversion, would not be appropriately safeguarded. The application does not conflict with the above policies. No harm is identified in this respect and is therefore neutral in the planning balance.

7. Highway Safety

- 7.1 Policy T10 of the Local Plan requires the Local Planning Authority to consider a number of highway matters when determining planning applications, including; the provision of safe access, the safe and free flow of traffic and pedestrian safety, safe capacity of the road network and the provision of adequate parking and turning for vehicles. Policy T10 is a general transport policy which is generally consistent with Section 9 of the NPPF on promoting sustainable transport, and therefore is afforded considerable weight.
- 7.2 Paragraph 109 of the NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

- 7.3 The development proposes to utilise the existing access arrangement, a perfectly legitimate approach. The Highways Authority does not object to the proposed access. The access arrangements are safe and suitable for all users, consistent with paragraph 108 of the NPPF.
- 7.4 Sufficient parking and manoeuvring space is provided, compliant with the Suffolk Guidance for Parking 2019 and therefore in support of Policy 8 of the TNP.
- 7.5 In respect to traffic generation, the proposal is for a single dwelling, a scale of development which does not require a Transport Assessment or Transport Statement. Policy 7 of the TNP does not engage.
- 7.6 Policy 6 of the TNP confirms development immediately adjacent to Key Movement Routes will be expected to contribute towards the enhancement of the Key Movement Route in accordance with the statutory tests in the Community Infrastructure Levy Regulations 2012. Although Norton Road is a Key Movement Route, the traffic generated by the proposal is such that a planning contribution toward the enhancement of Norton Road would not meet the statutory tests contained within the CIL Regulations. The scheme does not conflict with Policy 6.

8. Contamination

- 8.1 Paragraph 178 of the NPPF suggests planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land contamination. Paragraph 180 states that decisions should also ensure that new development is appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment. Council's Land Contamination Officer raises no objection to the change of the land to domestic use. This element of the scheme is neutral in the planning balance.

9. Biodiversity

- 9.1 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.
- 9.2 Officers agree with the applicant's contention that the site exhibits limited ecological value, attributed to the position of existing development and physical characteristics of the site. For this reason an ecology report is not deemed necessary. This said, it is appropriate that ecological enhancements are secured, consistent with Policy 11 of the TNP, and these are best managed by planning condition.
- 9.3 Policy 12 of the TNP seeks to minimise light pollution. The residential use and scale of the development is such that lighting will be limited and of a typically domestic nature. There are no grounds to withhold planning permission in respect to Policy 12 of the TNP.

10. Social and Economic Benefits

- 10.1 Mid Suffolk benefits from a deliverable supply of housing land. A single dwelling will increase the local housing supply, however the increase would be limited having regard to the current supply. This said, the scheme contributes specifically toward housing need in Thurston noting that four bedroom bungalows are identified as one of the housing need types listed at paragraph 5.22 of the supporting policy text in the TNP.

- 10.2 The proposal would help sustain the nearby rural community and services albeit in only a modest way, nonetheless this represents a positive effect.
- 10.3 As with any construction project, a housing development brings with it short term construction jobs and therefore economic benefits. These will be limited and do not weigh heavily in the planning balance.

PART FOUR – CONCLUSION

11. Planning Balance and Conclusion

- 11.1 With the exception of relevant TNP policies, the development plan policies most important for determining the application are deemed out-of-date. Irrespective of Council's five year housing supply position, the weight to be attached to these policies has to be commensurately reduced and the default position at paragraph 11d of the NPPF engages.
- 11.2 The TNP focuses future development to within the Thurston settlement boundary. The proposal does not expressly support this policy because the site is outside the settlement boundary. However, for the reasons set out in this report, the policy departure is not fatal to the application when all matters are considered in the planning round. The scheme responds positively to the majority of all other relevant TNP policies.
- 11.3 The area has been confirmed by the Inspectorate as a sustainable location for housing (in-principle). The proposal offers some social and economic positives. The scheme contributes toward housing need in Thurston by way of providing a four bedroom bungalow, an expressly identified housing type needed in Thurston, as set out in the TNP.
- 11.4 The site does not play an important landscape role, rather, its landscape value is considered low. It is developed, is of commercial appearance and is well related to neighbouring built form. The removal of less desirable landscape elements like the visually dominant vehicle parking area is a positive landscape response. So too is the retention of frontage vegetation, which will help frame views of the development from Norton Road. The unobtrusive siting and scale of the domestic dwelling constitutes a more respectful character response than the existing commercial building. The site is visually well contained and generously proportioned such that the open character is maintained. The front setback is reflective of the general dwelling setbacks prevalent in the area. There are no overdevelopment symptoms arising from the scheme. The proposal offers an improved local character outcome, a not insignificant public benefit.
- 11.5 A number of the scheme aspects will not result in any harm and these are neutral in the planning balance, including residential amenity, highway safety and land contamination outcomes.
- 11.6 The adverse effects of granting planning permission are insignificant, outweighed by the scheme benefits, most notably the improved landscape character outcome. Accordingly, the proposal would deliver sustainable development. Planning permission should be granted.

RECOMMENDATION

That the application is GRANTED planning permission and includes the following conditions:

Time limit
Approved plans
Highways – parking areas to be retained.

Highways – refuse/recycling
Highways – frontage enclosure restriction
Landscaping to be agreed
Landscaping timescale
Ecological enhancements as per consultee recommendation
PD Removal for outbuildings
Sustainability Measures to be agreed



Application No: DC/20/00585

Location: Harveys Garden Plants, Great Green Thurston, Bury St Edmunds

Appendix 1: Call In Request	16th April 2020	
Appendix 2: Details of Previous Decision	DC/20/00585	
Appendix 3: Town/Parish Council/s	Thurston Parish Council	
Appendix 4: National Consultee Responses	Natural England	
Appendix 5: County Council Responses	SCC - Highways SCC - Public Realm SCC - Fire & Rescue	
Appendix 6: Internal Consultee Responses	MSDC - Environmental Protection Contamination MSDC - Public Realm MSDC - Planning Policy MSDC - Strategic Housing	
Appendix 7: Any other consultee responses	12 letters/emails/online comments received. 11 objections, 1 support and 0 general comment.	



Babergh and Mid Suffolk District Councils



Appendix 8: Application Site Location Plan	Yes	
Appendix 9: Application Plans and Docs	Yes	
Appendix 10: Further information	N/a	

The attached appendices have been checked by the case officer as correct and agreed to be presented to the committee.



THURSTON PARISH COUNCIL

Parish Council Office
New Green Centre
Thurston
IP31 3TG



Tel: 01359 232854

e-mail: info@thurstonparishcouncil.gov.uk

Mr. P Isbell
Chief Planning Officer – Sustainable Communities
Mid Suffolk District Council
Endeavour House, 8 Russell Road
Ipswich IP1 2BX

4th May 2020

Dear Mr Isbell,

DC/20/00585 – Erection of dwelling with associated works, including provision of landscaping and internal access road @ Harveys Garden Plants, Great Green, Thurston, Bury St Edmunds Suffolk IP31 3SJ

Case Officer: Mahsa Kavyani

Please be advised that the Parish Council, having sought to be consistent in its approach for all applications outside of the settlement boundary as described in the made Thurston Neighbourhood Plan objects to this application and would ask that the following comments be considered in its recommendation of refusal:

1. As has been stated on the original application for this site, the proposal is outside of the adopted built-up area boundary and as such is contrary to not only policies within the Mid Suffolk Local Plan but also the made Thurston Neighbourhood Development Plan (NDP) POLICY 1: THURSTON SPATIAL STRATEGY which states that all new development in Thurston parish shall be focused within the settlement boundary of Thurston village as defined within the Policies Maps on pages 76-77 of the Thurston NDP.
2. As the proposed development is outside of the current defined settlement boundary allocated by Mid Suffolk District Council for Thurston, it is contrary to the spatial strategy in Policy CS1 of the Core Strategy. Being in conflict with Policy CS1 would also bring it in conflict with Policies FC1 and FC1.1 of the Core Strategy Focused Review (Adopted December 2012). The conflict with the development plan would therefore be an adverse impact of the proposed development.
3. Whilst the Parish Council is aware that there is an outstanding current legal challenge to the weighting of the Thurston NDP for another planning application in Thurston, albeit of a significantly larger scale, it should still be remembered that the Thurston Neighbourhood Plan is a statutorily made/adopted “development plan” within the meaning of s. 38(3)(c) of the Planning and Compulsory Purchase Act 2004 which provides by Policy 1: Spatial Strategy that “new development in Thurston Parish shall be focused within the settlement boundary...”, in accordance with which any planning application should be determined “unless material considerations indicate otherwise”, see s. 38(6).
4. Paragraphs 4.1-4.6 of the Neighbourhood Plan explain the reasoning behind the Spatial Strategy in the Neighbourhood Plan and the justification of why growth should be focused within the settlement boundary.

5. It is felt that the proposal, given its location would represent a detached and isolated new dwelling in a predominant rural countryside character which would have an urbanising effect on a rural area defined by informally placed dwellings.
6. The new dwelling would be incompatible with the wider rural open countryside character and visual appearance and would therefore have a negative adverse effect on the rural character of the area. The proposed development would therefore appear discordant when viewed against the established grain of development which would have a significantly detrimental effect on the character of the area. Policy 9 of the Thurston NDP requires all new development to be designed to ensure that its impact on the landscape and the high-quality rural environment of Thurston is minimised.
7. As has been stated previously, the general approach in the Thurston NDP, fully supported by the Parish Council is that growth will be focused on the 5 significant sites which were granted planning permission as of 2017 (which are located within the settlement boundary as amended by the Neighbourhood Plan) and on small scale infill sites within the settlement boundary. As these sites are expected to provide high quality schemes which generally enhance the public realm and improve accessibility for pedestrians and cyclists, it is felt that this proposal will neither enhance nor protect the village facilities given its location outside of the settlement boundary.
8. The Parish Council is concerned that the change in the use of land from agricultural to residential would see an intensification of activity on the site, which, coupled with movement from the new dwellings and customers / deliveries to and from the business and café throughout the day and any activity from the business itself will result in an intensified use of the area and will have cumulative impacts on the amenity of future occupiers of the new proposed dwelling and consequently may place unreasonable restrictions on the existing business jeopardising its viability.
9. The Parish Council contents that the proposals fails to achieve the environmental objective as outlined by the NPPF as, given its location, it can offer no measures that will contribute to the requirement to use natural resources prudently, nor will it minimise waste and pollution, and by the reliance of future residents on the use of the motor vehicle to access facilities and services, it will fail to achieve measures that will aid adapting to climate change, including moving to a low carbon economy.
10. As Thurston currently has approval for in excess of 1,000 new dwellings, it is felt that this site will offer little or no significant economic benefits either in the short term (the construction phase associated with the development will stimulate the local economy through the employment of construction workers/professionals and the sourcing of building materials) nor in the long term with future occupiers utilising local services and facilities and supporting the local economy.
11. Again, as has been previously stated elsewhere there are a significant number and range of dwellings currently being built in Thurston (four of the significant five sites have commenced work (pre-COVID19) to provide significant support to supporting strong, vibrant and healthy communities and as such the social objective to achieving sustainable development can easily be achieved without granting planning approval to further development within the countryside which will have limited or no social benefit.
12. Paragraph 78 of the NPPF seeks to promote sustainable development in rural areas, advising; 'housing should be located where it will enhance or maintain the vitality of rural communities'. Paragraph 103 of the NPPF also states: 'Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health. Given the location of the site, the Parish Council argues that the proposal will not be in accordance with POLICY 6: KEY MOVEMENT ROUTES as it fails to ensure that safe pedestrian and cycle access to link up with existing

pavements and cycle infrastructure is achievable and that the route to facilities and services in both Thurston and Norton will not be able to ensure that access by disabled users and users of mobility scooters is secured.

13. Furthermore the proposal has failed to demonstrate that it has addressed the impact of the additional traffic movements on the safety and flow of pedestrians and cyclists. As such the proposal also fails to accord with paragraph 109 of the NPPF as there are no footways linking the proposed area with the main settlement of the village or indeed the settlement boundary and as such little opportunity to encourage other modes of transport. Access on foot would require walking along stretches of Norton Road in the roadway as there is no footway nor is there any opportunity to create a new cycle route.
14. Paragraph 108 of the NPPF seeks to ensure that appropriate opportunities to promote sustainable transport modes can be or have been taken up, given the type of development and its location. Given that the site is in a rural location within a rural district, and there are limited sustainable transport solutions, it cannot be argued that there will not be a reliance for travel by private car. This is not only contrary to para. 108 but also contrary to the sustainability objectives of Policies FC1 and FC1.1 of the Mid Suffolk Core Strategy Focused Review (December 2012).

In summary, the Parish Council in objecting to this proposal requests that consideration be given to the following:

- The precedent for refusal has been set by MSDC on the grounds that this was development in the countryside and isolated from the main settlement;
- Outside of the curtilage of the settlement boundary – contrary to the made Thurston NDP;
- Impact on nearby heritage buildings;
- Given that future residents of the dwellings will be reliant on the private car to access facilities and services in Thurston and/or Norton, the proposal, by the very nature of its location, must be regarded as unsustainable;
- No safe means of alternative travel modes such as cycle or foot to access facilities and services in either Thurston or Norton;
- The proposal will result in an overdevelopment of a small area which will fail to enhance, protect or conserve the environmental conditions of this area nor will it enhance or protect the local character of the area;
- Concerns are also raised, at the relative ease, given the layout of the site, for a further two plots to be added back in at a later date;
- The principal to build does not change the Parish Council's position over dwellings in the countryside.

The Parish Council is most concerned at the implied suggestion by Officers in the Development Management – Sustainable Communities Department which in essence appears to hold to the premise that planning decisions are to be made on the basis that the Local Planning Authority did not want to have to defend an appeal further down the line. Concern is raised at the implied approach that it might be best to accept one dwelling as otherwise you could get three.

The Parish Council contends that made NDPs should not be ignored by claiming that the NPPF allows development to take place outside of the settlement boundary and that the made Thurston NDP is and should be used as an effective planning tool for applications within Thurston.

Yours sincerely

Victoria S Waples

V S Waples, BA(Hons), CiLCA
Clerk to the Council



From: SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>
Sent: 24 February 2020 15:36
To: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>
Subject: DC/20/00585

Application ref: DC/20/00585
Our ref: 309198

Natural England has no comments to make on this application.

Natural England has not assessed this application for impacts on protected species. Natural England has published [Standing Advice](#) which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Natural England and the Forestry Commission have also published standing advice on [ancient woodland and veteran trees](#) which you can use to assess any impacts on ancient woodland.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

We recommend referring to our SSSI Impact Risk Zones (available on [Magic](#) and as a downloadable [dataset](#)) prior to consultation with Natural England. Further guidance on when to consult Natural England on planning and development proposals is available on gov.uk at <https://www.gov.uk/guidance/local-planning-authorities-get-environmental-advice>

Yours faithfully

Dawn Kinrade
Natural England
Operations Delivery
Consultations Team
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire, CW1 6GJ

Tel: 0208 0268349
Email: consultations@naturalengland.org.uk

www.gov.uk/natural-england

Mid Suffolk District Council
Planning Department
Endeavour House
Russell Road
Ipswich
IP1 2BX

Fire Business Support Team
Floor 3, Block 2
Endeavour House
8 Russell Road
Ipswich, Suffolk
IP1 2BX

Your Ref:
Our Ref: FS/F304129
Enquiries to: Water Officer
Direct Line: 01473 260588
E-mail: Fire.BusinessSupport@suffolk.gov.uk
Web Address: <http://www.suffolk.gov.uk>

Date: 19/02/2020

Dear Sirs

Harveys Garden Plants, Great Green, Thurston, Bury St Edmunds IP31 3SJ
Planning Application No: DC/10/00585

I refer to the above application.

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 Service records show that the nearest fire hydrant in this location is over 111m from the proposed build site and we therefore recommend 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. (Please see sprinkler information enclosed with this letter).

/continued

OFFICIAL

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

Should you need any further advice or information on access and fire fighting facilities, you are advised to contact your local Building Control in the first instance. For further advice and information regarding water supplies, please contact the Water Officer at the above headquarters.

Yours faithfully

Water Officer

Suffolk Fire and Rescue Service

Copy: info@locusplanning.co.uk

Enc: Sprinkler informationj

Your Ref:DC/20/00585
Our Ref: SCC/CON/1615/20
Date: 12 May 2020
Highways Enquiries to: Highways.DevelopmentControl@suffolk.gov.uk



All planning enquiries should be sent to the Local Planning Authority.

Email: planning@babberghmidsuffolk.gov.uk

The Planning Department
MidSuffolk District Council
Planning Section
1st Floor, Endeavour House
8 Russell Road
Ipswich
Suffolk
IP1 2BX

For the attention of: Mahsa Kavyani

Dear Mahsa,

**TOWN AND COUNTRY PLANNING ACT 1990
CONSULTATION RETURN: DC/20/00585**

PROPOSAL: Planning Application - Erection of Dwelling with Associated Works, Including Provision of Landscaping and Internal Access Road. Reason(s) for re-consultation: Amended plans and a change to the description proposal received by the Local Planning Authority on the 20th April 2020.

LOCATION: Harveys Garden Plants, Great Green, Thurston, Bury St Edmunds Suffolk IP31 3SJ

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:

Condition: The use shall not commence until the area(s) within the site shown on Drawing No. 206 for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

Reason: To ensure that sufficient space for the on site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

Condition: The areas to be provided for storage of Refuse/Recycling bins as shown on Drawing No. 206 shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

Reason: To ensure that refuse recycling bins are not stored on the highway causing obstruction and dangers for other users.

Condition: Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) any means of frontage enclosure shall be set back 2.4 metres from the edge of the carriageway of the adjacent highway.

Reason: In the interests of highway safety, to avoid obstruction of the highway and provide a refuge for pedestrians.

Yours sincerely,

Kyle Porter
Development Management Technician
Growth, Highways and Infrastructure

-----Original Message-----

From: BMSDC Public Realm Consultation Mailbox <consultpublicrealm@baberghmidsuffolk.gov.uk>

Sent: 22 April 2020 09:00

To: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>

Subject: RE: MSDC Planning Re-consultation Request - DC/20/00585

Public Realm do not wish to offer any comments on this application

Regards

Dave Hughes

Public Realm Officer

BMSDC Planning Area Team Yellow

From: BMSDC Local Plan
Sent: 14 February 2020 15:44
To: BMSDC Planning Area Team Yellow
Subject: RE: MSDC Planning Consultation Request - DC/20/00585

Good afternoon

Strategic Planning Policy will not be making comment on this application.

Kind Regards
Marilyn King

Strategic Planning Policy
Email: localplan@baberghmidsuffolk.gov.uk
Council Services: 0300 123 4000 option 5 then 4
Web: www.babergh.gov.uk & www.midsuffolk.gov.uk

-----Original Message-----

From: planningyellow@baberghmidsuffolk.gov.uk <planningyellow@baberghmidsuffolk.gov.uk>
Sent: 14 February 2020 14:30
To: BMSDC Local Plan <localplan@baberghmidsuffolk.gov.uk>
Subject: MSDC Planning Consultation Request - DC/20/00585

Please find attached planning consultation request letter relating to planning application - DC/20/00585 - Harveys Garden Plants, Great Green, Thurston, Bury St Edmunds Suffolk IP31 3SJ

Kind Regards

Planning Support Team

Emails sent to and from this organisation will be monitored in accordance with the law to ensure compliance with policies and to minimize any security risks. The information contained in this email or any of its attachments may be privileged or confidential and is intended for the exclusive use of the addressee. Any unauthorised use may be unlawful. If you receive this email by mistake, please advise the sender immediately by using the reply facility in your email software. Opinions, conclusions and other information in this email that do not relate to the official business of Babergh District Council and/or Mid Suffolk District Council shall be understood as neither given nor endorsed by Babergh District Council and/or Mid Suffolk District Council.

Babergh District Council and Mid Suffolk District Council (BMSDC) will be Data Controllers of the information you are providing. As required by the Data Protection Act 2018 the information will be kept safe, secure, processed and only shared for those purposes or where it is allowed by law. In some circumstances however we may need to disclose your personal details to a third party so that they can provide a service you have requested, or fulfil a request for information. Any information about you that we pass to a third party will be held securely by that party, in accordance with the Data Protection Act 2018 and used only to provide the services or information you have requested.

For more information on how we do this and your rights in regards to your personal information and how to access it, visit our website.

From: Nathan Pittam <Nathan.Pittam@babberghmidsuffolk.gov.uk>
Sent: 25 February 2020 09:00
To: Mahsa Kavyani <Mahsa.Kavyani@babberghmidsuffolk.gov.uk>
Cc: BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>
Subject: DC/20/00585. Land Contamination

Dear Mahsa

EP Reference : 272943
DC/20/00585. Land Contamination
Harveys Garden Plants, Great Green, Thurston, BURY ST EDMUNDS, Suffolk,
IP31 3SJ.
Erection of 3no Dwellings with Associated Works, Including Provision of
Landscaping and Internal Access Road.

Many thanks for your request for comments in relation to the above application. Having reviewed the application I can confirm that I have no objection to the proposed development from the perspective of land contamination. I would only request that the LPA are contacted in the event of unexpected ground conditions being encountered during construction and that the below minimum precautions are undertaken until such time as the LPA responds to the notification. I would also advise that the developer is made aware that the responsibility for the safe development of the site lies with them.

Kind regards

Nathan

Nathan Pittam BSc. (Hons.) PhD
Senior Environmental Management Officer

Babergh and Mid Suffolk District Councils – Working Together

Email: Nathan.pittam@babberghmidsuffolk.gov.uk
Work: 07769 566988 / 01449 724715
websites: www.babergh.gov.uk www.midsuffolk.gov.uk



MEMBER REFERRAL TO COMMITTEE

(Completed form to be sent to Case Officer and Corporate Manager – Growth & Sustainable Planning)

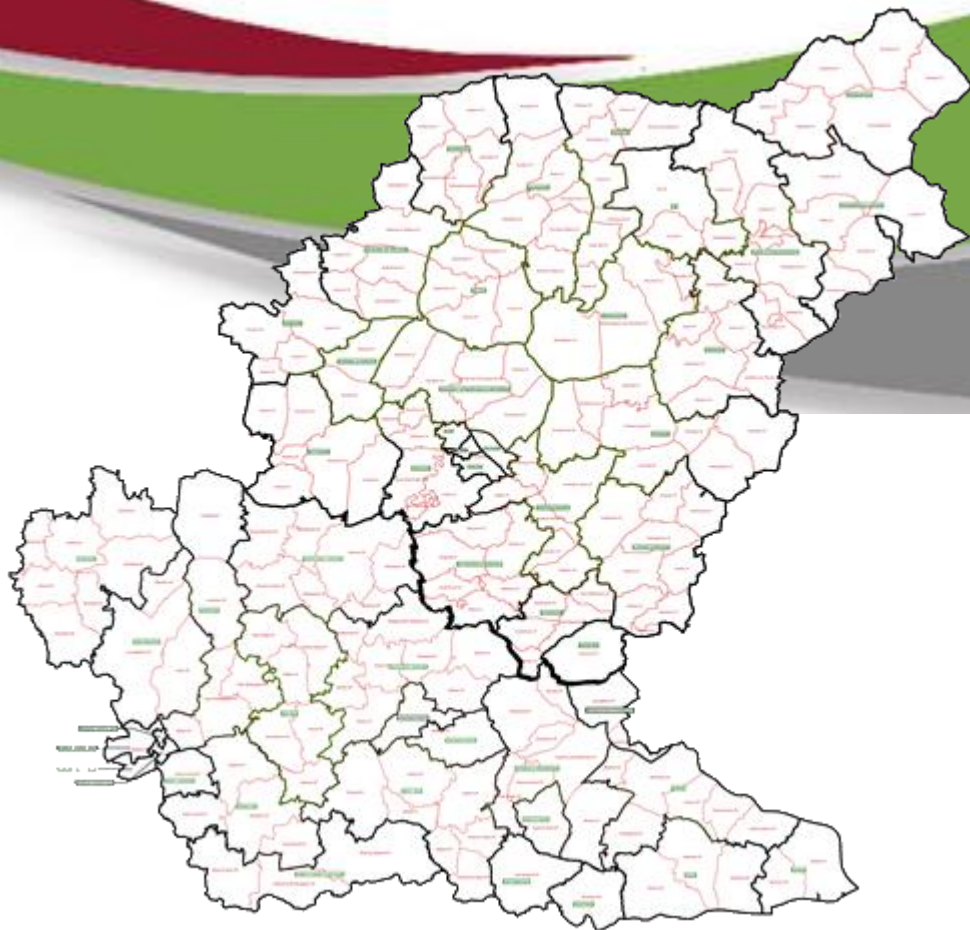
Planning application reference	DC/20/00585
Parish	Thurston
Member making request	Cllr Wendy Turner
Please describe the significant policy, consistency or material considerations which make a decision on the application of more than local significance	The planning application for three houses fall outside the NP. The land is currently used as a garden centre. The road is unsuitable for more development as there is no public transport available.
Please detail the clear and substantial planning reasons for requesting a referral	The PC rejected this application wholeheartedly and have rejected previous applications, because it falls outside of the NP boundary.
Please detail the wider District and public interest in the application	Other parishes will be interested to see if NPs are taken seriously and actually hold any weight when it comes to planning applications.
If the application is not in your Ward please describe the very significant impacts upon your Ward which might arise from the development	

<p>Please confirm what steps you have taken to discuss a referral to committee with the case officer</p>	<p>I spoke to the case officer about 6 weeks ago who assured me that the plan would be rejected as it doesn't fit with the Thurston NDP and other valid reasons. Since then I've had another conversation with the CO who has taken advice from her line manager and it now looks like there will be a compromise offered to the owner as he has had previous applications approved (one actually DC/18/04714) although it looks like he has had 3 applications refused including a lost appeal (DC/18/00143, DC/18/02262 and lost appeal for AP/18/00250).</p> <p>Most importantly the site is in direct opposition to the Thurston NDP – of which there is an outstanding JR for the failure to take account of the Thurston NP.</p>
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Application No:
DC/20/00585

Address:
Harveys Garden Plants
Great Green
Thurston



Page 1 of 1

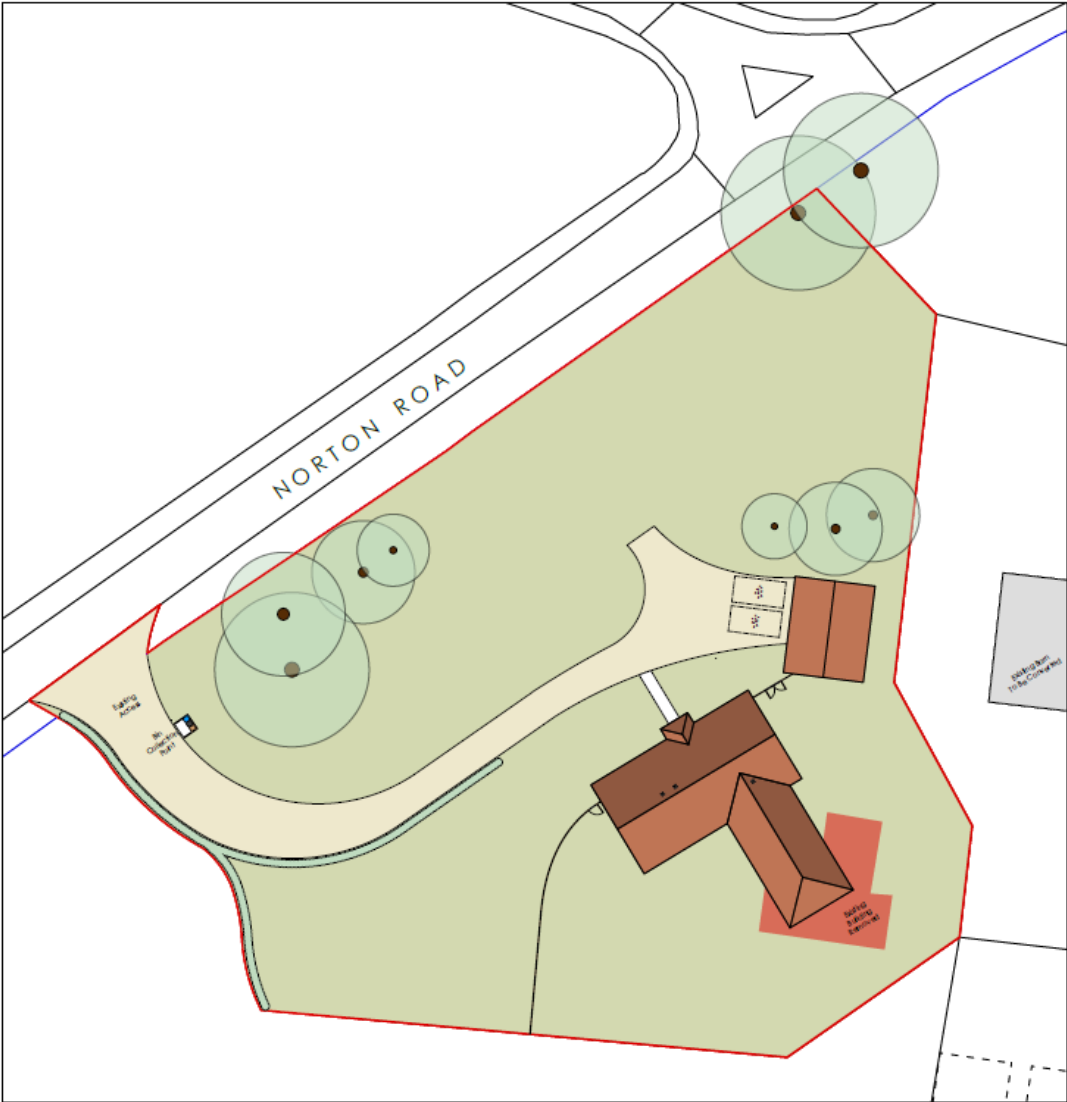
Aerial Map

Slide 2





Site Location Plan

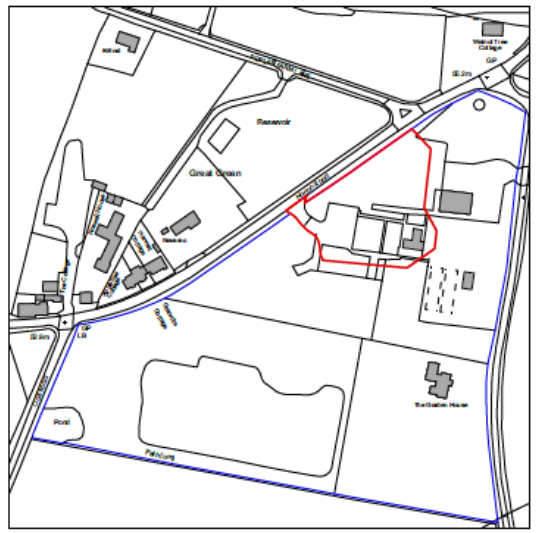


SITE PLAN
SCALE 1:200

Page 110

REVISIONS

No.	Date	Description	By	Scale



LOCATION PLAN
SCALE 1:1250

ThurlowArchitects
the studio
61 Orchard Lane
Bury St Edmunds
Suffolk, IP33 2JQ
t: 01284 704805
info@thurlowarchitects.co.uk
www.thurlowarchitects.co.uk

client:
Mr and Mrs Harvey



project:
Harvey's Garden Home
Norton Road, Thurston
IP91 3BJ

drawing title:
Proposed Site and Location Plans

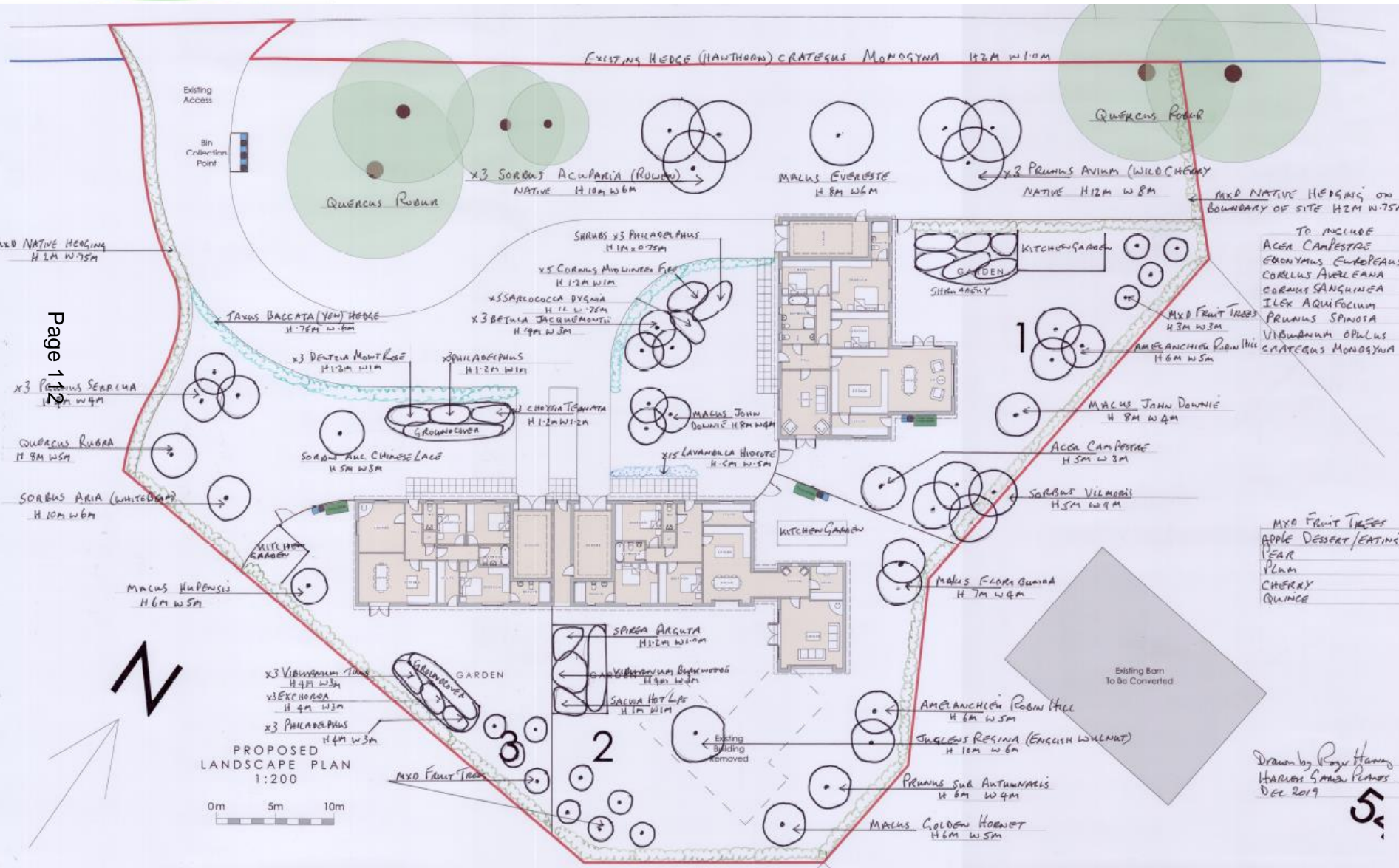
Approved	Design	Rev	Drawn	Scale	Date
JTB	206	01	JPL	As Sh	Apr 20

13Harrowing

Constraints Map

-  Grade II
-  Public Rights of Way





Page 1 of 2



Drawn by Roger Hannon
 Haverhill Garden Planning
 Dec 2019

5.

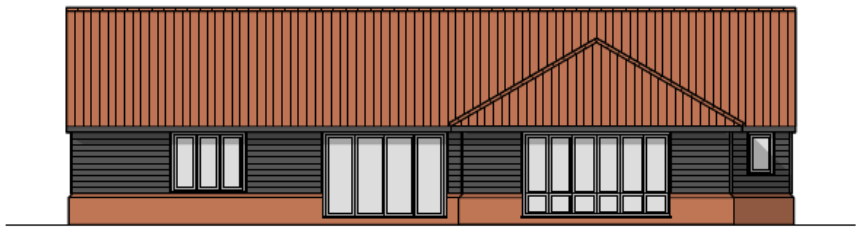
Elevations



EAST ELEVATION
SCALE 1:50



NORTH ELEVATION
SCALE 1:50



SOUTH ELEVATION
SCALE 1:50



WEST ELEVATION
SCALE 1:50

NOTES

1. All drawings are for the proposed development. The Client is to provide all details of site location and the proposed structure and services. The drawings are to be used for planning purposes only and are not to be used for construction purposes. The drawings are not to be used for any other purpose without the written consent of the architect.

REVISIONS

No.	Date	Description

ThurlowArchitects

the studio
41 Fradwick Lane
Dunley Hill, Drimadon
Suffolk, IP33 2UB
t: 01 284 704805
info@thurlowarchitects.co.uk
www.thurlowarchitects.co.uk

client:
Mr and Mrs Harvey

project:
Harvey's Garden Front
Norton Road, Truxton
IP11 3SL

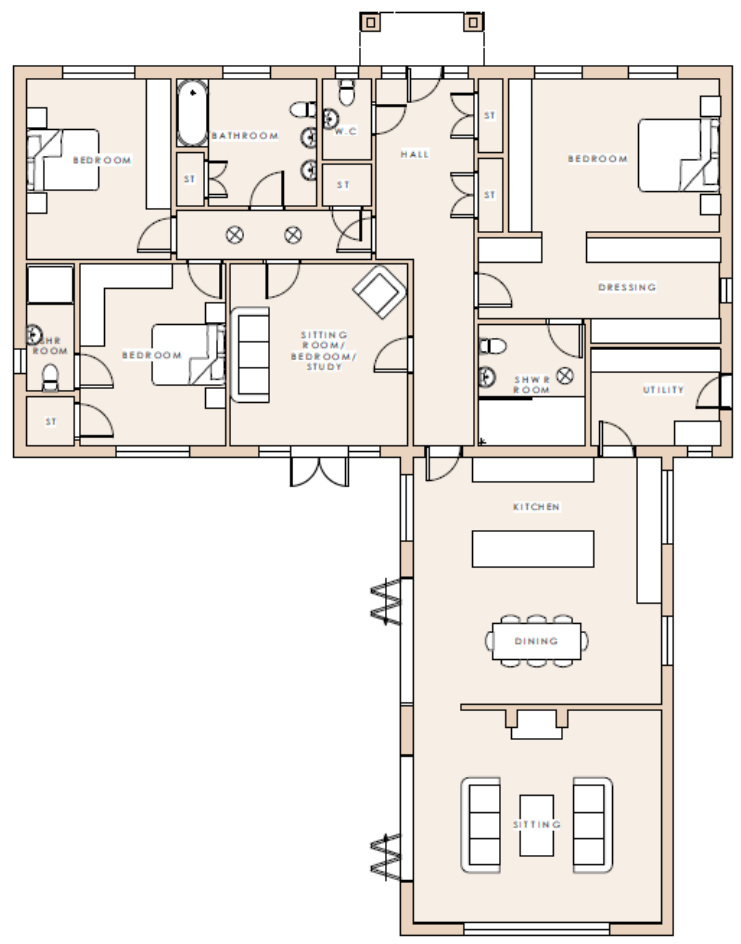
drawing title:
Proposed Elevations

project no.	design no.	rev.	drawn by	scale	date
7185	206	01	JPL	As Sh	Apr 20

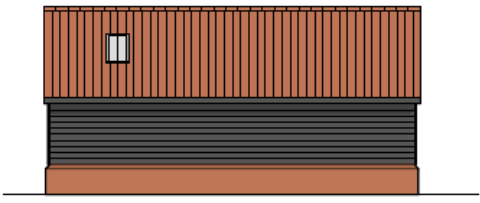
drawing date: Planning

Floor Plans

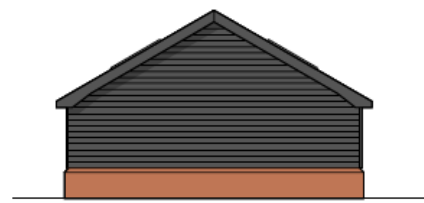
Page 114



FLOOR PLAN SCALE 1:50



GARAGE - EAST ELEVATION SCALE 1:50



GARAGE - NORTH ELEVATION SCALE 1:50



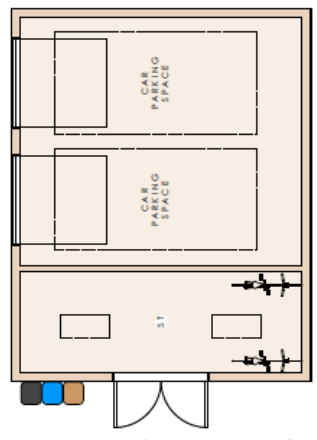
GARAGE - SOUTH ELEVATION SCALE 1:50



GARAGE - WEST ELEVATION SCALE 1:50

DISCLAIMER
 This drawing is the property of Thurlow Architects. It is not to be used for any other purpose without the written consent of Thurlow Architects. The Client is responsible for ensuring that the drawing is used in accordance with the relevant regulations and standards. Thurlow Architects is not responsible for any errors or omissions in this drawing. All drawings are subject to the relevant regulations and standards. Thurlow Architects is not responsible for any errors or omissions in this drawing. All drawings are subject to the relevant regulations and standards.

REVISIONS			
No.	Date	Description	By



GARAGE - PLAN SCALE 1:50

ThurlowArchitects
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RIBA

client: Mr and Mrs Harvey
 project: Harvey's Garden Fronts
 location: North Road, Braintree, IP31 2JL
 drawing title: Proposed Floor Plan and Proposed Garage

project no.	date	rev.	scale	date
7185	2017	01	A4 D1	Apr 20

drawing title: Planning