

# Public Document Pack



<b>COMMITTEE:</b>	<b>DEVELOPMENT CONTROL COMMITTEE B</b>
<b>DATE:</b>	<b>WEDNESDAY, 6 JANUARY 2021 9.30 AM</b>
<b>VENUE:</b>	<b>VIRTUAL TEAMS VIDEO MEETING</b>

<b>Councillors</b>	
<u>Conservative and Independent Group</u> James Caston Peter Gould Kathie Guthrie (Chair) Barry Humphreys (Vice-Chair)	<u>Green and Liberal Democrat Group</u> Andrew Mellen Mike Norris Andrew Stringer Rowland Warboys

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 **SA/20/7 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 25 NOVEMBER 2020**  
  
To Follow.
- 6 **TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION SCHEME**

7	<b>SA/20/8 SCHEDULE OF PLANNING APPLICATIONS</b>	7 - 12
	<i>Note: The Chairman may change the listed order of items to accommodate visiting Ward Members and members of the public.</i>	
a	<b>DC/20/02052 CASTLE HILL FARM, CASTLE HILL, THORNDON, SUFFOLK, IP23 7JT</b>	13 - 184
b	<b>DC/20/01110 LAND TO THE SOUTH OF UNION ROAD, ONEHOUSE, SUFFOLK</b>	185 - 422
c	<b>DC/20/04256 LAND WEST OF SUFFOLK HOUSE, IXWORTH ROAD, NORTON, SUFFOLK</b>	423 - 516
d	<b>DC/20/04429 LAND OFF HAWES LANE, NORTON, SUFFOLK</b>	517 - 584

8 **SITE INSPECTION**

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

***Would Members please retain the relevant papers for use at that meeting.***

**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](#)

[Temporary Amendments to the Constitution](#)

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 on how to join the meeting.

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.

2. 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, 3 February 2021 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](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@babberghmidsuffolk.gov.uk](mailto:committees@babberghmidsuffolk.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

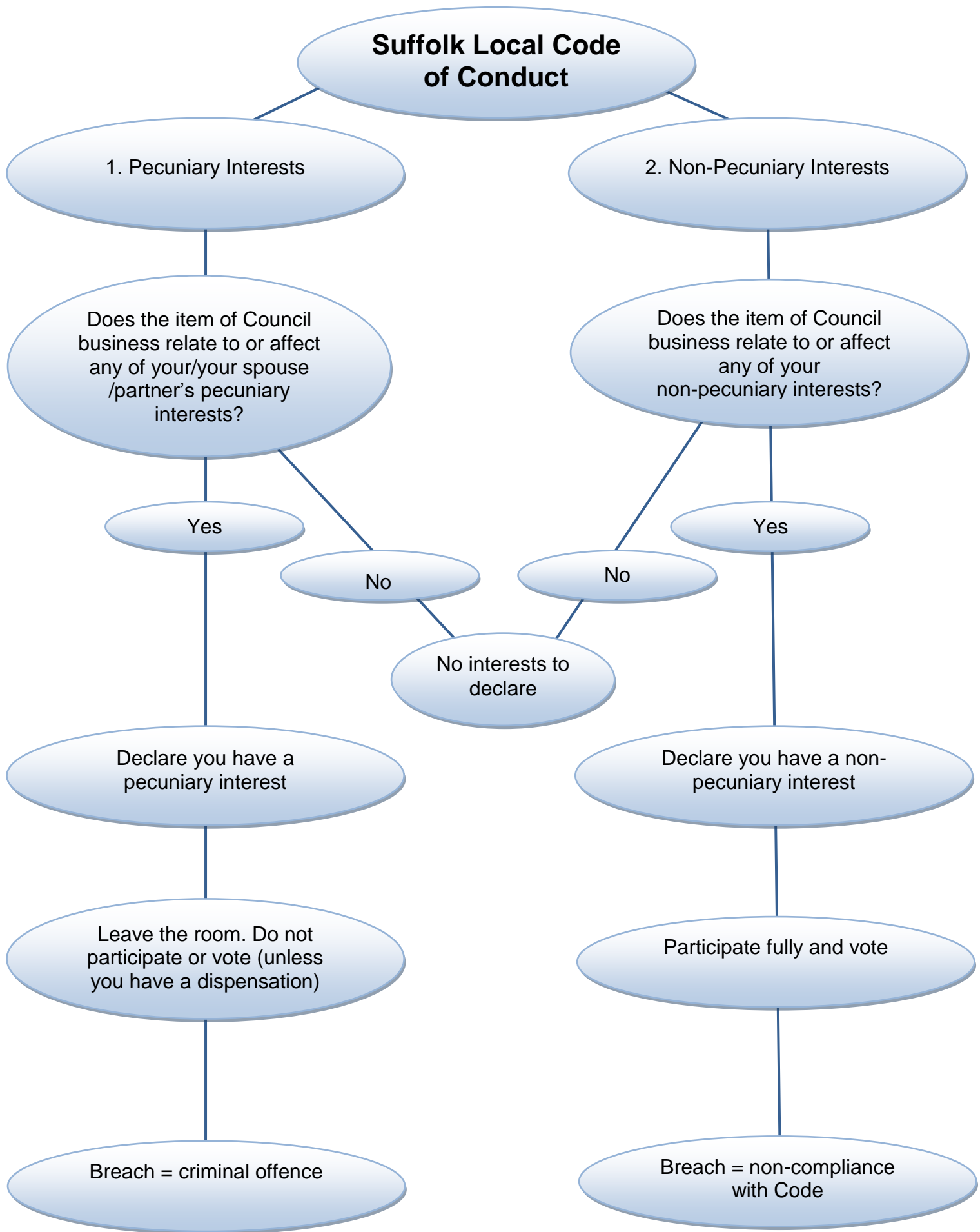
**Housing Delivery** – More of the right type of homes, of the right tenure in the right place

**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')



# Agenda Item 7

## MID SUFFOLK DISTRICT COUNCIL

### DEVELOPMENT CONTROL COMMITTEE B

6 January 2021

#### INDEX TO SCHEDULED ITEMS

<b><u>ITEM</u></b>	<b><u>REF. NO</u></b>	<b><u>SITE LOCATION</u></b>	<b><u>MEMBER/WARD</u></b>	<b><u>PRESENTING OFFICER</u></b>	<b><u>PAGE NO</u></b>
7A	DC/20/02052	Castle Hill Farm, Castle Hill, Thorndon, Suffolk, IP23 7JT	Cllr Andrew Stringer / Mendlesham	Bron Curtis	13-184
7B	DC/20/01110	Land to the south of Union Road, Onehouse, Suffolk	Cllr John Matthissen / Onehouse	Bron Curtis	185-422
7C	DC/20/04256	Land West of Suffolk House, Ixworth Road, Norton, Suffolk	Cllr Wendy Turner & Cllr Harry Richardson / Thurston	Alex Scott	423-516
7D	DC/20/04429	Land off Hawes Lane, Norton, Suffolk	Cllr Wendy Turner & Cllr Harry Richardson / Thurston	Alex Scott	517-584

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## **Important information that forms consideration for all applications being considered by this committee.**

To avoid duplicate information being repeated in each report this information is centralised here.

### **Plans and Documents**

The application, plans and documents submitted by the Applicant for all applications presented to committee can be viewed online at [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk) or [www.babergh.gov.uk](http://www.babergh.gov.uk) leading to the joint web site for the Councils.

### **Policies and Planning Consideration**

All applications have been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. Detailed assessment of policies in relation to the recommendation and issues highlighted in each case will be carried out within the assessments attached. From an assessment of relevant planning policy and guidance, representations received, the planning designations and other material issues the main planning considerations considered relevant to each case are set out. Where a decision is taken under a specific express authorisation, the names of any Member of the Council or local government body who has declared a conflict of interest are recorded in the minutes for the meeting.

### **Note on National Planning Policy Framework 2019 (NPPF)**

The National Planning Policy Framework (NPPF) contains the Government's planning policies for England and sets out how these are expected to be applied. Planning law continues to require that applications for planning permission are determined in accordance with the Development Plan unless material considerations indicate otherwise. The policies contained within the NPPF are a material consideration and should be taken into account for decision-making purposes.

The National Planning Policy Framework (NPPF) *"The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed."*

The NPPF also provides (para 38) that *"Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible."*

### **Note on Community Infrastructure Levy Regulations (CIL)**

The Community Infrastructure Levy (CIL) is a fixed rate payment that councils can charge on new buildings in their area to off-set the impacts of additional homes and businesses on facilities such as roads, schools, open space and health centres (infrastructure) and to enable sustainable growth. Self Build and affordable housing are exempt from CIL. Section 106 legal agreements will be used alongside CIL to secure on-site infrastructure and obligations that are not infrastructure, such as affordable housing, when identified and recommended to fulfil the tests under the CIL Regulations.

## **Note on Obligations and Conditions**

NPPF Paragraph 54 states *“Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.”*

For each recommendation, in accordance with the Community Infrastructure Levy Regulations, 2010, the obligations recommended to be secured shall only be recommended for consideration when considered necessary to make the Development acceptable in planning terms, directly related to the Development and fairly and reasonably relate in scale and kind to the Development.

For each recommendation, in accordance with the NPPF Paragraph 55 the conditions recommended to be secured shall only be recommended when considered necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. The NPPF also provides planning conditions should be kept to a minimum.

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

Under Section 155 of the Housing and Planning Act 2016 it states, *“A local planning authority in England must make arrangements to ensure that the required financial benefits information is included in each report which is made by an officer or agent of the authority for the purposes of a non-delegated determination of an application for planning permission”.*

Financial benefits for new housing, businesses or extensions are generally as follows and are not considered to be material to the applications being determined: -

- Council Tax
- New Home Bonus
- Business Rates

Any further material or non-material benefits in addition to those listed above shall be specifically reported to members, including any interests on land owned by the Council. Community Infrastructure Levy and Section 106 obligations that may include financial benefit or adoption of land to the Council may also be sought and are considered to be material.

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

When determining planning applications, The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires Local Planning Authorities to explain whether, and if so how, in dealing with the application they have worked with the applicant to resolve any problems or issues arising. This shall be detailed within the officer report and/or shall be detailed on any decision issued as necessary.

## **Note on Photos/Video Footage and other media**

All sites are visited by the planning officer as part of their assessment. Officers will take photographs/video of the site for the purpose of explaining features of the site and providing context for members consideration of the proposal. These images are taken at random times and during normal working hours in accordance with the Council's lone working requirements. Photographs/Video are helpful, but it is accepted that they have limitations that may include showing appropriate scale, understanding levels and are on a snapshot in time of the local circumstances.

## 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](mailto: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](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/20/02052

Case Officer: Bron Curtis

Ward: Mendlesham.

Ward Member/s: Cllr Andrew Stringer.

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## **RECOMMENDATION – REFUSE PLANNING PERMISSION**

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### **Description of Development**

Full Planning Application - Erection of 3no. poultry houses with associated admin block, store, feed bins and alterations to vehicular access.

**\* The original proposal for 4 poultry houses has been reduced to 3 poultry houses in response to consultee comments.**

### **Location**

Castle Hill Farm, Castle Hill, Thorndon, Suffolk IP23 7JT

**Expiry Date:** 29/09/2020

**Application Type:** FUL - Full Planning Application

**Development Type:** Major Large Scale - All Other

**Applicant:** Castle Hill Chicken Ltd

**Agent:** Parker Planning Services Ltd.

**Parish:** Thorndon

**Site Area:** 1.90 ha

**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 (Screening Opinion and Scoping Opinion only)

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

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

1. The Head of Economy considers the application to be of a controversial nature having regard to the planning reasoning expressed by the Parish Council and the extent and planning substance of comments received from third parties and the location, scale and nature of the application.

2. The Ward Member considers the application to have significant impact on the limited local highway network.

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## **PART TWO – POLICIES AND CONSULTATION SUMMARY**

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### **Summary of Policies**

GP01 - Design and layout of development  
T10 - Highway Considerations in Development  
CL08 - Protecting wildlife habitats  
CL13 - Siting and design of agricultural buildings  
CL14 - Use of materials for agricultural buildings and structures  
CL15 - Livestock buildings and related development  
CS02 - Development in the Countryside & Countryside Villages  
H16 - Protecting existing residential amenity  
CS03 - Reduce Contributions to Climate Change  
CS05 - Mid Suffolk's Environment  
FC01 - Presumption In Favour Of Sustainable Development  
FC01\_1 - Mid Suffolk Approach To Delivering Sustainable Development

### **Neighbourhood Plan Status**

This application site is within a Neighbourhood Plan Area.

The Neighbourhood Plan is currently at:-

Stage 5: Independent Examination

Accordingly, the Neighbourhood Plan has Limited weight.

A verbal update on the progress of the Thorndon Neighbourhood Plan will be given at the Committee meeting.

### **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 Councils (Appendix 3)**

Thorndon PC: OBJECT

- Would generate significant HGV traffic on B and unclassified roads that are unsuitable for this type of traffic. Will endanger other road users and damage verges.
- There is a weight restriction on The Street, Thorndon which would be rendered irrelevant by agricultural HGV traffic.

- The Street, Thorndon has significant issues with parked vehicles obstructing traffic flow causing hazards for school children. This will be exacerbated with additional HGV traffic through the village.
- Serious concerns about the cumulative impact of other agricultural operations in the area on local roads (Bedingfield poultry development).
- Ammonia emissions will be blown towards Thorndon presenting a nuisance and health hazard for residents.
- The proposed lighting will contravene the 'Dark Skies' policy in the emerging Thorndon Neighbourhood Plan.
- Thorndon and Stradbroke Parish Councils dispute the submitted traffic assessment and have researched and submitted their own analysis of expected vehicle movements for the proposed development.

Occold PC: OBJECT

- Noise and environmental impact of traffic movements on the parish.
- Site is not suitable for such a big operation.
- Concerns about ammonia smell and pollution impacts on local residents, the eco system and environment.
- Concerns for users of the right of way affected by the proposed access road.

Rishangles PC: NO RESPONSE RECEIVED

Southolt PM: OBJECT

- Unacceptable loss of arable land.
- Increased HGV traffic is a health and safety issue and would conflict with SCC's objectives of improving walking and cycling.
- Ammonia pollution affects public health.
- Cumulative impact must be considered including location, traffic movements and pollution.

Eye TC: OBJECT

- HGV traffic generated by this development will add to the already dangerous situation in the centre of Eye.
- This has reached such a level that Eye TC has commissioned its own traffic survey. The report recommends an expansion of the existing weight limited zone.
- The application does not adequately assess the existing HGV impacts in Eye or damage to buildings, mostly heritage assets.
- The application does not adequately address new bird delivery or waste litter removal.
- The proposal will generate clear harm to pedestrian and resident safety.
- The harm caused by additional HGV movements outweighs any benefits.

Stradbroke PC: OBJECT

- Traffic movements from this development will have severe highway impacts in the area.
- Eye are consulting on a lorry ban (HGV routing). A significant amount of the traffic from this development will pass in and around Stradbroke and the B1118.
- Concerns the traffic assessment may underestimate the traffic movements for the development having regard to other developments in the area (e.g. Barley Brigg).
- Concerns regarding public health and biodiversity risks of avian flu from the development have not been properly assessed.
- Stradbroke and Thorndon Parish Councils dispute the submitted traffic assessment and have researched and submitted their own analysis of expected vehicle movements for the proposed development.

- Dispute methodology for traffic assessment and reference appeal decision in which Inspector decided that a decision could not be made where methodology is disputed.
- Comments on the SCC Highways Officer assessment of the application.
- Waste disposal has not been addressed by the applicant.
- Reference case law judgement extracts regarding cumulative impact assessment.

Denham PC: OBJECT

- Would not significantly benefit employment opportunities in the area.
- Goes against current opinion on animal welfare. Small-scale, higher welfare operations should be favoured.
- Noise and smell pollution.
- Concerns regarding suitability of local road network for increased HGV movements.
- Cumulative impact and consideration of communities in the wider area must be given.
- The Cranswick development is leading to a proliferation of industrial scale agricultural operations and the impact must be carefully considered.

**National Consultee (Appendix 4)**

Historic England: NO COMMENTS

Natural England: NO OBJECTION

- Will not damage or destroy the Major Farm, Braiseworth SSSI.
- Ammonia emissions can affect sensitive habitats and wildlife. The ammonia assessment shows the emissions to be below the national criteria and Natural England concurs with this view.

The Environment Agency: OBJECT (3<sup>RD</sup> July 2020)

- The location of the development is too close to the existing research facility /workplace to the north (Covance Inc. - contract research, pharmaceutical development).
- As such the development will not be able to adhere to Best Available Techniques in relation to odour required for an Environmental Permit.
- Odour modelling has resulted in a reduction in broiler sheds from 6 to 4. Whilst welcome this does not allay our concerns.
- The modelling does not include Elm Farm Cottages, located within the research facility complex, or any dwellings within the control of the applicant.
- If granted permission this development will have unacceptable odour impacts, contrary to para 183 of the NPPF.

Additional comments 15<sup>th</sup> September 2020:

- The applicant has responded to our previous comments.
- We are maintaining our objection.
- Objection relates to the impact of odour from the development on the nearby research facility.
- The planning authority must decide the sensitivity classification of the research facility.
- If 'medium' the levels are unacceptable. If 'low' the levels are acceptable.
- We consider that odour pollution is likely to be caused at this receptor despite building and management techniques.

Additional comments 16<sup>th</sup> December 2020:

- The revised odour modelling for 3 shed proposal shows part of the Covance site to be within the 3-5 OU/m<sup>3</sup> odour contour and suggests this is acceptable for a low risk receptor.
- Covance is considered a medium receptor due to the employee numbers and shift patterns.
- We also note air intake equipment at Covance which could pass odours into the building.



- The odour impact on residential properties is acceptable.
- Even if the development is built and operated to Best Available Techniques the potential for odour at the research facility will be unacceptable.
- Objection maintained.

The Stowmarket Group: COMMENTS

- Application lacks detail.
- Concern the users of the right of way will come into conflict with HGV traffic where it crosses the proposed access way.
- Proposed screening of the right of way is unclear.

**County Council Responses (Appendix 5)**

Archaeology: COMMENTS

- There is high potential for below ground heritage assets.
- No grounds for refusal.
- Conditions to secure archaeological investigation and recording if permission granted.

Developer Contributions: NO COMMENTS

Fire and Rescue: COMMENTS

- Development must comply with Building Regulations for access and fire fighting facilities.
- No additional water supply is required.
- Sprinkler system should be considered.

Flood and Water Management: COMMENTS

- A comprehensive FRA and surface water drainage strategy have been received.
- Recommend approval subject to conditions.

Highways: COMMENTS

- The submitted transport statement sets out the current and proposed HGV movements to/from the site as 0.7 and 3.3 per day respectively.
- The most intensive period for HGV movements will be a 2 day period when birds are removed from the site. This equates to 2 HGV movements an hour during a 12 hour period over the two days. This would happen 7-8 times a year.
- The proposal would result in an average increase of 2.7 HGV movements per day.
- The increase is significant for the site but is not considered to be severe in terms of the highway network affected by the proposal.
- Consideration should be given to the likely routing of HGV traffic, through Eye town centre on the B1117, to avoid the weight restriction in Thorndon.
- SCC are aware of the Eye Town Centre Traffic Review commissioned by Eye TC and its recommendations that more roads through the town be weight restricted. If implemented this may result in HGV traffic travelling from the site to the A140 being directed through local villages and less suitable minor roads.
- Overall, the development does have an impact on the highway network but this impact is not considered to be severe, in accordance with the NPPF.
- The cumulative impact on roads through Eye could be considered significant.
- As traffic movements are low and the peak flows are not during the normal working day we should not recommend refusal of planning permission on transport grounds.
- A condition to secure an HGV routing plan is recommended if permission is granted.

Rights of Way: COMMENTS

- The application site includes a public right of way (footpath 24), which crosses proposed the access way.
- Proposal is acceptable but the development must contact SCC to discuss any works affecting the right of way.

Suffolk Police: NO RESPONSE RECEIVED

Travel Plan Coordinator: NO COMMENTS

**Internal Consultee Responses (Appendix 6)**

Heritage and Design Officer: COMMENTS

- The site is close to several listed buildings and their setting includes the plateau landscape of the surrounding area.
- The location of the site in a small river valley reduces the visual impact on the setting of the listed buildings to virtually nil.
- It is also relevant that the nearby research facility buildings already compromise the setting of the listed buildings.
- The proposal is also for the removal of the existing buildings at the site and as such there would not be any harm to the significance of the nearby listed houses.
- All Saints church at Thorndon is a landmark and its setting should be taken to include the application site.
- Given the considerations above the impact on the church's setting would be low and would not result in harm to the significance of the listed church.
- Recommend the colour finishes be controlled so as to minimise the visual impact of the development.

Communities Officer: COMMENTS

- The Cranswick development has naturally led to an increase in applications for supply chain operations.
- Jobs at Cranswick are at risk if supply chain operations are not available.
- There are understandable concerns from residents of Eye regarding HGV movements. Suggest a condition to ensure HGVs are routed through Thorndon and not Eye.
- White meat consumption is increasing and red meat consumption decreasing. This is a positive health trend that we would wish to see continue.
- Expect sheds to be constructed to highest achievable energy efficiency design and welfare standards.

Public Realm Officer: NO COMMENT

Environmental Health Officer (Noise/Odour/Light, etc): COMMENTS

- This type of development is regulated by the Environment Agency.
- I note the EA objection and concur.

Additional comments 16/12/2020:

- The odour modelling for three sheds shows that the odour concentration is between 3 and 5 Odour Units (OU) for a significant area across the Covance site and for Environment Agency Guidance (H4) this is unacceptable odour pollution.

- The report relies on the institute of Air Quality Management guidance (IAQM) to classify the Covance site as industrial and of low sensitivity such that there is no loss in amenity, in order for the impact to be acceptable. This has been challenged by the Environment Agency (EA) and in my previous advice I have concurred with the agency. I have not seen any additional information that changes my previous advice for this commercial site.
- For the closest residential premises the predicted odour concentrations are below 3 OUs, which appears to be acceptable.

Environmental Health Officer (Contamination): NO OBJECTION

Environmental Health Officer (Air Quality): NO OBJECTION

Environmental Health Officer (Sustainability): NO OBJECTION

- Conditions recommended.

Economic Development Officer: COMMENTS

- This farm diversification proposal will replace existing sheds and improve access and welfare standards.
- The operation would be part of the wider supply chain of poultry production which is worth £3.5bn to the Suffolk and Norfolk economies and supports over 900 jobs in the area.

Planning Policy Officer: NO COMMENT

Waste Management Officer: NO OBJECTION

## **B: Representations**

At the time of writing this report at least 87 letters/emails/online comments have been received. It is the officer opinion that this represents 86 objections, 0 support and 1 general comment. A verbal update shall be provided as necessary.

Views are summarised below:-

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

- Negative impact of additional HGV traffic.
- Impact on pedestrian and highway safety.
- Road network condition / capacity unsuitable.
- Poor visibility, speed limit ignored.
- Odours, smell of ammonia, especially as roof vents are below the level of Thorndon village and prevailing wind will blow smells towards the village.
- MSDC has a duty of care for communities and heritage.
- Noise from ventilation fans and from lorry movements at night which disturbs residents' sleep.
- HGVs travelling on narrow roads cause damage to property including historic buildings and the Conservation Area (Eye).
- Might set a precedent for similar applications.
- More lorries through Eye is at odds with the BMSDC documents 'Vision for Prosperity in Eye'.
- HGV movements already have negative impacts on the quality of life of local residents.
- Additional HGV traffic will have a negative impact on the pleasantness of Eye and deter visitors.

- Additional HGV traffic would deter pedestrian and cyclists in conflict with the walking and cycling strategy.
- Should factory farming be supported when global pandemics have been linked to these practices and COVID clusters have been commonly located within meat processing plants? Concerns regarding the conditions animals are kept in and animal-human disease transmission risks.
- There are a number of other poultry operations nearby, overloading the local area.
- Risk of contamination of ponds, rivers and streams.
- Impact on property values.
- Impact on biodiversity by attracting larger numbers of rats and foxes into the area.
- Light pollution, contravenes the Thorndon Neighbourhood Plan 'Dark Skies' policy.
- Should be considered cumulatively with past and future applications.
- Site is unsuitable for this unsightly, out of character development.
- Drainage is already an issue, the B1077 floods regularly close to the farm entrance.
- Overdevelopment too close to Thorndon.
- Intensive chicken rearing is unethical, inhumane and an unsustainable form of food production. Together with the animal testing at Covance (formerly Huntingdon Life Sciences) this will be distressing.
- Can't achieve 'best available techniques'
- Nuisance of flies associated with livestock uses.
- Loss of and danger of using the public rights of way.
- Concerns not all HGV traffic generation is being assessed.
- Disagreement with SCC Highways consultation advice.

### **PLANNING HISTORY (application site only)**

<b>REF:</b> DC/19/03606	Environmental Impact Assessment Scoping Opinion Request for the development of a Poultry Production Unit with capacity to house 288,000 Birds	<b>DECISION:</b> EIA 13.09.2019
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**Please refer to agenda bundle for details of other permitted livestock and associated operations that are relevant to the cumulative assessment of this application.**

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## **PART THREE – ASSESSMENT OF APPLICATION**

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### **1. The Site and Surroundings**

1.1 The application site is part of an agricultural field forming part of the Castle Hill Farm holding, located in the countryside between the villages of Thorndon and Occold. The farm occupies an area of gently sloping land towards the bottom of the Dove river valley and has access from the B1077 highway.

1.2 The main part of the development site lies to the east of the existing Castle Hill Farm complex, comprising a dwelling and 3 poultry sheds, and to the south of the Covance research complex (formerly Huntingdon Life Sciences). A public right of way leads from the B1077, along the accessway to the site then turns north between the existing Castle Hill Farm complex and the application site.

1.3 The character of the surrounding area is predominantly open and rural, with a number of interspersed residential and agricultural buildings. The site is partly screened from public views from the highway by

existing built development, bunding and mature hedges and trees. Views of the site from the public footpath are currently unscreened.

## 2. The Proposal

2.1 The proposal is for an intensive livestock operation for the growing of broiler chickens. This type of operation sees chicks delivered to the site to be grown for meat production and then delivered to an off-site processing operation once grown. The complex is then cleaned down and prepared to receive another delivery of chicks. In the case of this operation the growing cycle is 7 weeks.

2.2 The development comprises the following elements:

- The demolition of 3 existing poultry sheds.
- The erection of 4 new broiler poultry sheds to house up to 188,000 birds at a time.
- The erection of an office / store / staff building.
- The erection of a cold store building.
- The erection of 2 feed bins.
- The construction of hard surfaced access way and yard areas.
- Alternations to the existing vehicular access.

## 3. The Principle of Development

3.1 The NPPF sets out the primary focus for planning practice with the aim of achieving sustainable development. This involves consideration of the three overarching objectives of social, economic and environmental factors in determining planning applications.

As an agricultural diversification proposal, this application is for an economic development, the principle of which is supported, in general, by paragraphs 80 and 83 which state:

*“Planning...decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.” (para 80)*

*Planning...decisions should enable:*

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;*
- b) the development and diversification of agricultural and other land-based rural businesses; (para 83)*

This positive emphasis must, however, be balanced with the concurrent objectives of supporting the health, social and cultural wellbeing of local communities and the need to protect and enhance the natural, built and historic environment.

3.2 The saved policies of the Development Plan reflect these objectives, supporting appropriate agricultural and economic development subject to all material considerations. The main issues for consideration include highway safety, landscape impact, heritage, residential amenity, pollution and other amenity impacts, flood risk and drainage and ecology.

3.3 Having regard to the scale, nature and location of the proposal, where there are a number of other existing and proposed livestock and poultry production supply chain operations, it is also appropriate to consider the cumulative impact of the proposal. Consideration has been given to the cumulative impacts arising from the proposal in context with existing and permitted livestock operations in the northern part of

the Mid Suffolk district including the practical supply chain impacts of these operations. Each of these issues is discussed in the following sections of this report.

#### 4. Highway safety

4.1 The majority of objections from local residents and parish councils include concerns relating to the impact of traffic movements to and from the site, particularly HGVs, on highway safety including pedestrians, residents and other road users. The main issues raised are summarised above and the full text of comments received is available in the agenda bundle and application file.

Local Plan policy CL17 supports farm diversification proposals providing:

“There is no excessive traffic generation or adverse effect on the free flow and safety of traffic”

Policy T10 requires consideration of the following:

“- The provision of safe access to and egress from the site

- the suitability of existing roads giving access to the development, in terms of the safe and free flow of traffic and pedestrian safety;

- whether the amount and type of traffic generated by the proposal will be acceptable in relation to the capacity of the road network in the locality of the site;

- the provision of adequate space for the parking and turning of cars and service vehicles within the curtilage of the site;

- whether the needs of pedestrians and cyclists have been met, particularly in the design and layout of new housing and industrial areas. Cycle routes and cycle priority measures will be encouraged in new development.”

The NPPF states:

“ 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.” (para 109)

4.2 The proposed development will make use of an existing access serving the farm complex from the B1077, which is proposed to be altered as part of this application. A new internal roadway will link the access to the proposed poultry sheds, passing through the position of the existing poultry sheds that are to be demolished.

4.3 The application documents include a transport assessment (TA) which describes the anticipated traffic and highways impacts of the proposal. The TA estimates the maximum traffic generation for the proposed operation to be 139 vehicles (278 movements) to the site during each 7 week growing cycle. Most of these movements will be HGVs delivering or collecting birds, feed, waste, etc. The figure also includes management and staff cars. The ‘catching’ period of the cycle is expected to generate the worst-case peak estimated vehicle numbers of 30 HGV movements per day for 2 days in the 7 week cycle.

4.4 As a comparison; the existing operation generates 22 vehicles (44 movements) per month, most of which are described as ‘lorries’.

4.5 The HGV movements to and from the site are expected to include the delivery of chicks to the site and grown birds to the Cranswick processing site at Eye Airfield. Waste processing from the operation has not yet been determined but it is likely that dead birds will go to the Cranswick site and litter waste to Thetford biomass power station. Waste water will also be removed from the site by a contractor, yet to be determined.

4.6 The most likely routing of these HGVs from the site to the A140 highway would either be west through the village of Thorndon (Rishangles Road - The Street - Stoke Road – A140 junction) or north-west through the town of Eye (B1077 – Cranley Green Road – Eye town centre – B1117 or Castleton Way – A140 junction). There are weight restrictions in parts of Eye town centre and in the village of Thorndon.

4.7 Suffolk County Council Highways have considered the estimated increase and likely concentration of traffic movements over the growing cycle and advise that, whilst in comparison to the existing operation the increase is significant for the site itself there is not considered to be a severe impact on the highway network. They have also considered the impact of HGV movements through the local settlements, the concerns raised by local residents and the recommendations of the Eye Town Centre Traffic Review. Whilst acknowledging that cumulative impacts of the proposal with the existing conditions of HGV movements through Eye in particular could be considered significant, they conclude the impacts are not severe such as would conflict with the NPPF. Furthermore, the number and timing of movements from this proposal is such that does not justify the refusal of planning permission on transport grounds. Conditions are recommended to secure a construction management plan, appropriate visibility for the amended access works and a transport plan to agree appropriate HGV routing for the operation.

4.8 SCC highways do not advise that the estimated traffic generation is excessive or there would be any unacceptable impact on the safety of pedestrians and free flow of traffic. They also confirm their opinion that the impacts on the surrounding road network would not be severe.

4.9 This position differs from that expressed by parish councils and local residents as summarised above. Concerns are particularly felt by those living on and using the main routes between the site and the A140 in Eye and Thorndon where the existing circumstance of HGV and other traffic movements on the local road network is considered to be harmful to the safety and amenity of local residents. It is felt that this proposal would further exacerbate the harm experienced by these communities.

4.10 It is relevant to have regard to the context in which this proposal is being considered, that being a predominantly rural area where the local economy is characterised by agricultural operations. The settlements within this part of the district are, therefore, reliant on either private cars to obtain groceries and other products, or on supermarket and other delivery services such as Amazon, DHL, etc. This characteristic of contemporary life is likely to have been felt more keenly in recent months as reliance on delivery services has increased.

4.11 Regard has been had to cumulative impact of the proposed development on highway safety in the context of the existing circumstances of the area and together with existing and permitted livestock operations in the northern part of the Mid Suffolk district including the practical supply chain impacts of these operations in terms of vehicle movements.

4.12 In considering all of the above it is necessary to determine whether the highway impact is unacceptable, or the residual cumulative impacts severe. SCC Highways do not conclude so on either count and whilst there is no definition of the term 'severe' in the NPPF or NPPG it is reasonable to expect a degree of subjectivity and difference between the professional opinion of the Highways Officer and the experiential opinion of local communities. The matter has previously been considered at appeal in which Inspectors have commented that:

*'the term 'severe' sets a high bar for intervention via the planning system in traffic effects arising from development' and that 'the critical elements in assessing whether the impact was severe were firstly, increase in the number of vehicles likely to be generated by the proposed development in relation to the capacity of the road to accommodate such an increase, both in terms of free-flow of traffic and highway safety, [and]...the ability for pedestrians to cross the main road conveniently and safely and the ease of vehicles to gain access to the main road from side streets and access points'.*

4.13 In this case there is no indication that the increase in the number of vehicles generated by the development would exceed the capacity of the local road network which is, generally, lightly trafficked at most times. Further, there is no indication that additional significant wait times or other congestion would result from the traffic generation of the proposal. In terms of pedestrian safety, it is considered that drivers would be adequately aware of the likelihood of pedestrians when travelling through towns and villages, past schools and shops, etc. such that the impact on pedestrian safety is not considered to be significantly different to the existing circumstance.

4.14 In assessing the overall highway safety impacts of the proposal, in terms of the NPPF and Development Plan considerations, it is concluded that the proposal would not result in excessive traffic generation, would not be unacceptable in relation to the capacity of the local road network, would not result in an unacceptable impact on highway safety or a severe impact on the highway network when considered cumulatively with other development in the area.

4.15 Further, development can be adequately controlled such as to secure safe access, parking and turning and vehicle routing for the operation. On this basis the proposal is considered to be acceptable on highway safety grounds.

## 5. Landscape impact

5.1 The prevailing character of the surrounding landscape is that of generally open, rolling, arable land interspersed with residential and agricultural buildings. The Covance research site is a significant feature of built development in the otherwise relatively sparsely developed landscape on this stretch of the B1077 between Debenham and Eye.

5.2 The site is partly screened from public views from the highway by the topography of the surrounding landscape as well as existing built development, bunding and mature hedges and trees. Views of the site from the public footpath are currently unscreened.

5.3 The scale, design and materials of the proposed buildings are typical of modern agricultural developments, similar to those that exist in the wider landscape and a more modern version, but similar style, to the existing poultry shed buildings at Castle Hill Farm.

5.4 The application documents include a landscape and visual impact assessment which concludes the proposal will have minimal impacts in this respect and recommends some landscape planting to mitigate the new buildings.

5.5 Modern agricultural buildings such as those proposed here are a common feature within the rural working landscape of this part of the district. The complex of proposed development is sited close enough to the adjacent Covance site that some views will experience the two operations together and there will be a degree of amelioration. There is not considered to be an unacceptable cumulative visual impact arising from this proposal in context with other development in the landscape.



5.6 Overall there is not considered to be any unacceptable visual impact subject to conditions to secure appropriate landscaping.

## 6. Heritage

6.1 There are no known heritage assets within the site itself but there are a number of listed buildings within the wider landscape, including Grade II listed Occold Hall and Thorndon Hill and Grade II\* listed Church of All Saints in Thorndon village. There are no other known heritage assets within the area.

6.2 The BMSDC Heritage officer advises that, having regard to the character of the landscape the site falls within the setting of these listed buildings. However, the screening afforded by the topography of the area and the presence of the Covance complex are such that limit the impacts of the proposed development. The Heritage officer concludes that there is no harm to the significance of the two identified listed dwellings and the impact on the setting of the church would be very low and would not result in harm to the significance of that listed building. It is recommended that materials are controlled to minimise the visual impact of the development.

6.3 The SCC Archaeology officer advises that there is high potential for the site to have archaeological assets due to its location and that finds have been recorded on adjacent land. SCC has raised no objection to the proposal and recommends conditions to secure an appropriate scheme of archaeological investigation and recording for the site.

6.4 On the basis of advice from specialist officers the impact on heritage assets is considered to be low and the development is acceptable in this respect.

## 7. Residential and other amenity impacts

7.1 The nature of the operation is such that has the potential to give rise to residential amenity impacts in terms of noise, smell, disturbance, etc. Whilst the site is located in the countryside it is in fairly close proximity to the villages of Occold and Thorndon and the operation of the development is such that disturbance from associated traffic movements has the potential to affect residents in Eye. There are also number of more isolated properties closer by.

7.2 Noise: Some concerns have been raised regarding the noise impact of the development on the residential amenity of nearby properties. The most likely sources of noise impact from this type of operation is associated with vehicle movements, including the use of forklifts and the use of extraction fans used for ventilation of the buildings.

7.3 The application documents include a noise impact assessment which established the background noise levels at the nearest dwellings to the site and compared this to the levels of noise expected to be generated by the operation of the proposed development. The assessment concludes the noise impacts of the proposal to be low in terms of plant operations and negligible in terms of vehicle operations.

7.4 The MSDC Environmental Health Officer advises that the scale and nature of the proposal is regulated by the Environment Agency environmental permitting scheme, such that noise impacts are controlled through that process. The Environment Agency have made no comments regarding the noise impacts of the proposal. On the basis of this advice and the findings of the noise impact assessment the proposal is not considered to have any unacceptable noise impact.

7.5 Odour: As an agricultural operation the proposed development has the potential to emit odours that arise from the keeping of live animals. The operation would be subject to control through the Environmental Permitting regime administered by the Environment Agency which includes consideration

of airborne pollutants. The NPPF advises that, whilst planning decisions should not seek to duplicate controls that exist in other regimes and those regimes must be assumed to be effective, it is necessary for the planning process to consider whether the proposed use of the land is appropriate and that includes consideration of the impact of any odours on the amenity of people living and working in the locality.

In assessing the impact of odour from the proposal on the amenity of the locality regard has been had to Guidance on the assessment of odour for planning version 1.1 (IAQM, 2018).

The location and nature of the proposed development has the potential to have an unacceptable odour impact on the amenity of local residents and workers. A number of concerns have been raised by residents and Parish Councils regarding the impact of odour from the development, in context with existing odour impacts from other operations in the area on the health and living conditions of the community.

The application documents include an odour and ammonia assessment for the proposal. These documents explain that odours from intensive livestock operations have the potential to be 'moderately offensive' with the likelihood of impact increasing as the birds mature through the cycle with increased odour production and the need for ventilation resulting in greater emission levels. Peak emission levels are predicted to occur at the end of each cycle when the litter is cleared out of the buildings.

The odour assessment concludes that the predicted odour levels at the nearest residential properties would be below the Environment Agency threshold for moderately offensive odours and would therefore be acceptable but it finds that the levels likely to be experienced at the Covance site would exceed the threshold and have potential for significant complaints.

There are approximately 300 people employed at the Covance site, working in office and laboratory spaces within the complex. The buildings are also understood to have air intake equipment which may have the effect of passing odours into the buildings.

The Environment Agency maintain an objection to the proposal on the basis of the odour impact on the Covance site if that premises is considered to be a receptor of a medium sensitivity, a matter to be determined by the Planning Authority.

The magnitude of an odour effect is determined by the scale of the exposure to the odour and the sensitivity of receptors at which the odour is experienced. The IAQM guidance defines receptor sensitivity by three categories, low, medium and high as can be seen in the extract below:

<p>High sensitivity receptor Surrounding land where:</p>	<ul style="list-style-type: none"> <li>• users can reasonably expect enjoyment of a high level of amenity; and</li> <li>• people would reasonably be expected to be present here continuously, or at least regularly for extended periods, as part of the normal pattern of use of the land.</li> </ul> <p>Examples may include residential dwellings, hospitals, schools/education and tourist/cultural.</p>
<p>Medium sensitivity receptor Surrounding land where:</p>	<ul style="list-style-type: none"> <li>• users would expect to enjoy a reasonable level of amenity, but wouldn't reasonably expect to enjoy the same level of amenity as in their home; or</li> <li>• people wouldn't reasonably be expected to be present here continuously or regularly for extended periods as part of the normal pattern of use of the land.</li> </ul> <p>Examples may include places of work, commercial/retail premises and</p>

	playing/recreation fields.
Low sensitivity receptor Surrounding land where:	<ul style="list-style-type: none"> <li>• the enjoyment of amenity would not reasonably be expected; or</li> <li>• there is transient exposure, where the people would reasonably be expected to be present only for limited periods of time as part of the normal pattern of use of the land.</li> </ul> <p>Examples may include industrial use, farms, footpaths and roads.</p>

Following discussion with the Senior Environmental Protection Officer and Environment Agency the Covance employment site is considered to be a medium sensitivity receptor as it is a place of work of a significant number of employees, working shift patterns and is a premises that does not have a significant likelihood of an existing odour impact from its own operations (such as may be expected in an industrial processing or agricultural workplace for example).

The odour modelling shows that part of the Covance complex would fall within the 3-5 OU/m<sup>3</sup> odour contour and both the Environment Agency and your Senior Environmental Health Officer advise that this impact would be unacceptable in terms of the amenity impact of the users of the Covance site.

There is likely to be an odour impact experienced by employees at the Covance site that would result in an unacceptable loss of amenity at this site. The land is therefore not appropriate for the proposed use because the odour generated by the operation would contribute to unacceptable levels of air pollution in the locality, contrary to the objectives of the NPPF.

7.6 Lighting: Some concerns have been raised regarding the impact of external lighting on the surrounding area, with reference to the dark skies policy THN12 in the emerging Thorndon neighbourhood plan which states that outdoor lighting should have a minimum impact on the environment and should reduce energy consumption, keeping night-time skies dark and reducing glare.

The proposal does require some external lighting to ensure the safety of people and vehicles on site. The application documents include a statement of lighting design which explains how the external lighting for the proposal has been designed to ensure energy efficiency and minimise light-spill impacts on the surrounding countryside.

Providing the development is constructed and operated in accordance with the lighting design scheme, which can be controlled by condition, there would not be any unacceptable impact on either residential amenity or the appearance of the surrounding landscape in terms of light pollution.

7.7 Disturbance: A number of concerns have been raised regarding the disturbance impacts the proposal on residential amenity, particular concerns have been raised by residents in Eye explaining how existing HGV traffic through the town disturbs residents' peaceful enjoyment of their properties, including sleep.

As described above in terms of highway safety, it is relevant to consider the context of this development in the countryside where there is an existing level of disturbance experienced by residents arising from the mix of uses and range of other agricultural operations in the locality, together with the recent increase in delivered goods and services.

In assessing the disturbance impacts of this proposal it is therefore necessary to consider the difference the operation of the development would have on local residents. The site itself is relatively isolated from residential properties such that on-site operations are not likely to result in significant unacceptable disturbance impacts. The associated vehicle movements from the operation, most likely routed through Thorndon or Eye, would be experienced in context with the existing vehicle movements in the local area and, as described above, are not considered to be so significant as to be unacceptable.

## 8. Flood risk and drainage

8.1 The application site lies adjacent to the north of a river. A number of concerns have been raised regarding flood risk, in particular flooding of the highway in the area at the access to the site which is known as The Wash.

8.2 application documents include a flood risk assessment that describes the flood risks to the development and from the development on the surrounding area. It also includes recommendations for mitigation of these impacts. The assessment describes the site as being located in flood zone 1 (areas at least risk of flooding) with some groundwater and surface water flooding risk.

8.3 The SCC Floods Officer raised some initial queries and requested additional information which has since been received. He now advises approval subject to conditions to mitigate the flood risk impacts of the development.

8.4 On the basis of the advice from the SCC and subject to the conditions recommended there are not considered to be unacceptable flood risk or drainage impacts arising from the development.

## 9. Ecology

9.1 The location of the application site, close to a river and in a rural setting, means that there is potential for ecology impacts. The application documents include an ecological assessment that describes the value of the site in terms of protected species and habitats. It concludes that the development would not have significant impacts and sets out recommendations for compensation and enhancements that will enable the development to be carried out whilst secure a biodiversity net gain, in accordance with the NPPF.

9.2 The council's ecology adviser has reviewed the assessment and proposed mitigation measures submitted with the application and advises that the information is sufficient to determine the application and that the proposed mitigation and enhancement measures proposed should be implemented in full in order to safeguard protected species and habitats.

9.3 On the basis of this specialist advice and subject to conditions as recommended below the development is considered to have no unacceptable impact on ecology and the council has discharged its statutory duties in this regard.

## 10. Other matters

10.1 The proposal will make a contribution to supporting the rural economy by aiding farm diversification and creating / supporting local employment.

10.2 The size of the development triggers the requirements of Core Strategy policy CS3 to secure the use of renewable energy to meet some of the development's energy needs. Whilst there are no specific details in the application submission this can be controlled by condition.

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## **PART FOUR – CONCLUSION**

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### 11. Planning Balance and Conclusion

11.1. The principle of appropriate agricultural diversification development is generally supported by the NPPF and the Development Plan providing the impacts of such development are acceptable or can be made so by planning conditions. Officers recognise the changing demand in the poultry market and the role of operations such as is proposed to the food production industry and the ongoing viability of the wider district and regional economy.

11.2. The impacts of the proposed development on the surrounding area and communities has been considered, taking account of specialist advice. Although it is considered that, in most cases, the potential for harmful impacts in terms of most material issues arising from the development can be removed and / or mitigated by appropriate conditions on the grant of planning permission.

11.3. However, the impact of odour from the operation would result in an unacceptable level of air pollution that would harm the workplace amenity of the users of the adjacent employment site.

11.3. The development is therefore contrary to the objectives of the NPPF and the development plan in terms of the protection of local amenity.

### **RECOMMENDATION**

That the application is REFUSED planning permission/listed building consent/other for the following reasons:-

The operation of the development will produce an unacceptable level of odour impact experienced by users of the adjacent Covance employment site that would result in a loss of amenity at this premises. The land is therefore not appropriate for the proposed use because the odour generated by the operation would contribute to unacceptable levels of air pollution in the locality, contrary to the objectives of paras 170 and 180 of the NPPF and policy CS4 of the Mid Suffolk Core Strategy 2008.

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# Application No: DC/20/02052

## Location: Castle Hill Farm, Thorndon

Page No.

Appendix 1: Call In Request	<i>Cllr Andrew Stringer</i>	
Appendix 2: Details of Previous Decision	<i>N/a</i>	
Appendix 3: Town/Parish Council/s	<i>Thorndon Parish Council Occold Parish Council Rishangles Parish Council Southolt Parish Meeting Eye Town Council Stradbroke Parish Council Denham Parish Council</i>	
Appendix 4: National Consultee Responses	<i>Historic England Natural England The Environment Agency</i>	
Appendix 5: County Council Responses	<i>Archaeology Developer Contributions Fire and Rescue Flood and Water Management Highways Rights of Way Travel Plan Coordinator</i>	
Appendix 6: Internal Consultee Responses	<i>Heritage and Design Officer Communities Officer Public Realm Officer Environmental Health Officer (Noise/Odour/Light, etc) Environmental Health Officer (Contamination)</i>	



Babergh and Mid Suffolk District Councils



	<i>Environmental Health Officer (Air Quality)</i> <i>Environmental Health Officer (Sustainability)</i> <i>Economic Development Officer</i> <i>Planning Policy Officer</i> <i>Waste Management Officer</i>	
Appendix 7: Any other consultee responses	<i>The Stowmarket Group</i>	
Appendix 8: Application Site Location Plan	<i>Yes/No</i>	
Appendix 9: Application Plans and Docs	<i>Yes/No</i>	
Appendix 10: Further information	<i>N/a or Detail</i>	

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





**Sent:** 19 October 2020 16:12

**To:** Bron Curtis <[Bron.Curtis@babberghmidsuffolk.gov.uk](mailto:Bron.Curtis@babberghmidsuffolk.gov.uk)>

**Cc:** Andrew Stringer (SCC Councillor) <[Andrew.Stringer@suffolk.gov.uk](mailto:Andrew.Stringer@suffolk.gov.uk)>

**Subject:** Planning Application DC/20/02052 - INTENSIVE POULTRY REARING UNITS ,CASTLE HILL FARM

**i** **EXTERNAL EMAIL: Don't click any links or open attachments unless you trust the sender and know the content is safe. Click [here](#) for more information or help from Suffolk IT**

Dear Bron,

Further to other relevant information submitted to planners on the above planning application.

Considering the MSDC Local Plan, and its relevance to the above Major development, should it be approved by planners, this development with its catastrophic impact on Thorndon and Eye conflicts with Policy T10, the saved policy states:

Policy T10 of the 1998 Mid Suffolk Local Plan is a saved policy and states

“when considering planning applications for development, the district planning authority will have regard to:

- i) the suitability of existing roads giving access to the development, in terms of the safe and free flow of traffic and pedestrian safety;
- ii) whether the amount and type of traffic generated by the proposal will be acceptable in relation to the capacity of the road network in the locality of the site”

Thank you for your consideration in this matter.

Regards,  
Marion Ravenhill,  
Chair, Thorndon Parish Council

Sent: 19 October 2020 15:29

To: Bron Curtis <[Bron.Curtis@babberghmidsuffolk.gov.uk](mailto:Bron.Curtis@babberghmidsuffolk.gov.uk)>

Cc: Andrew Stringer (SCC Councillor) <[Andrew.Stringer@suffolk.gov.uk](mailto:Andrew.Stringer@suffolk.gov.uk)>

Subject: Planning Application DC/20/02052

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Dear Bron,

In addition to other representations already submitted to MSDC by Thorndon Parish Council the following points should also be considered by planners.

1. Thorndon already has an established intensive poultry rearing unit on its boundary with Wetheringsette and just a very short distance from the proposed sheds at Castle Hill Farm. The units run by 2 Sisters Group houses 350,000 birds per cycle but due to its location and proximity to the A140 the facility is ideally placed not to have HGV's travelling past residential properties.
  2. However, Thorndon residents bear risks to health from ammonia emissions as well as noise pollution, potentially harmful bacteria, viruses and air pollutants carried by the small dust particles that are expelled through the vents by powerful fans into the atmosphere.
  3. Residents of Thorndon are periodically subject to pungent odours that reduces their quality of life below that which any one individual should expect in today's climate.
  4. The residents of Thorndon are predominately older retired people who are more susceptible to respiratory conditions that are aggravated by ammonia. A growing number of Thorndon residents are receiving treatments which can compromise the immune system leaving them at increased risk of further ill health.
  5. The children at the Primary School, 17.5 percent of whom are medically diagnosed with respiratory problems will be put at further disadvantage by the additional units proposed at Castle Hill, should they be approved by Councillors.
  6. Should planners decide to grant permission for the above application, the village of Thorndon would be sandwiched between **two intensive poultry rearing units housing at total 538,000 birds per cycle. (350,000 in Wetheringsette and 188,000 in Castle Hill)**  
There would be no escape throughout the seasons for the residents of Thorndon, in the spring/summer wind from the West/South West would carry small particles and smells from the Wetheringsette units and later in the year wind from the East would do the same from the Castle Hill units.
  7. Parker Planning in its Environmental Statement, Cumulative Effects, Para. 1.40 'the likelihood of this development in combination with other developments, having a greater environmental impact'. It goes on to state that there are 'NO known poultry sheds in operation or proposed to be developed proximate to the proposed site'. This is clearly not the case as the Collingford Bridge poultry sheds housing 350,000 birds per cycle lies to the West of the village and straddles our boundary.
  8. Further possible consequences of this site being approved are the potential negative impact on property prices and the hidden impact of people not moving to Thorndon resulting in fewer children in our Primary School, the possible loss of our Public House and shop together with the associated job losses would be devastating for our community.  
Documentation from the Agents appear to suggest that the proposed Intensive Poultry Units at Castle Hill would create one job in Thorndon with the potential loss of eight sustainable jobs that already exist.
- I cannot find another village in East Anglia that has two large Intensive Chicken rearing units on two of its boundaries.  
It cannot be humanly right that any one village should be subjected to that potential level of health risk or disruption to daily life.

Regards,  
Marion Ravenhill  
Chair , Thorndon Parish Council

**From:** James Hayward <[jamesk.hayward@btinternet.com](mailto:jamesk.hayward@btinternet.com)>  
**Sent:** 14 October 2020 10:09  
**To:** Bron Curtis <[Bron.Curtis@baberghmidsuffolk.gov.uk](mailto:Bron.Curtis@baberghmidsuffolk.gov.uk)>  
**Cc:** Thorndon Parish 2 <[mandnravenhill@btinternet.com](mailto:mandnravenhill@btinternet.com)>  
**Subject:** Re: Poultry Rearing Unit

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Dear Bron

Thank you for your email. I am a Parish Councillor at Thorndon so please add to the representations from the Parish Council.

Thanks and regards  
James

Sent from my iPad

On 14 Oct 2020, at 08:44, Bron Curtis <[Bron.Curtis@baberghmidsuffolk.gov.uk](mailto:Bron.Curtis@baberghmidsuffolk.gov.uk)> wrote:

Dear Mr Hayward,

I have received the email below forwarded by Cllr Stringer.

I am emailing to let you know that unless this comment is submitted as part of a representation from either the PC or a local resident (who needs to provide their address), it won't be logged on the application file but will rather be for my information only.

Please let me know how you would like me to deal with it.

Thanks.

Kind regards,  
Bron

**Bron Curtis BA(Hons), MA, MRTPI**  
Principal Planning Officer, Strategic Projects and Delivery - Development  
Management **\*\* Wednesdays and Thursdays only \*\***  
Sustainable Communities  
**Mid Suffolk and Babergh District Councils - Working Together**

Telephone: 07798522734

For general enquiries email: [planningadmin@midsuffolk.gov.uk](mailto:planningadmin@midsuffolk.gov.uk)

Websites: [www.babergh.gov.uk](http://www.babergh.gov.uk) or [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)

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**For our latest Coronavirus response please visit click the following link-**  
<https://www.midsuffolk.gov.uk/features/our-covid-19-response/>

<image002.jpg>


**From:** Andrew Stringer (SCC Councillor) <[Andrew.Stringer@suffolk.gov.uk](mailto:Andrew.Stringer@suffolk.gov.uk)>  
**Sent:** 12 October 2020 12:26  
**To:** Bron Curtis <[Bron.Curtis@babberghmidsuffolk.gov.uk](mailto:Bron.Curtis@babberghmidsuffolk.gov.uk)>  
**Subject:** Fwd: Poultry Rearing Unit

FYI. Regards Andrew Stringer

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**From:** James Hayward <[jamesk.hayward@btinternet.com](mailto:jamesk.hayward@btinternet.com)>  
**Sent:** Monday, October 12, 2020 12:18 pm  
**To:** Thorndon Parish 2  
**Cc:** Andrew Stringer (SCC Councillor)  
**Subject:** Fwd: Poultry Rearing Unit

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Sent from my iPad

Begin forwarded message:

**From:** Office Assistant <[asst@thorndon.suffolk.sch.uk](mailto:asst@thorndon.suffolk.sch.uk)>  
**Date:** 12 October 2020 at 09:56:39 BST  
**To:** [jamesk.hayward@btinternet.com](mailto:jamesk.hayward@btinternet.com)  
**Subject:** Poultry Rearing Unit

Good morning James,

Mrs Simpson has asked me to let you know that in total here at school we have 10 people with respiratory issues that may be affected by the potential increase in ammonia levels.

Kind regards

Hannah Boughen  
**Administration Assistant**  
Thorndon CEVC Primary School  
The Street  
Thorndon  
Eye

Dear Bron,

In response to Chris Knock's (Communities Team) email of 10<sup>th</sup> September regarding the above Planning application.

It would appear that to justify the building of numerous intensive poultry rearing operations across this part of Suffolk his concern appears to be in respect of the possible risk to jobs at the Cranswick processing plant on the Eye airfield. Whilst nobody would wish for anybody to lose their job, there are other considerations which should be taken into account.

Consider the risk to the population of Thorndon and the surrounding small villages, the risk to children who attend Thorndon School just a very short distance from the proposed site. The constant cloud of ammonia in the atmosphere that those children and their teachers will be forced to inhale as they learn and play outside. It is well known that ammonia can exasperate respiratory medical conditions such as asthma and there are a number of children on the school role who are currently in need of inhalers.

The risk to the historic Thorndon Church and to the number of listed buildings all within a quarter of a mile of the proposed development.

The risk of potential air pollution to the staff of Research Facility in Occold just a small field away from the proposed development.

The risk of the additional pollution to nearby residents generated by the increase in HGV's and other vehicles travelling to and from the proposed site to deliver feed, to deliver bedding, to deliver chicks, to remove dead birds, to remove birds during the thinning process, to remove birds to the Cranswick site on the Eye airfield, to remove both bedding and cleaning water waste.

In addition there will be cleaning teams, bird catcher teams, inspection personnel, vets and administration staff. This is a 24 hour a day, 7 days per week, 365 days a year operation.

In reference to Mr Knock's point on traffic and the complaints from the residents of Eye. We fully appreciate their anxiety but planners must consider if moving the problem around is the appropriate thing to do. Surely, there are many more suitable sites that could be acquired by Cranswick alongside the A140 that could accommodate such a development where traffic movements would not impinge on our rural villages and confining the residents to a lifetime of misery. The cumulative impact of all these developments on our rural small villages is enormous and as far as we can establish the villages will not see any economic benefit or gain from such developments.

Thorndon has had a 7.5 ton weight restriction since April 2000 and our reasons for a 2 year discussion with highways then are the same now. The C547 through Thorndon between the A140 and B1077 is mainly single track with many passing places all of which have been formed over time out of erosion of the verges and were eventually tarmacked over by Highways – none of these passing places have the capacity for 2 HGV's to pass each other. The weak bridge over the Dove as you enter the village from the A140 is not suitable for large numbers of HGV traffic. The blind bends adjacent to at the recently developed site at the Kerrison centre force large vehicles on to the other side of the road making it very difficult and potentially dangerous to pass oncoming traffic. There are no pavements in the village with the exception of a short stretch between the school and Fen View, therefore, adults with young children take their lives in their hands at the moment let alone if traffic from the proposed intensive poultry unit was to be added. Similarly, the children who walk to the centre of the village to catch the school bus would be in danger. The few farm tractor and trailer units that use the C547 are sensitive to the needs of our village, they live here, but that would not be the case for traffic servicing the proposed poultry units.

The junction with the A140 is dangerous with many accidents there, including sadly fatalities. Thorndon Parish have had many discussions with Highways over the years to get improvements undertaken, the latest being the installation of a roundabout. Sadly, nothing has come to fruition other than the installation of a camera and a SLOW DOWN sign. The junction with the C547 is narrow to the extent that if you want to turn into the road from the A140 and there is a large delivery vehicle or the bus waiting you have to let them exit before you can enter. However, further North on the A140 there are clearly marked turning lanes to exit the A140 and the exits onto the A140 have been modified to safely let traffic exit. I cannot think how many times the porch of the White Horse pub has had to be rebuilt as a result of accidents in the past 20 years.

Representatives of Thorndon Parish Council met with the transport policy and development manager (Steve Merry) in December last year to highlight all these concerns and he agreed - knowing the junction, that it would be EXCEPTIONALLY DANGEROUS and totally inappropriate to funnel traffic servicing the intensive rearing poultry units through Thorndon onto the A140.

Somewhere along the line we seem to have lost sight of the 'Making it easier and safer for us to walk and cycle along with other measures across the county to improve health, congestion and air quality'.

Regards,

Marion Ravenhill, Chair, Thorndon Parish Council

**From:** ttt3t@aol.com <ttt3t@aol.com>

**Sent:** 27 June 2020 11:44

**To:** BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>

**Subject:** Re: MSDC Planning Consultation Request - DC/20/02052

Dear Sirs

I am writing to confirm that Councillors have voted to OBJECT to this application for the following reasons:

1. An industrial development of this nature will inevitably generate a significant increase in HGV traffic movements along unclassified and B roads, particularly the B1077 which are not suitable for such vehicles and would not only endanger other road users but cause damage to the verges as has been evidenced by the increase in HGV traffic to Aspall Cider;
2. The Street Thorndon currently has weight restrictions in place to minimise the amount of lorries passing through the village. HGVs transporting poultry from the application site to the processing plant on the A140 would be classed as agricultural traffic, and therefore, exempt from such restrictions thereby rendering the purpose of imposing the weight restrictions irrelevant;
3. The Street Thorndon currently has significant issues concerning parked vehicles obstructing the flow of regular traffic and causing potential hazards for children at the village school which will only be exacerbated with the increase in HGVs using the village as a rat run to the A140;
3. There is currently a poultry unit in Bedingfield with another under construction and Councillors have serious concerns that another unit so close to these two would have a significant adverse impact on local roads as indicated above;
4. The roof vents of the poultry sheds, from which ammonia is emitted, are to be 3.5m above ground level, below the height of the village of Thorndon. An easterly wind will blow these offensive fumes over the village and will not only be intolerable for residents but could also have a negative health impact on those with underlying respiratory health conditions;
5. The actual buildings in this application will fall within the parish of Thorndon, rather than Occold and the proposed lighting of the site will contravene the 'Dark Skies' policy contained in Thorndon's emerging Neighbourhood Plan, currently under consultation with Mid Suffolk District Council.

Yours faithfully

Amanda Thompson  
Clerk to Thorndon Parish Council

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

To: [ttt3t@aol.com](mailto:ttt3t@aol.com)

Sent: Mon, 15 Jun 2020 10:37

Subject: MSDC Planning Consultation Request - DC/20/02052

Please find attached planning consultation request letter relating to planning application - DC/20/02052 - Castle Hill Farm, Castle Hill, Thorndon, Suffolk IP23 7JT

Kind Regards

Planning Support Team

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# **Consultee Comments for Planning Application DC/20/02052**

## **Application Summary**

Application Number: DC/20/02052

Address: Castle Hill Farm Castle Hill Thorndon Suffolk IP23 7JT

Proposal: Full Planning Application - Erection of 3no. poultry houses (following demolition of 3 existing houses) with associated admin block, store, feed bins and alterations to vehicular access (accompanied by an environmental statement)

Case Officer: Bron Curtis

## **Consultee Details**

Name: Mrs Joy Hart

Address: Sucrierie, Old Bury Road, Stanton, Laxfield Woodbridge, Bury St Edmunds IP31 2BX

Email: Not Available

On Behalf Of: Occold Parish Clerk

## **Comments**

"After lengthy considerations, Councillors concluded that the reduction of one shed was not going to alleviate the traffic problems associated with maintaining a large number of poultry at this location and will not make a material difference to the impact on the environment. They therefore wish to make no further comment in addition to their previous submissions"

# Consultee Comments for Planning Application DC/20/02052

## Application Summary

Application Number: DC/20/02052

Address: Castle Hill Farm Castle Hill Thorndon Suffolk IP23 7JT

Proposal: Full Planning Application - Erection of 4no. poultry houses with associated admin block, store, feed bins and alterations to vehicular access (accompanied by an environmental statement)

Case Officer: Bron Curtis

## Consultee Details

Name: Mrs Joy Hart

Address: Sucrierie, Old Bury Road, Stanton, Laxfield Woodbridge, Bury St Edmunds IP31 2BX

Email: parishcouncil@occold.com

On Behalf Of: Occold Parish Clerk

## Comments

To BMSDC Planning Area Team Blue

Re Planning Application DC/20/02052 Erection of 4 Poultry Houses with associated admin block, store, feed bins and alteration to vehicular access Castle Hill Farm, Castle Hill, Thorndon

Councillors voted to object to the above planning application. There was one abstention.

Concerns were raised in respect of the following -

Impact on the Parish from the noise from, and environmental impact of, increased traffic movement on an already unsuitable roads network which will be required to manage the operation and to move the produce from the sheds to the processing plant affecting the B1077 in particular.

That the site was not suitable for such a big operation.

Concerns about air pollution and the smell of ammonia from the sheds affecting the Village if the wind was in their direction and the effect that ammonia will have on the eco system, environment and the health of residents.

Concern for the safety of pedestrians using a public footpath which will be compromised by the new access road

Kind Regards

Joy Hart

Clerk to Occold Parish Council

**To: BMSDC Planning Area Team Blue**

**Re: Planning Application DC/20/02052 Castle Hill Farm, Thorndon.**

I, together with many other residents of Southolt (Southolt Parish Meeting), wish to **OBJECT** to the Planning Application for 4no. Intensive chicken producing sheds at Castle Farm, Thorndon.

I would make the following objections.

1. **Loss of arable land.** The trend to turn agricultural greenfield sites over to factories is an unacceptable development in this rural county.
2. **Traffic.** The increase in HGV traffic on our country roads is a health and safety issue for all residents. The number of lorries delivering feed, delivering new chicks, transporting chickens to the Cranswick facility on Eye Airfield and supplying and clearing the necessary litter should be accurately assessed and seen as a considerable additional burden on our narrow roads. The excess pressure on Eye town is unacceptable. If the route through Thorndon is considered, bear in mind the dangers to Primary School children through the narrow main street and the fact that the way to the A140 is mostly single track with passing places. Lorries would need to make a tricky right turn onto the A140 to reach their proposed destination at Eye Airfield at an already hazardous crossroads.
3. **Local health and safety.** Increasing HGV traffic in the area would be in direct opposition to statements from Suffolk County Council who have issued to Parishes a promotional statement "We're making it safer and easier for you to walk and cycle" and declared in their Covid-19 Daily Briefing to Clerks (24 June) that they are "trying to turn the trend into a habit with our walking and cycling measures across the county, improving health, air quality and congestion".
4. **Pollution.** Air quality is important to all our health but appears to be ignored. Minor attempts at mitigating odour do not deal with the undetected spread of ammonia pollution.
5. **Total picture.** This Planning Application is one of many, past, present and future, no doubt, which are generated by Cranswick chicken processing facility on Eye Airfield. It must be looked at in the wider context, taking into account appropriateness of location, accurate assessment of traffic movement and associated pollution dangers of a concentration of intensive poultry producing units. Councillors are urged to recognise the bigger picture of this proliferation of developments and protect the residents of High Suffolk.

Jill Erben

Clerk to Southolt Parish Meeting

Church Cottage, Southolt

# Consultee Comments for Planning Application DC/20/02052

## Application Summary

Application Number: DC/20/02052

Address: Castle Hill Farm Castle Hill Thorndon Suffolk IP23 7JT

Proposal: Full Planning Application - Erection of 4no. poultry houses (following demolition of 3 existing houses) with associated admin block, store, feed bins and alterations to vehicular access (accompanied by an environmental statement)

Case Officer: Bron Curtis

## Consultee Details

Name: Mrs Wendy Alcock

Address: The Common Room, Tacon Close, Suffolk IP23 7AU

Email: townclerk@eyesuffolk.org

On Behalf Of: Eye Town Clerk

## Comments

Eye Town Council objects to this application

The Council appreciates the contact made on 19th August to be formally consulted on this application. This contact makes it clear that, given the harmful impact of enhanced HGV movements clearly to be incurred by the town, that ETC should have been a formal consultee when the application was first advertised. None the less ETC is pleased to respond in this formally recognised capacity.

The whole matter of traffic in Eye and other surrounding areas is a major concern to the council and the vast majority of residents especially those who live in the town centre. A petition with over 900 signatures (half the adult population of Eye is to be presented at the next town council meeting and onwards to Suffolk County Council. ETC objected to this application by a unanimous resolution at its meeting on June 17th and this has been posted on the portal under the town clerks name Mrs Wendy Alcock on page 8 of the portal comments with a posting date of 23rd June.

ETC requests that this be considered as comments submitted under now formal consultee status with the additions below which were passed unanimously at an extra-ordinary meeting of the council on September 3rd.

Long standing councillors cannot remember a subject which has caused so much concern across so many neighbouring parishes, and Eye in particular, as the current levels of HGV traffic growth. Rather than simply repeat the original submission the council is asking the planning committee to balance the economic drivers at the heart of this application with its impact on peoples quality of

life. It is all very well for traffic professionals (see consultation letter SCC/CON/2363/20) to take a nuanced view of section 109 of the NPPF that the extra levels of traffic will not be severe. We submit that this is under researched and that the MLM survey, commissioned by the council, shows this to be the case. The council has been sent a copy of the report produced under the auspice of the Joint Parish Working Group by Stradbroke Parish Council and has considered the contents at the EGM. The council considers this to be a more in-depth research and accurate analysis of the real traffic generation. It cites the MLM Groups report commissioned by ETC and correctly identifies that given the current baseline of existing traffic safety and amenity issues it is clear that additional HGV movements will severely compound these problems

There is already an unacceptable situation regarding highway safety and danger to residents and pedestrians, often accompanying young children to school, with HGVs mounting the pavements and scraping of buildings. Developments such as these will make the residual impacts on the road network severe on any balanced view. The term severe is not specifically defined in the glossary of the NPPF but the note attached received on 18th August demonstrates that the traffic officers view needs moderating. Peoples safety matters and it is a critical planning issue.

Eye Town Council has received dozens of similar representations and these and the number of objections on the portal shows the depth of public concern. Eye Town Council does not have jurisdiction to prevent the traffic situation worsening but BMSDC does. ETC urges the BMSDC planning committee to reject this application and instigate, with other partners, a meaningful dialogue with local parishes about optimum methods of HGV management and control before others similar developments are considered.

Eye Town Council feels that the note submitted with this comment highlights the personal anguish of many of many residents and submits that the harm done to peoples quality of life, mental health and loss of residential amenity are planning matters and taken with the wealth of similar information already placed on the portal are grounds for rejection of this application.

From:

Sent: 18 August 2020 14:44

To: Eye Town Clerk

Subject: 31 Castle Street

Dear Town Clerk,

I am writing to you in a state of anxiety. My wife and I live at 31 Castle Street, which is a Grade II listed building with a thatched roof. You may be aware that someone drove through our garden wall some while ago: while it was actually being rebuilt, someone else drove into a rebuilt portion, which then had to be rebuilt again.

We have a narrow pavement between the house and the road. The road at this point is curved. There is no pavement opposite, and the tall wall at the top of the banking there collapsed,

probably because of the close passage of heavy vehicles and their vibration. Our house is of some antiquity, some say late 16th century, but it is timber framed and very susceptible to outside vibration. We constantly feel the passage of vehicles. Even in bed one can feel the house shaking, because there seems to be no kind of "curfew" on the lorries and I am frequently woken up by them in the very early morning. The road near the house has irregularities in the surface and the lorries hit them with a big impact. The faster the vehicles travel, the worse the impact. If the 20 mph limit were respected the impact would be reduced, but it cannot be said that that limit is commonly observed, particularly since drivers know perfectly well that there is little chance of it being enforced. The speed of passing traffic is very often far in excess of 20 mph or even 30 mph. When the heavy lorries come by unladen, those same surface irregularities when the lorries hit them causes some kind of metal to metal impact in the vehicles themselves, sounding like hammer blows on an anvil. The lorries, many of them, are articulated, which means that for the majority of their length they are straight (which is why they need the complete width of the road when turning by the old banks). Since our part of Castle Street is curved and the lorries are not, they approach very close to our house. Sometimes they drive on the pavement. The vehicles are wider in their superstructure than they are at their wheels, which means that their upper structure comes even closer to our house. I think it is only a matter of time before one of them hits our building. The thatch has to project to form a weatherproof roof. It would offer little resistance to impact from a lorry: nor would the house itself. I know that other properties in Castle Street are at risk and that some of them have already been damaged: unfortunately drivers do not always find it convenient to stop and make themselves known to residents.

I suppose that there is little prospect of a reduction in the passage of heavy vehicles through Castle Street. Probably there is also no chance of the speed being reduced. I would like there to be a bollard set into the pavement by our house to give us a little respite from the too close attention of these vehicles. Is there any prospect that the Town Council would support me in obtaining one?

sincerely

AO

The following testimonials are taken from the evidence gathered by the Trucks out of our Town (TOOOT) residents group.

MA, 11 Castle St Dangerous to go out front door and walk on pathway. House vibrates and noise from trucks going on and off the kerb is startling. Cant hear the TV. Trucks are travelling at unsociable hours. Light is blocked. Cannot open windows.

Ian, 25 Castle St The house has been hit five times. Barge boards and tiles were taken out this summer. Third time house has been hit in same spot. Steps have been damaged twice. Debris falls in cellar when trucks go by or wait in the road. Worries about cellar collapse. Feels unsafe exiting the house and worries about dog getting injured. Drivers dont stop when house has been hit so damage repair is out of pocket.

AT on behalf of the Knit and Natter Group Who meet at The Bank

We are a community group of about 12 people who meet weekly and we are fearful of the Bank getting hit when two large lorries pass at the junction of Magdalen Street. We have one lady who comes with her carer in a wheelchair and is very worried on exit. All large vehicles mount the pavement on both sides of the road and come within 2 feet of the access ramp into the Bank. This needs to be addressed urgently. (The Banks comments: cannot meet 1:12 wheelchair ramp regs because it would be so dangerous and push users into the path of large trucks.)

Royal Mail

I am writing with concern to report on the dangerous traffic issue in the town of Eye, Suffolk. I am the post lady in this area and have been for the last 2 years. I have experienced all sorts of incidents regarding cars, vans and lorries mounting the pavements to be able to pass each other.

It is the large lorries that come through the small roads eg: Castle Street, Low gate Street and the junction with Magdalen Street that cause the congestion and forces the traffic to mount the pavements.

My colleagues and I have witnessed this dangerous driving on a daily basis, also lorries hitting buildings and other vehicles. I personally had a very close call when I was nearly hit in the face by the back of a lorry as it was leaving Magdalen Street and the back swung across the pavement right in front of me as I was looking down at my mail. I had to jump out of the way. Had it been someone elderly I dont believe they would have been able to move quite as quickly.

I have had to tuck myself into customers doorways so as not to get struck vehicles coming at me down the pavements. The residents who live on these roads have told me that they have to be very careful when they step out of their houses because of the constant traffic mounting the pavement.

I believe that this situation is getting worse. I feel that people are being put at risk, especially the elderly and school children. Please do something to eliminate the unnecessary amount of lorries coming through the town of Eye before someone gets hurt.

Mrs SC, Royal Mail Post lady



**From:** Stradbroke Parish Council <[StradbrokePC@outlook.com](mailto:StradbrokePC@outlook.com)>  
**Sent:** 06 October 2020 11:03  
**To:** Bron Curtis <[Bron.Curtis@baberghmidsuffolk.gov.uk](mailto:Bron.Curtis@baberghmidsuffolk.gov.uk)>  
**Cc:** Chris Edwards <[chrisedwards@suffolkonline.net](mailto:chrisedwards@suffolkonline.net)>; Thorndon Parish 2 <[mandnravenhill@btinternet.com](mailto:mandnravenhill@btinternet.com)>  
**Subject:** DC/20/02052 - Castle Hill IP23 7PU

**i** **EXTERNAL EMAIL: Don't click any links or open attachments unless you trust the sender and know the content is safe. Click [here](#) for more information or help from Suffolk IT**

Dear Bron

The report attached to this email supersedes the report titled Report on Traffic Movements submitted by Stradbroke Parish Council on 25th June 2020.

Thorndon and Stradbroke Parish Councils have previously represented on several matters and this final submission will also be submitted to the PCU. Our case remains that the proposed intensive poultry units are not a suitable use of land in the identified location in view of the substantive arguments we have previously submitted. The Parish Councils now present further evidence that means that even if it were, the proposal should not be considered until the disputed matters of transport, off site waste management and scope of impact have been completely clarified.

#### Transport Methodology

An appeal reference APP/X3025/W/19/3230027 was recently submitted to MSDC, this shows where methodology is disputed and that is supported by sound evidence no effective and justified decision can be reached until the dispute over methodology is resolved. A detailed evidence-based analysis is submitted to rebut the applicant's submission regarding vehicle movement and highways safety.

#### SCC Highways Response

The councils fail to see how SCC comments relate effectively to the proposal using an evidence-based approach. Averages are not a sound basis for assessing the impact of a heavily cyclical business. Comments about alternative routes to avoid Eye ignore the SCC Highway Maintenance plan requirement for identifying a resilient network mandated by central government.

<https://www.suffolk.gov.uk/roads-and-transport/highway-maintenance/highway-asset-management/highway-infrastructure-asset-management-plan/>

It cannot be said that a route over C and minor road is a resilient network and it is not sound planning to predetermine the outcome of a consultation on restricting vehicle movements which has not yet taken place. Even if it were, this raises the very issue of impact area as the smaller roads and alternative routes have not been assessed, and if this is a material consideration they should have been. Additionally, the Asset Plan requires gritting on request when alerted by DEFRA/NFU/farmer. Roads are treated in full to the next safe turning point for the gritting vehicle. This aspect of highway resilience and road safety simply has not been considered. In view of the current funding constraints this is a serious

omission. The officer is committing the Authority to a course of action that will further strain limited resources. This is not a sustainable approach; it is clear this is a vulnerable location and will require assistance.

#### Waste Disposal

The Shropshire case (Squire vs Shropshire Council 2019) shows the matter of waste disposal is a material consideration and this has not been addressed at all by the applicant.

#### Scope of impact and cumulative impact

The SCC officer has taken an inconsistent approach to the report. An SCC Waste proposal was considered for cumulative impact and notes there will be a cumulative impact. However, the MSDC report does not. Both applicant submissions use the same highway consultant and the methodology is equally disputed. If one proposal has a cumulative impact then surely the other does also? The in combination effects must therefore be considered, this is reinforced by the similarity of the comments and the impact area.

Wording from SCC Highways response to DC/20/02052:

**PROPOSAL:** Full Planning Application - Erection of 4no. poultry houses with associated admin block, store, feed bins and alterations to vehicular access (accompanied by an environmental statement)

*"Consideration should be given to the fact that the additional HGV traffic would likely use the B1117 through Eye to avoid the weight restriction in Thorndon village. This would increase the traffic through Eye town centre. By using the B1117, HGV's can avoid the existing weight limits in Eye and Thorndon, albeit with the difficult manoeuvres on Castle Street/Magdalen Street junction. Suffolk County Development Management team has been made aware of the Eye Town Council, which has particular regard to HGV traffic movements. The report recommends additional roads are part of the existing weight restriction within Eye. The proposed weight restriction would include Magdalen Street and Cranley Green Road which are on the route from these poultry houses to the A140. If the weight restriction proposal comes to fruition, **this may result in increased HGVs through local villages and less suitable minor local roads.***

*Taking all the above into account, it is our opinion that while this development does have an impact on the highway network it does not represent a severe impact (NPPF para 109). It could be considered the cumulative impact is significant for the roads in Eye Town centre. As the traffic movements are low and the peak flows from this development are not in the 'normal working day', we should not recommend refusal of the application on transport grounds. However, we recommend the HGV routing for the proposal is managed through the planning system by recommending that a planning condition is added to any permission to require an agreed transport plan, taking into account timings and routing of HGV traffic. This can then be monitored and if not complied with, enforcement action can be taken."*

The same wording is used in the report for SCC/0055/20MSArt27c15:

**PROPOSAL:** Removal of Condition 15 from original application: MS/3892/12 as is unnecessary. **LOCATION:** Barley brigg AD Plant Barley Brigg Farm Laxfield Road Stradbroke IP21 5NQ

"Consideration should be given to the fact that the additional HGV traffic may use the B1117 to the west therefore increasing the traffic through Eye town centre. by using the B1117, HGV's can avoid the existing weight limited in Eye, albeit with the difficult manoeuvres on Castle Street/Magdalen Street junction. Suffolk County Development Management team has been made aware of the Eye Town Centre Traffic Review commissioned by Eye Town Council, which has regard to HGV traffic movements. The report recommends additional roads are part of the existing weight restriction within Eye. The proposed weight restriction would include Magdalen Street on the route to the A140. If the weigh restriction proposal comes to fruition, *this may result in increased HGVs through local villages and less suitable minor local roads.*

Taking all the above into account, it is our opinion that while this development does have a *cumulative* impact on the highway network, it does not represent a severe impact (NPPF para 109) so we should not recommend refusal of the application on transport grounds. However, we recommend the HGV routing for the proposal is managed through the planning system by recommending that a planning condition is added to any permission to require an agreed transport plan, taking into account timings and routing of HGV traffic. This can then be monitored and if not complied with enforcement action can be taken."

Note: text in red has been highlighted by SPC/TPC not Highways.

#### Additional relevant key case law

AG Kokott's test in **Ecologistas**: are the proposals "connected, follow on from one another, or their environmental effects overlap"

CJEU in **Ecologistas**: "the purpose of the directive cannot be circumvented by the splitting of projects and the failure to take into account the cumulative-effect of several projects must not mean in practice that they all escape the obligation to carry out an assessment when, taken together, they are likely to have significant effects on the environment."

Simon Brown J. in **R v. Swale BC ex p. RSPB** [1991] 1 PLR 6: "The proposals should not be considered in isolation if in reality it is properly to be regarded as an integral part of an inevitably more substantial development. This approach appears to me appropriate on the language of the Regulations, the existence of the smaller development of itself promoting the larger development and thereby likely to carry in its wake the environmental effects of the latter."

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Regards

Odile Wladon

Clerk

Stradbroke Parish Council


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**From:** Stradbroke Parish Council <[stradbrokepc@outlook.com](mailto:stradbrokepc@outlook.com)>  
**Sent:** 30 September 2020 15:17  
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**Cc:** Chris Edwards <[chrisedwards@suffolkonline.net](mailto:chrisedwards@suffolkonline.net)>  
**Subject:** Highways report

 **EXTERNAL EMAIL: Don't click any links or open attachments unless you trust the sender and know the content is safe. Click [here](#) for more information or help from Suffolk IT**

Dear Bron

I have been asked to forward the attached Appeal Decision to you. This decision contains a specific section dealing with disputed impact methodology which is relevant to the application at Castle Hill.

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Regards

Odile Wladon

Clerk

Stradbroke Parish Council



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## Appeal Decision

Inquiry held on 8 – 11 October 2019

Site visit made on 8 October 2019

**by Katie McDonald MSc MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 15<sup>th</sup> November 2019**

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**Appeal Ref: APP/X3025/W/19/3230027**

**Land south of Peafield Lane, Mansfield Woodhouse, Mansfield NG19 9DS**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
  - The appeal is made by Gladman Developments Ltd against Mansfield District Council.
  - The application Ref 2018/0777/OUT is dated 30 November 2018.
  - The development proposed is for the erection of up to 240 dwellings with public open space, landscaping and sustainable drainage system and vehicular access point from Peafield Lane.
- 

### Decision

1. The appeal is dismissed, and planning permission for the erection of up to 240 dwellings with public open space, landscaping and sustainable drainage system and vehicular access point from Peafield Lane is refused.

### Procedural Matters

2. This appeal is against the non-determination of an outline planning application for up to 240 dwellings with all matters except for access reserved. The Council resolved that it would have refused the planning application and provided 3 putative reasons for refusal. Indicative plans have been provided detailing the layout and landscaping. I have had regard to these so far as relevant to the appeal.
3. Discussions between the main parties regarding access drawing 2324-F04 revision B occurred before the Inquiry opened, and revision C was presented at the Inquiry. Revision C proposes a wider carriageway than Revision B by 25cm along with 3m wide foot/cycle ways at both sides of the carriageway, a wider emergency access and a pedestrian refuge point on Peafield Lane. Revision C of drawing No 2324-F04 does not materially alter the proposal, and I am satisfied that neither interested parties nor the District and County Councils would be prejudiced by my consideration of it.
4. The Mansfield District Local Plan 2013-2033 (ELP) is progressing through a Local Plan Examination. I was advised that consultation on the main modifications is expected imminently. There are some unresolved objections, but given its advanced stage, I attach moderate weight to the emerging policies.
5. A planning obligation was submitted in draft form, discussed at the Inquiry and subsequently finalised. I have taken it into account.

## **Main Issues**

6. Based on the submitted policies, my site visit and the representations from the appellant, Council, consultees and interested parties both in writing and at the Inquiry; I consider the main issues to be the effect of the proposal on:
  - (a) The landscape character and appearance of the area; and,
  - (b) The safety and free flow of traffic on the local highway network.

## **Reasons**

7. Located on the eastern settlement edge of Mansfield Woodhouse, an urban area to the north east of Mansfield, the site comprises a single arable field of around 11 hectares. It is located outside the settlement boundaries of the district, as identified in the Mansfield Local Plan (November 1998) (LP), and as a result, is in the countryside in policy terms.
8. The proposed residential development of up to 240 dwellings, 20% of which would be affordable housing, would take vehicular and pedestrian access from Peafield Lane. The indicative plans detail around 38% of the site would contain formal and informal open space.

## **Planning Policy**

9. As the site is in the countryside, Policies NE1 and H3 of the LP are relevant to the principle of the proposal. Both preclude general residential development in the countryside and seek to direct development to the most urban areas. It is accepted by the appellant that the proposal would conflict with these policies.
10. *NE1* –The policy is restrictive in its nature and sets out 8 activities which would be considered acceptable outside the urban boundaries. Although not a blanket ban of development in the countryside, the preclusion of market housing outside the urban boundary is not consistent with the National Planning Policy Framework (the Framework) nor is the policy approach of the protection of the countryside for its own sake. Whilst it aims to prevent the loss of areas of open countryside and to encourage the development of vacant and derelict sites within the urban area, the restrictive nature of the policy is not entirely consistent with the Framework.
11. *H3* – This policy is negatively worded and very restrictive, only allowing the development of permanent housing outside the urban boundary for agricultural or forestry workers. The supporting text refers to the superseded Planning Policy Guidance note 7. The Framework places no such restriction upon the development of dwellings in the countryside, but instead seeks to locate housing where it will enhance or maintain the vitality of rural communities. For these reasons, H3 is inconsistent with the Framework.
12. *NE7 and NE8(a)* – these are relevant to the character and appearance assessment of the proposal. Both policies are negatively worded, seeking to restrict developments to that which would conserve or enhance the landscape and ecology of the area (*NE7*) or refusing proposals that detract from the landscape or environmental quality of mature landscape areas in the River Maun (*NE8a*). However, in this context, the identification and protection of these landscape character areas is entirely appropriate within the Framework. Furthermore, Framework paragraph 127 seeks to ensure developments are

sympathetic to local character and history, including the surrounding built environment and landscape setting.

13. Additionally, Framework paragraph 171 sets out, amongst other things, that plans should distinguish between the hierarchy of international, national and locally designated sites; and take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure. Consequently, I find policies NE7 and NE8(a) are consistent with the Framework.
14. *M16* – this policy seeks to ensure proposals would not have a detrimental effect on the surrounding highway network. As the Framework seeks to ensure the effect is not *severe* as opposed to *detrimental*, the Framework sets a higher bar and this is not entirely consistent. However, in all other respects, the policy is consistent, requiring developers to have regard to the needs and safety of all modes of travel and incorporating provision for safe vehicular access and be located where there is, or is potential for, easy access to public transport.

### **Character and appearance**

15. The site contains hedgerow boundaries to the north, east and west. The southern boundary is formed by woodland and vegetation which runs alongside public bridleway BW39, adjacent to the River Maun. The site is surrounded by arable farmland to the north and east, and existing modern residential development to the west. Peafield Lane is positioned on the northern boundary of the site.
16. The site is included in the Sherwood Forest Special Landscape Area (Policy NE7 of the LP), and forms part of the River Maun Mature Landscape Area (Policy NE8(a) of the LP). The site is also located within the 'Sherwood' National Character Area, the 'Woods and Forests', and 'Sandstone Forests and Heaths' regional landscape character designation and the 'Birklands Wooded Estate' local character designation.
17. The special landscape characteristics of the site contains hawthorn hedges, undulating topography and woodland skylines, all features of the Birklands Wooded Estate local character area and to a larger degree, the regional and national designations. It also adjoins the River Maun, which contains mature deciduous woodland and river courses, along with the site having a relatively intact field pattern. Essentially, however, the site's intrinsic value arises from the undeveloped and open field, gently sloping upwards from the River Maun valley. This contributes to the countryside's fundamental beauty.
18. Whilst the Council does not dispute the findings of the Landscape and Visual Appraisal, which sets out that the site and the immediate context is of medium landscape value; it asserts that the proposal is a "valued landscape" for the purposes of the Framework.
19. I consider that the site is of a medium landscape value and contains features that contribute to its designation locally, regionally and nationally, along with the allocations in the LP. However, the site is heavily influenced by the urban fringe and the landscape features are not scarce in the surrounding area. Thus, I do not believe that it is a valued landscape for the purposes of the Framework.
20. In terms of visibility, due to the site's position on the south facing slope of the River Maun Valley, and the gently undulating topography, the site is visible



from several locations to the south, which I observed during my visit. The most elevated portion of the site in the north east corner is visible from many vantage points to the south. However, this is viewed in the context of the surrounding settlement to the east, which presents a severe and distinct edge between urban and rural.

21. The southern part of the site is mostly screened from southerly views due to a combination of the topography and tree planting associated with the River Maun. However, when nearer to the site, Public Right of Way FP37 and Bridleway BW39 have views into the development area where there are breaks in vegetation along the routes. Given the topography, most of the site is not seen from land to the north of Peafield Lane.
22. The masterplan indicates that a considerable amount of public open space and planting would be provided to the north and east of the site, along with hedgerow reinstatement and retention. Once matured this would soften the visual and landscape effects and somewhat ameliorate the impact of the development, particularly on the more visible parts of the site. It would also present a softened edge to the urban boundary, and the 'field' boundary and the landscaping to the River Maun would remain the same.
23. However, even considering these measures, the proposal would fundamentally result in an irreversible and obvious loss of an undeveloped part of the countryside. Consequently, the proposal would, on balance, have a moderately adverse effect upon the landscape character and appearance of the area. This would be contrary to policies NE1, H3, NE7 and NE8(a) of the LP.
24. It would also be contrary to Policies S5 and NE1 of the ELP, which together seek to safeguard and enhance the character and appearance of the landscape. The site would be in the countryside in the ELP which has set a revised urban boundary. Policy S5 sets restrictive criteria for development in the countryside. This does not include market housing.
25. Lastly, there would be conflict with the Framework which recognises the intrinsic character and beauty of the countryside and seeks to ensure decisions contribute to and enhance the natural environment.

### ***Safety and free flow of traffic***

26. The Council does not assert that the proposal would cause an unacceptable impact on highway safety, or that the residual cumulative impacts on the road network would be severe. The issue is that there are an unusually high number of unresolved matters in relation to the effect of the proposal on the safety and free flow of traffic; and the effects of the proposal are simply unknown.
27. The Transport Assessment<sup>1</sup> (TA) has been produced to accompany the planning application and appeal. Whilst the trip rates from the proposal are agreed, there remains a high amount of disputed technical matters between parties on the highways evidence.
28. Nottingham County Council Highways Authority (NCCHA) find that the distribution and assignment of vehicles is incorrect, count data is questionable and the TA has not correctly considered other committed development. This has a knock-on effect for the study area for the TA, which has not been agreed.

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<sup>1</sup> Prepared by Croft Transport Planning and Design (April 2019) (Job No 2324)

There are disagreements regarding the mitigation proposed and junction modelling. Furthermore, NCCHA have objections to the proposed single point of access into the site. I will discuss each of the areas of uncertainty in turn.

*Distribution and assignment of vehicles*

29. The TA includes junction assessments for several junctions surrounding the site and has provided 2 options of distribution and assignment modelling. However, for a number of the junctions assessed, NCCHA have concerns. In particular, the A60 Leeming Lane/New Mill Lane Crossroads assume, in both Options A and B of the Development Distribution models, that no traffic would turn left from the A60 Leeming Lane (south bound) onto New Mill Lane (east bound). NCCHA provided evidence that Google maps assigns vehicles down New Mill Lane and does not identify Old Mill Lane as a viable route when routing between the site and Nottingham.
30. I accept that Google is a 'live' tool, constantly updated and that the appellant went to the extent of producing 2 models. I also accept that drivers would choose their own routes and may stay on the A60. However, to assign no traffic down New Mill Lane in both distribution models when it appears to be the routing choice for Google; but then, as I will address later, produce a Technical Note<sup>2</sup> in September (TN) to mitigate the effect of the development at that junction, leaves me with substantial concerns about how the distribution modelling has been produced and if it effectively assigns traffic to the most appropriate routes/junctions.
31. The appellants claim that the effect of not assigning any traffic to New Mill Lane is that all traffic is then loaded onto the next junction (A60 Leeming Lane South/A6117 Old Mill Lane/Butt Lane Crossroads), which makes the TA more robust in terms of its assessment upon the A60. Yet, I am not persuaded that this satisfactorily explains the lack of distribution onto New Mill Lane, and I agree with NCCHA that the distribution and assignment of vehicles is likely to be incorrect.
32. *A60 Leeming Lane/New Mill Lane Crossroads* – looking at this junction specifically, owing to the concerns raised by NCCHA, the appellants produced a TN following their Transport Proof of Evidence (TPoE) proposing mitigation at the junction.
33. There is an element of inconsistency in the evidence provided by the appellants. The junction is not modelled in the TA and the appellants' TPoE provides an explanation, stating that all traffic is forecast to travel straight through the junction. However, the TN then assesses the effect on this junction using Options 1 and 2 distributions and finds that there would be an effect that requires mitigation. This is proposed in the form of adding a new dedicated right-turn lane to the A60 Leeming Lane southbound arm and widening of the New Mill Lane westbound arm to 3.85m. Both distributions options still assume no vehicles would turn eastbound down New Mill Lane, contrary to the Council's evidence.
34. NCCHA has concerns that there would be insufficient width in the 3 lanes at the A60 Leeming Lane southbound arm, which they believe should be 3m wide having regard to Manual for Street 2<sup>3</sup>. This is because the A60 is used for

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<sup>2</sup> Prepared by Croft Transport Planning and Design

<sup>3</sup> Section 8.6.5

- buses and heavy goods vehicles, so they contend lanes wider than 2.5m would be required. I agree. It is reasonable to assume that the traffic on the A60 does not comprise only a small proportion of HGVs and buses. Furthermore, the 40m left turn lane is tapered, with only around 25m of length that would be 2.5m wide, allowing queuing for 7 vehicles. Additionally, as there would be 3 lanes, NCCHA also suggest that there should be traffic signals on a refuge in the road to aid visibility of the signals.
35. The concerns raised by NCCHA are not unreasonable, and it has not been satisfactorily demonstrated in the TN that the proposed mitigation would be achievable. Although a condition to require mitigation measures at this junction could be imposed, and an alternative plan submitted, I am not satisfied that this matter could be effectively dealt with by a condition given my concerns regarding the distribution and assignment data. In any event this is not the proposal before me which has been assessed by other parties.
  36. Table 4 in the TN sets out the effect of the development with the junction mitigation in place. The development would not be fully mitigated by the proposed junction improvements. Both options 1 and 2 would increase queuing and the degree of saturation at the A60 Leeming Lane (S) north bound arm in AM and PM peaks. Furthermore, both east bound and west bound New Mill Lane arms would be worsened at the PM peak. However, betterments are predicted for the A60 Leeming Lane (N) south bound and the New Mill Lane west bound and east bound arms for the AM peaks with the mitigation.
  37. In this regard, looking at the effect of the proposal with mitigation on the whole junction, the effect would not be severe in totality. Nevertheless, as I have concerns over the achievability of the mitigation proposed on the ground and the distribution and assignment data, I am not satisfied that there would not be an unacceptable impact on highway safety, or that the residual cumulative impacts on the road network would not be severe.
  38. *A60 Leeming Lane South/A6117 Old Mill Lane/Butt Lane Crossroads* – This junction is predicted to have a considerable increase in traffic without the development from other developments in the area. However, with the development, the increase in traffic would be even more significant, particularly on Butt Lane and A60 Leeming Lane South arms, along with the A6117 Old Mill Lane right PM.
  39. However, the appellants' TPOE concludes that the impact of the proposals on all movements at the junction can be described as modest in both peak hours, despite it already operating over capacity in the PM peak.
  40. The appellants' TPOE sets out that a scheme of improvement is proposed at this junction, but it became apparent at the Inquiry that this is not a formalised scheme, and little is known about the mitigation proposed. However, the planning obligation does commit to a payment of £250,000 towards the costs of junction improvements.
  41. Nevertheless, again, little is known about what these junction improvements would be or if they would mitigate the effect of the development or improve capacity. Considering the existing capacity issues with the junction, I have concerns that the proposal may cause a significant impact on the transport network. Conversely, I also have a concern that the mitigation may not be necessary if the distribution and assignment models were subject to revision.

42. *Peafield Lane/Gorsethorpe Lane/Forrest Road* – This is a double mini roundabout and has been assessed using ARCADY. The summary of junction performance, with the development in 2024 results in Junction 2 Arm 1 being over capacity at 1.04 (Option A) or 1.01 (Option B) RFC as opposed to 0.99 RFC without the development. Indeed, on every single junction and arm combination in the AM peak, and most in the PM peak; with the proposal, there would be an increase in traffic in both Options.
43. The TA asserts that the junction is forecast to operate efficiently and within capacity on all junction approach arms, but when looking at the raw data in Appendix 4A and 4B, this does not appear to be the case. Whilst the results should be treated with caution, given there is a small distance between the linked junctions and the increase in traffic would be marginal, it still tips the point of capacity on Junction 2 Arm 1.
44. The TA concludes that no traffic queues were observed at the junction during the surveys and the development traffic impact is minimal, but it was accepted by the appellant's expert witness that in some situations queues can increase exponentially when a junction is over capacity and the ARCADY modelling does not always account for this.
45. However, whilst concluding the effect would be minimal, the appellants' TPOE then proposes measures to improve the operational capacity of the junction. This includes reducing the speed limit to 40mph for 300m at each junction approach, erecting signage and rumble strips. Yet, I have very little evidence as to how this would increase the capacity of the junction or why it has been offered by the appellants if they consider the effect minimal.

#### *Traffic count data*

46. There is considerable disparity between the traffic count data produced by the appellants and that held by NCCHA, ranging between around +35 to -160 vehicles over an hour. The appellants assert that there are simply differences in traffic on different days, and as NCCHA data did not contain queue data, this prevents junction modelling being calibrated.
47. On this matter, I accept that some days traffic can be heavier or lighter. There is little reason to doubt the validity of the raw data from the appellant, who commissioned several junctions to be surveyed in a neutral month, over peak hours.
48. Consequently, in this instance, I accept that there are simply unexplained traffic differences on the days in which the appellants' and NCCHA's surveys were carried out. Yet, it must be noted that owing to the differences, sensitivity testing could have been carried out to understand these disparities.

#### *Study area*

49. This is clearly not agreed owing to concerns over the distribution and assignment data and traffic count data. Given my concerns raised over the distribution and assignment data, it follows that I am also not satisfied that all the junctions potentially affected by the development have been assessed.

### *Committed developments*

50. There are several committed developments modelled in the TA, however I am concerned that a number of these have not been modelled correctly.
51. *Former Thoresby Colliery (16/02173/OUTM)* – Figure 3.1 in the appellants' TPOE shows over 200 vehicles passing that site entrance in the AM peak. They do not appear to be included in subsequent junctions. Additionally, they do not appear to be included in Figure 3, which shows the total committed development flows. Whilst the scheme may only deliver part of its capacity by 2024, and it is around 6 miles away from the site, I remain concerned that the number of vehicles passing the proposed site access and the subsequent effect upon other junctions has not been fully accounted for in the assessment.
52. *Lindhurst (2017/0618/RES)* – This is a reserved matters application for a phased part of a larger development. The figures for the outline planning permission for the larger site do not appear to have been accounted for, despite being provided by NCCHA. Although the site is around 2 miles away from the end of this proposal's network; the lack of inclusion, along with the disputed study area, raises concerns that the effect of this development may not have been fully accounted for in the TA.
53. *Penniment Farm (2018/0552/OUT)* – the application relates to increasing the number of dwellings on a site, and the larger outline planning application traffic numbers do not appear to have been accounted for.
54. As a resultant impact of the study area not being agreed, the effect of committed development together with the proposal upon the road network is to some extent unknown. Furthermore, despite the appellants' assertions at the Inquiry that the developments were too far away, and there would be an element of double counting given the creation of base traffic growth for 2024 which accounts for allocations; I remain unconvinced that the data provided properly accounts for committed developments, to such an extent that I consider the assessment in this regard could be flawed.

### *Single point of access/Peafield Lane proposals*

55. The proposal would utilise one main access point for the development for all vehicular traffic. An emergency access is also proposed. The vehicular access would be 6.75m wide with 3m wide foot/cycle way to both sides. The emergency access would be 4.5m wide with a collapsible bollard, located to the west of the main access point. Additionally, there would be a pedestrian refuge island located opposite 71 Peafield Lane and a raised 'keep left' bollard located to the middle of Peafield Lane just east of the access. The vehicle speed limit is proposed to be reduced to 30mph.
56. NCCHA's adopted Highways Design Guide (HDG) deals with highways and transportation infrastructure for new developments. Table DG1: General geometry of residential roads (internal) sets out that for major residential access roads, normally no more than 400 dwelling should be accessed from a single point of access. There are numerous reasons for this requirement, but in the main, it appears to be to encourage well-connected streets and enable emergency access.
57. The masterplan framework for the proposal indicates a loop road with spurs of cul-de-sacs or streets. It also indicates potential linkages with BW39 and

Peafield Park to the south, along with the emergency access which could be used for pedestrian trips north west onto Peafield Lane.

58. Whilst the original plan submitted to the Council detailed an access width of less than 6.75m, Revision C access would have a carriageway width of 6.75m. This makes the width compliant with the HDG as a single point of access as it would serve less than 400 dwellings. The assertion that 2 accesses would be safer than one access was unsubstantiated by the Council.
59. Therefore, although the HDG details that emergency accesses are not normally accepted; it would not be necessary. Nevertheless, as there is one, it can only provide a benefit of alternative access in the rare event that it was needed.
60. In terms of the other highways proposals on Peafield Lane, the pedestrian refuge point would enable access to Dennon Drive without having to walk past the end of Dennon Drive and double back. This would ensure legible pedestrian access following natural desire lines to the bus stop on Dennon Drive from the site. Furthermore the 'keep left' bollard would discourage overtaking. Consequently, the single access point and other alterations to Peafield Lane would have an acceptable effect upon the safety and free flow of traffic.

#### *Intergreen durations*

61. NCCHA assert that the use of a 0 second pedestrian intergreen duration for 2 junctions modelled with pedestrian crossings has created unrealistically optimistic models, with meaningless conclusions. The appellants set out their reasoning for this during evidence, in that this 0 second intergreen time is based upon actual real world observations and the approach of calling the pedestrian phase every two cycles would still be more regular than actual observed behaviour. Furthermore, the CMX technology employed at the crossings extends crossing time for those who take longer than average, but it also shortens the period for those who cross quickly.
62. I have little reason to doubt the explanations provided regarding the intergreen durations from the appellant and I am satisfied that this is not unrealistically optimistic.

#### *Highway safety*

63. Based upon the road safety data submitted, whilst NCCHA give little credence to it, I have no substantive reason to doubt the findings. Furthermore, the additional accident data presented by the Council at the Inquiry demonstrated no road safety issues of particular concern. Traffic speed may be a contributory factor in accident severity at the site, but the speed limit would be reduced outside the site.
64. Notwithstanding this, given the disputed study area and concerns over the distribution and assignment data, I have concerns that there may be areas where highway safety has not been assessed, and/or mitigated.

#### *Conclusion on safety and free flow of traffic*

65. I accept that some matters regarding the assessment of the safety and free flow of traffic amount to professional judgement, and there has been a protracted amount of discussions between the appellant and NCCHA prior to

the Inquiry. I am also mindful that a line must be drawn regarding evidence gathering, sensitivity testing and modelling.

66. However, there are some areas where I remain unsatisfied and unsure that there would not be an unacceptable impact on highway safety, or the residual cumulative impacts of the proposal on the road network would not be severe. This principally relates to the distribution and assignment data, particularly that at the A60 Leeming Lane/New Mill Lane Crossroads, and the uncertainties around the committed development and mitigation.
67. I also heard evidence and have seen letters of objection from interested parties, who claim that the traffic on the A60 and the surrounding area is heavily congested. Indeed, I noted this while visiting the site and area. Although this is anecdotal evidence, it adds further doubt to my mind that the effect of the proposal may be unacceptable without suitable and agreed mitigation.
68. In this regard and having regard to the Satnam<sup>4</sup> Judgement raised by both parties, I find it entirely appropriate to apply a precautionary principle as I am not satisfied that there would not be an unacceptable effect upon highway safety or a severe residual cumulative impact on the road network. Thus, there would be conflict with Policy M16 of the LP and paragraphs 108 and 109 of the Framework. There would also be conflict with Policy IN9 of the ELP, which seeks to ensure development proposals do not endanger highway safety, and any significant impacts on the highway network can be suitably mitigated.

### **Other Matters**

*Whether the proposal would materially undermine provisions central to the emerging Local Plan*

69. Paragraph 49 of the Framework details that reasons of prematurity are unlikely to justify a refusal of planning permission other than in the limited circumstances where both the development proposed is so substantial that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.
70. It is agreed that the ELP is at an advanced stage. The proposal would provide up to 240 dwellings on an edge of settlement site. It is not allocated in the ELP, but it was considered (and discounted) as part of a larger site in the call for sites exercise.
71. The ELP anticipates that the housing need figure will be 325 dwellings per annum and identifies sites within the (amended) urban boundary to accommodate this. Several of these sites are relatively small scale, and the number of dwellings proposed would be significant in the context of the area and the ELP.
72. However, the scale, location and phasing of new development central to the ELP has been largely agreed, subject to the main modifications. Furthermore, whilst the location of development has been focussed upon sites with good

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<sup>4</sup> Satnam Millenium Ltd vs SSHCLG & Warrington Borough Council [2019] EWHC 2631 (Admin)

access to the Mansfield Ashfield Regeneration Route the housing need figure is not a maximum. Indeed, it represents a minimum figure.

73. Therefore, whilst it may be a significant development in the context of the area, I am not persuaded that it would be so substantial to meet part a) of Paragraph 49. In any event, it is not for me to pre-judge a local plan examination in the context of a Section 78 appeal.

#### *Accessibility of facilities and services*

74. The site is an edge of settlement development. There are nearby public rights of way and the bridleway to the south which gives access to the River Maun trail. A bus route runs to the west of the site through the residential estates. It is an hourly, daytime, Monday-Saturday service. I agree with the Council that this is not a frequent service and may not encourage travel by bus for most people. However, the planning obligation would provide a contribution towards the bus service, which would enable an additional service to be put on that loops around the site. This would be an hourly service that would run opposite the other service, such that there would be a half hourly service serving the area. I am satisfied that this would ensure the site is accessible by bus, if only during the daytime.
75. The train station is nearby, and whilst not within walking distance for less ambulant people, it is accessible by car, taxi, bus or on a bicycle. Additionally, cycling to or from local centres would also be an option as the topography is not particularly challenging. There is a local convenience store within walking distance along with a primary school. Secondary schools are a greater distance but would be accessible by bus, bicycle or walking - should pupils choose to walk the distance. Furthermore, there are other services nearby that could be accessed by sustainable modes of travel.
76. Therefore, the accessibility of facilities and services for future residents would be relatively accessible by a variety of other means than a private car, and the site would enable a genuine choice of transport modes.

#### *Housing land supply position*

77. The ELP housing need figure has is considered justified by the ELP Inspector, at 325 dwellings per annum (dpa), and no further changes are required for soundness. The appellants argue that this is the figure that should be used in my assessment of the proposal on this matter. I disagree. This is because it cannot be guaranteed that this exact figure will be brought forward into the ELP nor that the ELP will even be adopted as part of the development plan. It would be both unreasonable and unjustified to use the ELP housing need figure.
78. As the strategic policies are more than five years old, the Council is correctly using the local housing need (LHN) figure of 272 dpa in which to base its 5 year supply of housing. The latest position (using the LHN figure) between parties sets out that the appellants believe the Council has a 4.81 year supply (52 dwellings short) and the Council believe it has a 5.82 year supply (235 dwellings over). The appellants' figure is based upon them discounting sites as they do not consider that they are deliverable. I will now turn to these contested sites.
79. In terms of deliverability the Framework sets out a clear definition. Sites which do not involve major development and have planning permission and all sites



with detailed planning permission should be considered deliverable until permission expires unless there is clear evidence otherwise. Where a site has outline permission or is allocated in a development plan, has permission in principle or is identified on the brownfield register, it should only be considered deliverable if there is clear evidence that housing completions will begin onsite within 5 years.

80. *Skegby Lane* – the site has detailed planning permission and evidence has been presented that a material start on site has been made. However, this start was made in August 2018 and it appears little has happened on site since then. Nonetheless, the Council recognise this and only allocate dwelling completions on this site from 2021/22. Therefore, as there is no clear evidence that homes will not be delivered within 5 years, it should be considered deliverable and the rate of delivery purported by the Council is reasonable.
81. *Berry Hill (Lindhurst)* – The appellants apply a discount of 20 dwellings per annum, removing 80 dwellings from the supply, as they find the sustained delivery of 30dpa for each of the 4 housebuilders to be optimistic. I disagree. The overall site has outline planning permission and there is clear evidence that house completions are ongoing and will continue. It is intended to market Phase 2 later this year, with the possibility of residential completions by 2021 following submission of reserved matters. The phasing plan is fairly recent, a masterplan has been approved and condition 3 of 2010/0089/ST requires submission for final phase by April 2023. Consequently, the site meets the definition of deliverable and there is no clear evidence to justify discounting the estimated rate of delivery.
82. For the purposes of the appeal, given the shortfall contested by the appellants is 52 dwellings, it is not necessary to examine all the disputed sites. I have assessed the 2 sites where the difference between the Council and appellant are at the greatest and found these to be deliverable. Therefore, there would be sufficient supply to address the appellants' asserted undersupply of 52 dwellings.
83. Additionally, the Council does not apply any windfall supply to its assessment. Clearly there has been past windfall development, at 219 dwelling per annum on average from 2006-2017. Therefore, if I were to add only one third of this average to the appellants' housing land supply assumptions, this would bring the supply to over 5 years on its own.
84. Therefore, based upon the evidence before me, I am confident that the Council can demonstrate a 5 year supply of housing based upon the LHN figure, although the provision of housing remains a material benefit. Whilst the tilted balance is not engaged for this reason, for the reasons set out below, it is engaged and therefore the conclusions on the 5 year supply are of no major significance in this appeal.

### **Planning Balance and Conclusion**

85. The development plan is the starting point for decision making. The presumption in favour of sustainable development does not change the statutory status of the development, and the Framework details that where a planning application [or appeal] conflicts with an up-to-date development plan, permission should not usually be granted.

86. Paragraph 213 of the Framework clearly sets out that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
87. I must make an assessment as to whether the most important policies for determining the appeal are out of date, in accordance with Paragraph 11(d) of the Framework and having regard to the Wavendon<sup>5</sup> judgement.
88. I set out what I consider the most important policies for determining the appeal in the Planning Policy section earlier. Policies NE1 and H3 are inconsistent with the Framework, and of little (NE1) or no (H3) weight. These are particularly important as they apply to the principal of the proposal. I also consider Policy M16 to be moderately inconsistent, and thus of limited weight. Policies NE7 and NE8(a) are consistent and I attach them full weight.
89. When taken as a whole, it is my judgement that the most important policies for determining the appeal are out of date. Therefore, Paragraph 11(d) of the Framework, or the tilted balance, is engaged.
90. There would be benefit from the provision of a substantial amount of market homes to which I attach substantial weight, and there would be LP policy compliant 20% affordable housing, or 48 homes for local people in need, to which I attach very substantial weight. This would be more than policy compliant in the ELP. The proposal would provide a considerable amount of public open space creating recreational opportunities, to which I attach considerable weight. Biodiversity enhancements are of reasonable weight.
91. Construction works would create employment opportunities and the provision of housing would increase local spending, all of which would contribute towards the local economy. This is of moderate weight. The planning obligation proposes numerous other monetary contributions to off-set the effect of the development, but these would be essentially of neutral value since they would mitigate the effect. The development is also in an accessible location.
92. Importantly, however, having applied the precautionary principle, there would be harm to the safety and free flow of traffic. Whilst the weight to be attached to both Policies M16 and IN9 is moderate, there is conflict with the Framework, which indicates that permission should be refused where there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Consequently, I attach this matter extremely substantial weight.
93. Additionally, there would be harm to the landscape character and appearance of the area by the large incursion of housing development into the open countryside. Yet this effect would be tempered by the proposed landscaping and public open space, such that the overall harm would be of moderate weight.
94. The site is outside the urban boundary and there is a fundamental conflict with Policies NE1 and H3 of the LP, yet these policies are of limited or no weight.

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<sup>5</sup> Wavendon Properties Limited v SSHCLG & Milton Keynes Council [2019] EWHC 1524 (Admin)

However, there is also conflict with Policies S5 and NE1 of the ELP, to which I give moderate weight.

95. Consequently, even with the 'tilted balance' engaged, given the extremely substantial weight I have attached to the harm to the safety and free flow of traffic, together with the other harms; it is my judgement that this would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

96. Thus, for the reasons set out above, I conclude that the appeal should be dismissed, and planning permission for the proposal refused.

*Katie McDonald*

INSPECTOR

## APPEARANCES

### For the Local Planning Authority:

Miss H Sargent of Counsel      Instructed by Mansfield District Council  
(aided by Mr A Shattock of  
Counsel)

She called

Mr B Woollard	Director at Planning and Design Group (UK) Ltd
BA (Hons) MA MRTPI	
Mr T Dillarstone	Principal Planning Policy Officer, Mansfield District Council
Ms K Besh	Sustainable Planning Officer, Mansfield District Council
Ms S Hancock	Principal Officer, Highways Development Control for Nottinghamshire County Council
ONC	

### For the appellant:

Mr C Hawley of Counsel      Instructed by Gladman Developments Ltd  
He called

Mr N Lewis	Senior Planner, Gladman Developments Ltd
BSc (Hons) MCD MRTPI	
Mr T Jackson	Director, FPCR Environment and Design Ltd
BA (Hons), Dip LA, CMLI	
Mr P Wooliscroft	Partner, Croft Transport Planning & Design
MSc, HNC	
Mr M Downes	Director, Aspbury Planning Limited
BA BPL MRTPI	
Ms C Richardson	Aspbury Planning Limited

### Interested parties:

Cllr J Bosnjak	County Councillor objecting to the proposal
Miss K George	Local resident objecting to the proposal

## INQUIRY DOCUMENTS

ID1	Suggested conditions
ID2	Housing land supply information presented during round table discussion from both parties
ID3	Housing land supply updated position (as of 9 October 2019)
ID4	Drawing No 2324-F04 Revision B
ID5	Drawing No 2324-F04 Revision C
ID6	Accident data
ID7	Manual for Streets extract
ID8	Planning Obligations Strategy (September 2019)
ID9	Closing submissions for APP/X3025/W/19/3229245
ID10	CIL Compliance statement updated (11 October 2019)
ID11	Executed planning obligation (dated 11 October 2019)

# APPENDIX 1

**From:** Chris Edwards <[chrisedwards@suffolkonline.net](mailto:chrisedwards@suffolkonline.net)>

**Sent:** 03 May 2019 11:39

**To:** Information Management Services  
<[information.Management@suffolk.gov.uk](mailto:information.Management@suffolk.gov.uk)>

**Cc:** Guy McGregor <[guy.mcgregor@suffolk.gov.uk](mailto:guy.mcgregor@suffolk.gov.uk)>

**Subject:** FOI request planning consent PL\0279\15 and

Dear FOI Team

I wish to know the answers to the following questions. My requests refer to the attached committee report and plan

1. The report states

2)Availability of Planning Documents

A copy of this permission, including all documents hereby approved and any other documents subsequently approved in accordance with any conditions of this permission, shall be kept available for inspection on the site for the life of the development.

**Q1: Are all these documents including block plan C283-101A available for inspection on site as required?**

2. The report states

7) Noise Limits

Noise from all components associated with the anaerobic digestion plant must not exceed 35 dB LAeq at each of the positions indicated on the Plan entitled 'MS/3892/15 Barley Brigg Farm AD – Proposed Noise monitoring positions'.

**Q2: How frequently are these noise limits monitored and at what times of day and night?**

**Q3: please supply the results of the monitoring data for the last 12 months**

3. The report states

**Waste Capacity and Origins**

15) Within any 12 month period only the following feedstocks shall be brought into and processed at the site:

- a) energy crops (4500 tonnes);
- b) sugar beet pulp (4000 tonnes);
- c) chicken litter (2000 tonnes);
- d) apple pulp (2500 tonnes);
- e) herbs (2000 tonnes);
- f) on site slurry; and
- g) **on site digestate.**

**The operator shall keep a record of all imported material, which shall be made available to the Waste Planning Authority upon request.**

*Reason: To ensure whilst meeting the forecast waste arisings, the waste is treated as close as possible to its source, in accordance with Policy WCS2 of the Waste Core Strategy Adopted Version 2011, setting out general considerations relevant to all waste management facilities and which are required in order to make the development acceptable.*

**Q4: How often does SCC inspect these records to ensure planning compliance?**

**Q5: What were the last annually accumulated total recorded weights of each of the above input fuels (a-f) to the digester?**

**Q7: What was the last annually cumulative total weight of digestate (g) output removed from the site? (using same dates as Q6)**

**Q6: How were they verified evidentially?**

3. The report states that approved drawing -C283 -101A block plan is one of the consented scheme drawings. It contains a weighbridge.

**Q6: when did SCC last inspect the weighbridge to ensure it is working properly?**

**Q7: What was the result of the inspection?**

Kind regards

Chris Edwards  
[chrisedwards@suffolkonline.net](mailto:chrisedwards@suffolkonline.net)

**From:** Freedom of Information <FOI@suffolk.gov.uk>

**Sent:** 10 June 2019 17:41

**To:** Chris Edwards <chrisedwards@suffolkonline.net>

**Subject:** 17934 – Information Request – Response

## **INFORMATION REQUEST RESPONSE**

Thank you for your request for information, reference number 17934. Please quote this in any future correspondence you may have with us.

Please find attached a copy of our response to the information you requested.

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If you are dissatisfied with the way your request has been handled, you have the right to ask for an internal review. Under Regulation 11(2), internal review requests should be submitted within 40 working days of the date of this letter and should be sent to: Information Management Services, Constantine House, Constantine Road, Ipswich, Suffolk, IP1 2DH or, alternatively, by email at [Information.management@suffolk.gov.uk](mailto:Information.management@suffolk.gov.uk).

Please remember to quote the reference number above in any future communications.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely,

Gillian

FOI Lead Officer  
**Information Governance**  
Suffolk County Council  
Endeavour House  
Russell Road  
Ipswich  
Suffolk  
IP1 2DH

mail: [FOI@suffolk.gov.uk](mailto:FOI@suffolk.gov.uk)

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## **Environmental Information Regulations – Response – 17934**

*I wish to know the answers to the following questions. My requests refer to the attached committee report and plan*

1. *The report states*

2) *Availability of Planning Documents*

*A copy of this permission, including all documents hereby approved and any other documents subsequently approved in accordance with any conditions of this permission, shall be kept available for inspection on the site for the life of the development.*

**Q1: Are all these documents including block plan C283-101A available for inspection on site as required?**

1. *yes*

2. *The report states*

7) *Noise Limits*

*Noise from all components associated with the anaerobic digestion plant must not exceed 35 dB LAeq at each of the positions indicated on the Plan entitled 'MS/3892/15 Barley Brigg Farm AD – Proposed Noise monitoring positions'.*

**Q2: How frequently are these noise limits monitored and at what times of day and night?**

2. *There is no regular noise monitoring, noise is monitored if complaints are received regarding a specific noise issue. The noise would be monitored at the time appropriate to the complaint.*

**Q3: please supply the results of the monitoring data for the last 12 months**

3. *No monitoring has taken place in the last 12 months.*



3. The report states

**Waste Capacity and Origins**

15) Within any 12 month period only the following feedstocks shall be brought into and processed at the site:

- a) energy crops (4500 tonnes);
- b) sugar beet pulp (4000 tonnes);
- c) chicken litter (2000 tonnes);
- d) apple pulp (2500 tonnes);
- e) herbs (2000 tonnes);
- f) on site slurry; and
- g) **on site digestate.**

The operator shall keep a record of all imported material, which shall be made available to the Waste Planning Authority upon request.

Reason: To ensure whilst meeting the forecast waste arisings, the waste is treated as close as possible to its source, in accordance with Policy WCS2 of the Waste Core Strategy Adopted Version 2011, setting out general considerations relevant to all waste management facilities and which are required in order to make the development acceptable.

**Q4: How often does SCC inspect these records to ensure planning compliance?**

4. The site is visited twice a year, when possible, and feed stocks are discussed.

**Q5: What were the last annually accumulated total recorded weights of each of the above input fuels (a-f) to the digester?**

Tonnage Actually brought in and processes – 15642 tonnes

5. On site slurries – 9400 tonnes

**Q7: What was the last annually cumulative total weight of digestate (g) output removed from the site? (using same dates as Q6)**

Solid digestate – 3,500 tonnes

6. Liquid digestate – 16,500 tonnes

**Q6: How were they verified evidentially?**

Figures were supplied by the site manager.

7. 3. The report states that approved drawing -C283 -101A block plan is one of the consented scheme drawings. It contains a weighbridge.

**Q6: when did SCC last inspect the weighbridge to ensure it is working properly?**

8. The weighbridge has always been working during annual inspections.

**Q7: What was the result of the inspection?**

9. The weighbridge has always been working during annual inspections.

## Development Control Committee

<b>Report Title:</b>	Anaerobic digestion plant, associated infrastructure and use of existing agricultural lagoons: Barley Brigg Farm, Laxfield Road, Stradbroke, Suffolk IP21 5NQ
<b>Meeting Date:</b>	20 January 2016
<b>Lead Councillor(s):</b>	Councillor Peter Beer
<b>Local Councillor(s):</b>	Councillor Guy McGregor
<b>Director:</b>	Geoff Dobson, Director of Resource Management
<b>Assistant Director or Head of Service:</b>	John Pitchford, Head of Planning
<b>Author:</b>	Sean Cunniffe, Planning Officer; Telephone: 01473 265903

### Brief summary of report

10. This application seeks to gain consent (part retrospective) for an anaerobic digestion (AD) plant and associated infrastructure at Barley Brigg Farm near Stradbroke. The development is partially constructed and operational.
11. Consent was granted in 2013 by Mid Suffolk District Council (ref: 3219/12) for an AD facility. However, the 'as built' development differs materially in nature from the originally consented proposal meaning that a new planning consent is required. As the feedstock sources have been amended to include waste, this means that the proposal now falls under the planning remit of Suffolk County Council (SCC) as the Waste Planning Authority.
12. 11 objections have been received relating to issues of adverse impacts upon residential amenity.
13. Objections have been received from Stradbroke Parish Council and Wilby Parish Council, who consider the development as adversely impacting on the surrounding area, visually, and in respect of increased traffic and noise pollution.
14. No objections have been raised by Mid Suffolk District Council or Statutory Consultees.
15. The application is supported by noise, air quality, landscape and visual, flood risk and transport assessments.
16. Councillors are encouraged to view the application which is available in the Councillors Area or online at:  
<https://secure.suffolkcc.gov.uk/ePlanning/loadFullDetails.do?aplId=21059>

### Action recommended

- |   |
|---|
| <ol style="list-style-type: none"> <li>17. That planning permission be granted subject to the following conditions:           <ol style="list-style-type: none"> <li>1) The development uses and associated activities hereby approved shall only be carried</li> </ol> </li> </ol> |
|---|

out in accordance with:

- a) The application form dated 20-10-2015 and following Planning Application Supporting Statements:
  - i) 'Landscape and Visual Impact Assessment' by The Landscape Partnership dated September 2015
  - ii) 'Landscape and Visual Impact Assessment Appendix 2 Figures' by The Landscape Partnership dated September 2015
  - iii) Noise Impact Assessment by Sharps Acoustics LLP dated 28 August 2015
  - iv) Air Quality Impact Assessment by Earthcare Technical dated October 2015
  - v) Flood Risk Assessment by Amazi dated 13 October 2015
  - vi) Planning, Design and Access Statement Supporting a Planning Application for an Anaerobic Digestion Plant dated October 2015
  - vii) Brief Transport Statement by the HTTC Ltd dated 21 Oct 2015
  - viii) Brief Transport Statement by the HTTC Ltd – Supplementary Information dated 07 December 2015
  - ix) Kingspan Klargester: Biodisc – High performance sewage treatment plant for domestic applications (BA model)
- b) The approved plans Nos:
  - i) E399/LP1 entitled Location Plan dated September 2015
  - ii) E399/SP1 entitled Site Plan dated September 2015
  - iii) E399/PD1 entitled Anaerobic Digestion Process Diagram dated September 2015
  - iv) EDS-PR0169-0005 entitled CHP Layout Plan View
  - v) EDS-PR0169-0005 entitled CHP Layout Elevations A, B D and E
  - vi) EDS-PR0169-0005 entitled CHP Layout Elevations C and F
  - vii) EDS-PR0169-0005 entitled CHP Layout Isometric Views
  - viii) CLS-C283-101 Rev A entitled General Layout
  - ix) CLS-C283-101 Rev A entitled General Layout 2 of 2
  - x) CLS-C283-102 Rev A entitled Sections and Elevations
  - xi) CLS-C283-003 Section Through Clamp Walls
  - xii) 866-05bp003b entitled Separation, Gas Condensate Pit Fondation Pump-Mazerator and 2nd Pump
  - xiii) BARLEYBRIGG-02 entitled Elevations – Indicative
  - xiv) 866-05bp001c entitled Digestor, Slurry Store
  - xv) WTMR1.0 entitled WTMR1.0 Links

xvi) MS/3892/15 Barley Brigg Farm AD – Proposed Noise monitoring positions

*Reason: To ensure that new development is completed in accordance with submitted details.*

**Availability of Planning Documents**

- 2) A copy of this permission, including all documents hereby approved and any other documents subsequently approved in accordance with any conditions of this permission, shall be kept available for inspection on the site for the life of the development.

*Reason: To inform both site operators and visiting persons of the site operational responsibilities in accordance with Policy WDM2 of the Suffolk Waste Core Strategy Adopted 2011, setting out general considerations relevant to all waste management facilities and which are required in order to make the development acceptable.*

**Soft Landscaping**

- 3) Within one month of the date of this consent, details of soft landscape works, and implementation programme, shall be submitted to and approved in writing by the Waste Planning Authority.

Soft landscaping shall include:

- a) planting plans which provides for native tree and shrub planting;
- b) written specifications for remedial works and preparation of soil particularly to remove compaction (including cultivation and other operations associated with plant and grass establishment);
- c) schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and implementation programme; and
- d) implementation timescale.

All landscaping works shall be carried out in accordance with the approved details and timescale.

*Reason: To ensure the site is properly planted and in the interests of visual amenity and in accordance with WDM2 and WDM19 of the Suffolk Waste Core Strategy (adopted 2011) and CS5 of the Mid Suffolk Core Strategy.*

**Implementation of Landscaping**

- 4) All planting shall be maintained for five years after initial planting has been completed by:
- a) keeping the new planting free from competing grass and weeds. Where herbicides are used, they must be an appropriate 'translocated' type;
  - b) replacing any trees and shrubs on a one to one basis each year which are substantially damaged, seriously diseased or dead, with plants of a similar species and size;
  - c) checking, adjusting and repairing all stakes, ties, shelters or fencing used in the scheme; and
  - d) remaining tree protection no later than five years after planting of any section.

*Reason: To ensure the site is properly planted and in the interests of visual amenity and in accordance with NPPF Section 11, WDM2 and WDM19 of the Suffolk Waste Core*

*Strategy (adopted 2011) and CS5 of the Mid Suffolk Core Strategy.*

#### **Lighting**

- 5) A scheme of lighting shall be submitted to and approved in writing by the Waste Planning Authority within two months of consent, including: details of any external illumination, including the number, height and location of any lighting columns and/or building mounted lighting.

*Reason: In the interests of the residential amenity and biodiversity and in accordance with WDM2 and WDM19 of the Suffolk Waste Core Strategy (adopted 2011) and CS5 of the Mid Suffolk Core Strategy.*

#### **Noise Monitoring**

- 6) Prior to the commissioning of the anaerobic digester unit to process waste, attended noise monitoring must be completed and the results submitted to and approved in writing by the Waste Planning Authority. The noise survey must be undertaken during the night with measurements at the three positions identified the plan entitled 'MS/3892/15 Barley Brigg Farm AD – Proposed Noise monitoring positions'.

*Reason: To protect the amenity of neighbouring occupiers having regard to Policy WDM2 of the Suffolk Waste Core Strategy Adopted Version 2011.*

#### **Noise Limits**

- 7) Noise from all components associated with the anaerobic digestion plant must not exceed 35 dB LAeq at each of the positions indicated on the Plan entitled 'MS/3892/15 Barley Brigg Farm AD – Proposed Noise monitoring positions'.

*Reason: To protect the amenity of neighbouring occupiers having regard to Policy WDM2 of the Suffolk Waste Core Strategy Adopted Version 2011.*

#### **Noise from Reversing Vehicles**

- 8) Only broadband or voice replication reversing alarms shall be employed on the site operators vehicles or plant used on the site.

*Reason: To protect the amenity of neighbouring occupiers having regard to Policy WDM2 of the Suffolk Waste Core Strategy Adopted Version 2011.*

#### **Silencers**

- 9) Silencers shall be fitted to, used and maintained in accordance with manufacturers' instructions on all vehicles, plant and machinery used on the site. No machinery shall be operated with the covers open or removed.

*Reason: To protect the amenity of neighbouring occupiers in accordance with policy WDM2 of the Waste Core Strategy Adopted March 2011, and National Planning Policy Framework (NPPF) and its accompanying Technical Guidance.*

#### **Loudspeakers**

- 10) No sound reproduction or amplification equipment (including public address systems and loudspeakers) which is audible at the nearest noise sensitive location shall be installed or operated on the site.

*Reason: To protect the amenity of neighbouring occupiers in accordance with Policy WDM2 of the Waste Core Strategy Adopted March 2011, and NPPF and its accompanying Technical Guidance.*

### **Covering of Waste**

- 11) All feedstocks stored at the site shall be stored within the identified clamps and effectively covered to prevent the release of odour or other emissions.

*Reason: In the interests of minimising the impact on the amenities of the local area in accordance with Policy WDM2 of the Suffolk Waste Core Strategy Adopted 2011, setting out general considerations relevant to all waste management facilities and which are required in order to make the development acceptable.*

### **Covering of Loads**

- 12) All vehicles entering and leaving the site and containing herbs, chicken litter, slurry or digestate shall be effectively covered to prevent the discharge of any material or release of odour or other emissions.

*Reason: In the interests of minimising the impact on the amenities of the local area in accordance with Policy WDM2 of the Suffolk Waste Core Strategy Adopted 2011, setting out general considerations relevant to all waste management facilities and which are required in order to make the development acceptable.*

### **Chicken Litter Treatment**

- 13) The parts of the clamp/s used to store chicken litter shall be fully emptied and cleaned (hosed down) before each new delivery of chicken litter.

*Reason: To reduce the potential for odours or other emissions arising from the long-term storage of chicken litter in accordance with WDM2 of the Suffolk Waste Core Strategy (adopted 2011).*

### **Apple Pulp Treatment**

- 14) All apple pulp feedstock shall be utilised within 24 hours of delivery to the site.

*Reason: To reduce the potential for odours or other emissions arising from the long-term storage of apple pulp in accordance with WDM2 of the Suffolk Waste Core Strategy (adopted 2011).*

### **Waste Capacity and Origins**

- 15) Within any 12 month period only the following feedstocks shall be brought into and processed at the site:

- a) energy crops (4500 tonnes);
- b) sugar beet pulp (4000 tonnes);
- c) chicken litter (2000 tonnes);
- d) apple pulp (2500 tonnes);
- e) herbs (2000 tonnes);
- f) on site slurry; and
- g) on site digestate.

The operator shall keep a record of all imported material, which shall be made available to the Waste Planning Authority upon request.

*Reason: To ensure whilst meeting the forecast waste arisings, the waste is treated as close as possible to its source, in accordance with Policy WCS2 of the Waste Core Strategy Adopted Version 2011, setting out general considerations relevant to all waste management facilities and which are required in order to make the development*

*acceptable.*

#### **Lagoon Planting**

- 16) No planting shall take place on the lagoon bunds.

*Reason: To avoid any adverse impacts on protected and/or priority species.*

#### **Permitted Development**

- 17) Notwithstanding the provisions of Part 7, Class L, of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order amending, replacing or re-enacting that Order), no building shall be extended or altered or plant or machinery replaced without prior planning permission from the Waste Planning Authority.

*Reason: to maintain control over the development and to minimise the potential for visual and landscape intrusion as a result of the sites topographic setting. This condition is in accordance Policy WDM2 of the Waste Core Strategy Adoption Version 2011, setting out general considerations relevant to all waste management facilities and which are required in order to make the development acceptable.*

#### **Decommissioning**

- 18) Within six months of the cessation of the use of the anaerobic digestion plant, a scheme to address the removal of the development and restoration of the land shall be submitted to the Waste Planning Authority. The scheme shall then only be implemented as approved in writing, by the Waste Planning Authority. The submitted scheme shall make provision for:

- a) the removal of site infrastructure including foundations;
- b) the restoration of the land; and
- c) a programme of implementation.

*Reason: To ensure the reinstatement of the site, having regard to Policy WDM2 of the Waste Core Strategy Adopted Version 2011, setting out general considerations relevant to all waste management facilities and which are required in order to make the development acceptable.*

### **Reason for recommendation**

18. In light of the Development Plan and other relevant material considerations, the application is considered to be acceptable and, subject to conditions, is not considered to cause unacceptable impacts upon the environment and local amenity.

### **Alternative options**

19. To refuse consent or grant consent subject to alternative conditions.

### **Main body of report**

#### **Site**

20. The application site comprises a partially constructed AD plant on a level site at Barley Brigg Farm approximately 2.4km east of the village of Stradbroke. The site utilises an existing long-term access to the B1117 Laxfield Road, which is identified in the SCC heavy goods vehicle (HGV) route.



21. The wider site includes the Rattlerow Farms pig rearing unit, a grain store and large open slurry lagoons. The site is located within an open arable landscape characterised by agricultural operations and scattered residential dwellings.
22. The nearest residential receptor is approximately 210m south-west from the site. There are three listed buildings within 500m of the development; the nearest being the Grade II Listed 'Lodge Farmhouse' approximately 220m to the south-east.
23. The site is located within Flood Zone 1 which is assessed as having a less than 1 in 1,000 annual probability of river or sea flooding. All surface water runoff volume from the site, up to the 100yr flood event, can be stored on site within the storage lagoons.
24. The nearest site designated for ecological interest is the Chippenhall Green SSSI which is located approximately 3.3km to the north-east.

## Planning History

25. Consent was granted in 2013 by Mid Suffolk District Council (ref: 3219/12) for a 500kw electrical output co-generation combined heat and power plant (CHP) AD facility. Approved feedstock comprised straw-based manure and slurries from the adjacent pig breeding unit and agricultural crops, including silage and sugar beet pulp, most of which would be sourced from the host farm unit.
26. The development has not been constructed fully in accordance with the approved plans.
27. The 'as built' development differs in form from the originally consented proposal as set out below in Table 1. The County Council was made aware of the departure from the original consent by a local complainant.

<b>Factor</b>	<b>Approved AD plant</b>	<b>Development being considered by Committee</b>
Silage clamps	4m to top of wall	3m to top of wall plus 1m rail
CHP engine exhaust or flare	10m	7.5m
Digesters (including dome)	20m and 22m wide and approximately 7.7m above ground	26m wide and approximately 9.3m above ground
Power output of plant (MWe) per hour	500kw	1100kw
Equivalent thermal output	~1mw	2.5mw
Site area	0.9ha	3.03ha (1.9ha approximately for plant area only)

## Proposal

28. Permission is sought for the 'as built' development and change of feed sources to include the following feedstocks per annum:
  - a) 6000t slurries and manure from the adjacent pig rearing unit;
  - b) 4500t energy crops;
  - c) 4000t sugar beet pulp;
  - d) 2000t chicken litter;
  - e) 2500t apple pulp; and
  - f) 2000t herbs.

29. The main elements of the proposed facility are the primary and secondary digester tanks, two silage clamps, two digestate dryers, feed hopper, auxiliary flare, standby generator, slurry store feed pit, separator pit and three pumps.
30. The digester dome walls would be faced with green sheet metal and the domes would consist of a membrane coloured light grey.
31. The CHP building, which houses the engine and electrical generation equipment, would consist of green painted steel containers and stainless steel exhaust stacks and gas flare. The silage clamps would have concrete retaining walls and green sheeted silage covers. The site office would consist of a green painted steel demountable building.
32. Two existing farm lagoons located to the west of the development site would be utilised, these are currently used for the open storage of pig slurry. One lagoon would be used for the covered storage of digestate from the AD facility and the other for dirty water storage. A Klargestertype package treatment plant would be provided to deal with on-site foul sewage.
33. Existing trees and hedgerows would be retained and a 6m wide native tree and shrub belt on the northern and eastern site boundary would be planted in the 2016 planting season.

### **Transport of Feedstocks**

34. All feed stocks would be locally sourced as transporting these feed stocks too far undermines their viability for use in the plant.
35. The 6000 tonnes per annum of slurries and manure would come directly from the adjacent pig unit via sealed pipes, resulting in no large vehicle movements on the highway network and a reduction in terms of outgoing movements.
36. The 4500 tonnes per annum of energy crops would be transported from surrounding fields by a mixture of HGV and tractor/trailers from July to September.
37. The 2500 tonnes per annum of apple pulp would be transported by HGV from the Aspoll brewery near Debenham from March to October.
38. The 4000 tonnes per annum of sugar beet pulp would be transported by HGVs that are already taking sugar beet to the factory and collecting pulp as a backload trip resulting in no additional HGV movements. Sugar beet pulp would be delivered from September to February.
39. The 2000 tonnes per annum of herbs would be delivered by tractors from Eye between July and September.
40. The 2000 tonnes per annum of chicken litter would be brought in from Fressingfield by tractor/trailer. Chicken litter would be delivered over three days every 7.5 weeks. Therefore, for 21 days of the year there would be 12 large vehicles a day to the site.
41. Digestate would be removed using agricultural tractor trailer units (solid digestate) and either pumped directly on to adjacent fields or removed by agricultural tractor tankers (liquid digestate). This would be used locally on surrounding agricultural fields.
42. The worse-case scenario of all feedstocks arriving/departing on the same day would result in 14 HGV movements on one day. See Table 2:

<b>Table 2</b>			
<b>Feedstock</b>	<b>Delivery period</b>	<b>Large vehicles per day</b>	<b>Worst case scenario large vehicles (based on one day in Sept)</b>

Herbs	July to September	2 tractor	2
Apple pulp	October to March	(8 HGV per week)	0
Sugar beet pulp	September to February	2 HGV	2
<b>Feedstock</b>	<b>Delivery period</b>	<b>Large vehicles per day</b>	<b>Worst case scenario large vehicles (based on one day in Sept)</b>
Energy crops	July to September	2 HGV/tractor	2
Chicken litter	3 days every 7.5 weeks (21 days a year)	2 tractor	2
Solid digestate	All year	2 tractor	2
Liquid digestate	5 months	4 tanker	4
Slurry	All year	0	0
			Total: 14

### Delivery and Storage of Feedstocks

43. Feedstock would be delivered to the site via the existing site access from the B1117 Laxfield Road or directly from the farm and unloaded and stored in covered silage clamps before being supplied to the plant via the feed hopper and feed pit 365 days a year.
44. Approximately 290 tonnes of chicken litter would be delivered every 7.5 weeks (the interval between shed clearances) and added to the AD process gradually before the next delivery, during which time it would be stored within the clamps and covered. The clamp/s used to store chicken litter will be fully emptied and cleaned (hosed down) before each new delivery of chicken litter to avoid the potential build-up of noxious substances.
45. Pig slurry would be pumped directly into the AD plant rather than being stored in lagoons, as currently consented.

### Anaerobic Digestion Process

46. Within the primary digester, the feedstock would be exposed to an active micro-bacterial culture and undergoes anaerobic breakdown. The digesters would be heated to an optimal temperature of 52°C and constantly stirred. The part digested material would then be transferred to the second digester where secondary digestion takes place.
47. Bio-gas (a mixture of methane, carbon dioxide and trace impurities) would be collected by the digester units and siphoned off to undergo a purification process to remove all trace impurities which are recycled within the system. The cleaned gas would then be de-watered and burnt in two CHP generators to produce electricity. The generators are expected to run for an average of 347 days per annum and generate up to 1.1MW of renewable electricity every hour 24/7 and transported to the local electrical distribution network via grid connection.

48. A nutrient rich digestate emerges from the system which would be used as a natural fertiliser and soil conditioner on farm land in the form of solid and liquid fractions at specified times of the year.
49. The AD system would be computer controlled, fully automated and a continuous process whilst the plant itself would be completely sealed. The plant has a predicted operational life of 25 years.

## **Consultations**

### **Mid Suffolk District Council**

50. No objection subject to 'appropriate planting to mitigate the visual impact'.

### **Mid Suffolk Council Environmental Protection Officer**

51. No objection.

### **Councillor Guy McGregor**

52. No response.

### **Stradbroke Parish Council**

53. Objection (see Appendix 2). Stradbroke Parish Council considered that the development had become a 'large industrial-scale operation impacting the surrounding area' and objected on grounds of traffic flows and noise pollution.

### **Fressingfield Parish Council**

54. No comment.

### **Laxfield Parish Council**

55. No response.

### **Wilby Parish Council**

56. Objection (see Appendix 3). Wilby Parish Council objected on the grounds on increased traffic flows, noise and odour pollution and the perception that the development was disproportionate to the local community and road network.

### **Environment Agency**

57. No objection.

### **Suffolk Wildlife Trust**

58. 'No ecological survey work appears to have been undertaken in support of this application. However, if the application site meets any of the criteria listed in Suffolk County Council's Local Validation Checklist (July 2015), particularly Appendix A; Table 1, then the proposal should be subject to the appropriate level of ecological assessment. Any such assessment should be undertaken prior to the determination of the application, to ensure that the decision is made having regard to all relevant material considerations (in accordance with ODPM Circular 06/2005, paragraphs 98 and 99).
59. 'Ecological survey work (The Ecology Consultancy, Sep 2011), undertaken for a subsequently withdrawn wind turbine application (Mid Suffolk DC reference 3156/11), adjacent to this site recorded at least four species of bat foraging or commuting over the lagoons which fall within the boundary of the current application site. It is therefore essential that this scheme includes appropriate measures to ensure that there are no adverse impacts on bat species, particularly from external lighting.
60. 'The grass banks of the lagoons were also considered to be potentially suitable habitat for reptiles (all protected and UK Priority species); great crested newts (protected and UK Priority species) and hedgehogs (UK Priority species), should these species be present in the area. If

the proposed development is likely to affect any habitats suitable for these species, further assessment should be undertaken to identify the extent of any impact and to allow design of appropriate mitigation measures.'

### **Suffolk County Council Senior Ecologist**

61. No objection. 'In response to Suffolk Wildlife Trust's comments and concerns to this application, I understand that this facility was determined by Mid Suffolk District Council and the majority of the construction has now been completed and there was no semi-natural habitat on the site now being assessed additional to the original Mid Suffolk permission and which has been affected by this development and therefore would have needed to be assessed.
62. 'I support the recommendation for a lighting scheme to be agreed and approved as a condition of any consent, to ensure that impacts on foraging bats will be minimised, and no planting of trees/shrubs on the existing lagoon bunds, to avoid loss of habitat for reptile/amphibians and hedgehogs. This will meet our Biodiversity duty to conserve Protected and Priority species likely to be present & affected by this development.'

### **Suffolk County Council Highways**

63. No objection. 'The existing farm access is acceptable in its current layout and has appropriate visibility splays in either direction. There are no recorded accidents in the recent 5 year period in the vicinity of the existing access and a site visit confirms that the access is suitable for the required vehicles; therefore there is no evidence to suggest that it would be unsafe to intensify the use of the existing farm access.
64. 'I accept that there may be some discrepancies in the assessment in terms of the potential peak HGV flows which may be attributed to this site if the new proposal is implemented and this has been highlighted by the Stradbroke PC in their letter to you. The Traffic Statement suggests that a worst case could be 14 HGV/day, whereas it could be up to 20 HGV/day (based upon a five day week rather than seven) and a greater proportion may be tractors. That said, the site is located in a rural location where HGV's and tractors are not unusual.
65. 'Although I am sympathetic to local residents concerns that it is undesirable for additional HGV's and tractors to use the roads where they live, the site benefits from being connected to the SCC HGV road network. Although the increase in HGV numbers would introduce some delays locally at certain times, and it is highly unlikely that capacity would be a significant problem. In my view the B1117 in the most part is a good quality B Class rural highway capable of safely accommodating additional HGV's.
66. 'Therefore I have no evidence to suggest that allowing additional HGV's to use this part of the road network would be a highway safety problem such that I would recommend that this application was refused on highway safety grounds.'

### **Suffolk County Council Landscape Officer**

67. No objection subject to conditions. 'The site is adjacent to existing farm buildings and dirty water / slurry lagoons. This farmstead is located in open arable, (Plateau Claylands) landscape, in the parish of Stradbroke.
68. 'Views of the site are available from local rights of way highways and some residential properties, in particular Low Farm. It is notable that the Landscape and Visual Impact Assessment submitted identifies impacts on this dwelling, also a listed building, as significant. It is also notable that this document suggests that a planting scheme could make a significant contribution to mitigation within 10 years; however this would require rapid growth rates.
69. 'The proposal can be made acceptable in terms of landscape impact, with an effective and well maintained planting scheme. I suggest that shrubs including, hawthorn dogwood and hazel are planted on the bunds and trees are planted on the top and to the outside of the

bunds. In order to achieve timely mitigation in these difficult planting conditions it may be appropriate in this instance to use a fast growing species such as Aspen (*Populus tremula*) and hybrid poplar (*Populus canadensis*).

70. 'As discussed with the applicant on site the landscaping scheme should also include planting along the access road and proposals for fencing around the site.
71. 'The proposal can be made acceptable in landscape terms subject to conditions, specifically:
  - a) 'A scheme of soft landscaping and planting;
  - b) 'An agreed scheme of external lighting.'

### **Suffolk County Council Flood and Water**

72. No objection.

### **Suffolk County Council Historic Buildings Officer**

73. 'No objection. 'Figure 4 of The Landscape Partnership's Visual Impact Assessment identifies a small number of listed buildings in the area surrounding the AD plant. Most of these are farmhouses, together with two barns. The nearest of these are Low Farmhouse, 350m to the north of the site and Lodge Farmhouse some 225m to the south-east. All the buildings are experienced within a rural agricultural landscape with which they have or had a strong functional relationship, and this setting therefore contributes positively to their significance.
74. 'The Visual Impact Assessment concludes that initial impact would be of Major to Moderate significance at Low Farmhouse and Minor to Moderate close to Manor Farmhouse. Once the proposed screen planting has matured after ten years, impacts are Minor except at Low Farmhouse where there is a Moderate adverse impact. The impact from Viewpoint 3 (a short distance to the east of Lodge Farm) is assessed as Minor, and Negligible after 10 years, although the photographs and assessment demonstrate that the domes would be clearly visible together with associated structures. This suggests the impact on the setting of Lodge Farmhouse would be Moderate and Minor to Moderate, i.e. similar to the impact on Low Farmhouse. However, the planting to the north of Lodge Farmhouse would screen many views of the AD plant.
75. 'The landscape of this clay upland area is able to accommodate change without affecting its overall character, especially if new development is grouped with existing clusters (as here), it is designed to mitigate visual impact (as here) and appropriate levels of screen planting are proposed. In this case the open, agricultural setting of the heritage assets would be maintained, so even where impact is greatest (Low Farmhouse and possible Lodge Farmhouse), the harm would be very much less than substantial.
76. 'NPPF paragraph 134 requires the level of harm to be weighed against the public benefits of the proposal. Here, these public benefits, the generation of sustainable energy utilising agricultural bi-products and waste, decisively outweigh the level of harm identified. I therefore consider the impact on the significance of the listed buildings affected to be acceptable.'

### **County Noise Consultants (SRL)**

77. No objection subject to recommended conditions.

### **County Air Quality Consultants (SRL)**

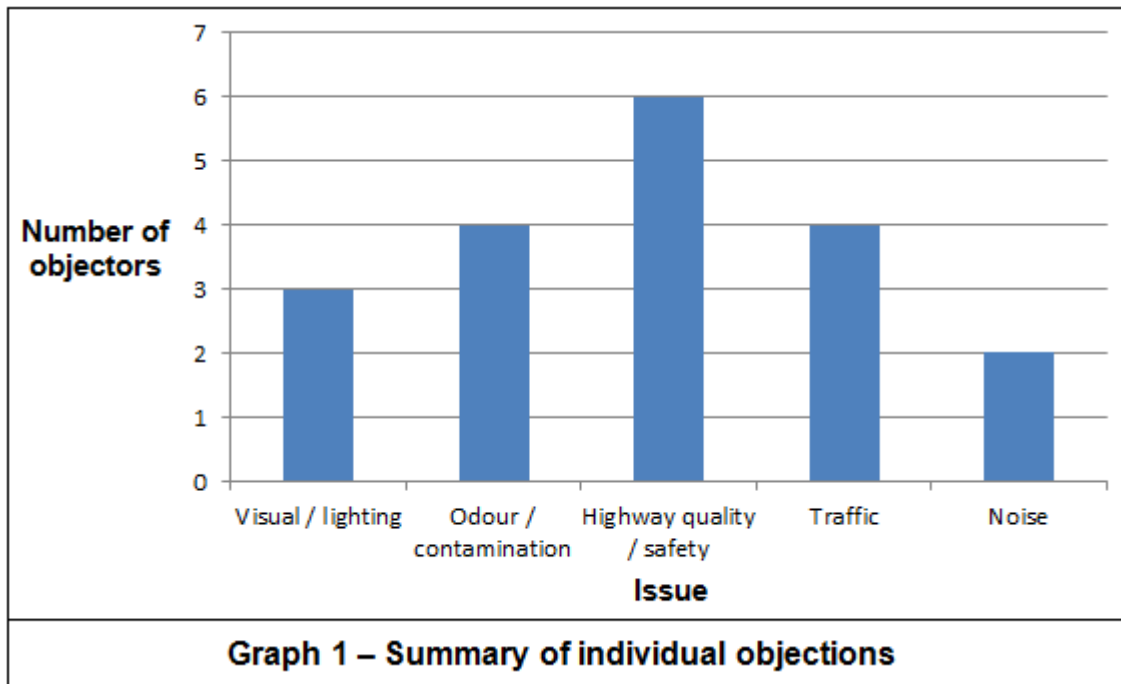
78. No objection.

### **Representations**

79. 11 objections were received as a result of the site, press and neighbour notices. These objectors include Stradbroke and Wilby Parish Councils and a petition on behalf of four

households ('Ashfield Green Residents'). See Graph 1 for a summary of the issues raised in the eight individual responses. The objections relate to the following issues:

- a) visual impact and lighting disturbance;
- b) odour and contamination;
- c) highway quality and safety;
- d) traffic congestion; and
- e) noise disturbance.



## **Policies**

80. The Government is committed to supporting and expanding sustainable biomass AD plants as set out in the AD Strategy and Action Plan (2011) and Waste Management Plan for England (2013).

### **National Planning Policy Framework**

81. The National Planning Policy Framework (NPPF) states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
82. Paragraph 17 states that planning should encourage the 'development of renewable energy'.
83. Paragraph 32 states that 'development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'.

### **National Planning Policy for Waste**

84. The National Planning Policy for Waste states that waste management facilities in themselves should be well-designed, so that they contribute positively to the character and quality of the area in which they are located.

### **Suffolk Waste Core Strategy (adopted 2011)**

85. Policy WCS1 states that 'preference will be given to proposals for waste management facilities in accordance with the Key Diagram where individual sites are well related to the Suffolk Lorry Route Network, centres of population and sources of waste and do not have adverse impacts upon features of environmental importance or endanger human health.'
86. Policy WDM2 outlines general considerations relevant to all waste management facilities including the impact on landscape, impact from noise and impact of vehicle movements and access.
87. Policy WDM5 states the areas in which general waste management facilities are considered in principle to be suitable for location. The areas include the category of 'within or adjacent to Agricultural and Forestry Buildings'.
88. Policy WDM11 states that, having complied with the general considerations set out in Policy WDM2, 'anaerobic digestion facilities will be acceptable on land:
- 'Within the uses identified within Policy WDM5; or
  - 'Integrated with Waste Water Treatment Plants.'
89. Policy WDM19 states that the design of waste management facilities will be considered favourably where they incorporate:
- Designs of an appropriate scale, density, massing, height and materials;
  - Safe and convenient access for all potential users;
  - Schemes for the retention of existing and provision of new landscape features; and
  - Measures which will protect, preserve and where practicable enhance the natural, historic and built environment.

### **Mid Suffolk Core Strategy (adopted 2008)**

90. The application site is located within a Countryside location in the Proposals Map of the superseded Mid Suffolk Local Plan (1998). Policy CS2 of the Mid Suffolk Core Strategy (2008) states that Development in the Countryside will be restricted to defined categories, including waste management facilities, in accordance with other Core Strategy policies.



91. Policy CS3 of the Mid Suffolk Core Strategy (2008) states that the Council will promote and encourage the appropriate development of standalone Renewable Energy schemes.
92. Policy CS4 states that 'development that harms the quality of soil or air and/or causes noise, dust, odour or light pollution will be avoided wherever possible. Development proposals will have no adverse effect on water quality.'
93. Policy CS5 of the Mid Suffolk Core Strategy (2008) states that all development will maintain and enhance the environment, including the historic environment, and retain the local distinctiveness of the area.

## **Comments of the Head of Planning**

### **Highway Safety**

94. 8 objectors stated that the traffic associated with the development had an adverse impact on highway safety. Objectors claimed that HGV and tractor vehicles servicing the development were exacerbating the existing poor quality of the surrounding roads and bringing mud on to the highway. The surrounding roads are said to include pot-holes and eroded verges in addition to being characterised by numerous bends and sections of single track.
95. SCC Highways describe the B1117 Laxfield Road serving the site as a rural highway capable of safely accommodating additional HGV's. This highway is identified as a local access route on the Suffolk Lorry Route Network meaning that it has been identified as a suitable route for HGVs or Lorries.
96. SCC Highways state that the existing farm access is acceptable in its current layout and has appropriate visibility splays in either direction. Furthermore, according to SCC Collision Data, no personal injury accidents have been recorded at the access serving the site or on the approaches to the existing access.
97. There is no evidence to suggest that the use of the existing farm access and surrounding roads by vehicles associated with the site would result in a significant adverse impact on local amenity or safety. Therefore, the development is not considered to have a significant adverse impact on highway quality or safety.

### **Large Vehicle Flows**

98. 7 objectors raised the issue of disturbance arising from HGV and tractor flows associated with the plant on roads surrounding the site.
99. The Transport Statement (as amended) suggests that a worst case scenario of 14 large vehicle movements per day at the site access. The volume of large vehicle traffic is not considered to represent a material increase, even considering the concentrated nature of certain deliveries at certain times of the year.
100. SCC Highways have stated that the site is located in a rural location where HGV's and tractors are not unusual and that it is 'highly unlikely that capacity will be a significant problem.'
101. Paragraph 32 of the NPPF states that 'development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.'
102. There are not considered to be significant direct or cumulative adverse impacts arising from the increased vehicle flows associated with the development.

### **Air Quality**

103. The issue of air quality has been raised by six objectors. They state that an unpleasant odour is noticeable at surrounding residences.
104. Currently, pig slurry is kept in open lagoons. However, pig slurry would be pumped directly to the AD system. Therefore, odour concentrations are predicted to significantly decrease at all

receptor locations. The development is therefore likely to have a beneficial impact on local amenity. Furthermore, no odour complaints have been made regarding the existing operations at the site.

105. In order to ensure that potential odours and other emissions are minimised, it is recommended that all feedstock materials shall be stored within clamps and kept covered (see Condition 10 in paragraph 6 of this report).
106. Vehicles entering and exiting the site and containing chicken litter, apple pulp, slurry or digestate shall be effectively covered to prevent the release of odours and other emissions (see Condition 11 in paragraph 6 of this report). Furthermore, the area of the clamp used to store chicken litter would be fully emptied and cleaned (hosed down) before each new delivery in order to prevent the build-up of noxious substances (see Condition 12 in paragraph 6 of this report).
107. In light of the closed nature of the AD process coupled with the mitigatory measures proposed for the handling of feedstock and the beneficial changes to the lagoon storage, there are not considered to be significant impacts on air quality.

## **Ecology**

108. With regard to the question of whether biodiversity assessment is required, as raised by the Suffolk Wildlife Trust, it is not considered necessary for this application as the site area additional to the original consent comprised arable land of minimal ecological value. Under the Local Validation Checklist, an ecological assessment would be considered necessary in cases where a Protected or Priority species would be affected by the development. However, in this case, it is the opinion of the Suffolk County Council Senior Ecologist that such species on or adjacent to the site would not have been adversely affected by the construction for this application so as to require assessment.
109. In line with the recommendations of the Senior Ecologist, a condition (Condition 16 in paragraph 6) would be applied to ensure that there would be no planting of shrubs/trees on the lagoon bunds (in order to avoid the loss of habitat for reptile/amphibians and hedgehogs) alongside a condition (Condition 5 in paragraph 6) requiring a scheme of lighting to be agreed and approved (to ensure that impacts on foraging bats would be minimised). The Suffolk County Council Senior Ecologist considers that these measures would avoid any adverse impacts from development on protected or priority species as required by Conservation of Habitats & Species Regulations 2010, Natural Environment and Rural Communities Act 2006 and s17 Crime and Disorder Act 2009.

## **Noise**

110. The issue of noise disturbance from the plant has been raised by five objectors. Stradbroke Parish Council stated that a number of property owners to the north of the site have raised concerns regarding a humming noise from the plant. The noise impact assessment submitted with the application found that with ideal propagation conditions it would be possible to hear the noise from the AD site as a low level hum but the impact is 'very low and well below what would be described as a "significant impact"'.
111. Provided that the site is operating with the stipulated noise limits, as required by Condition 7 (see paragraph 6 of this report), then noise levels at surrounding properties would be low. Noise may be audible / noticeable but significantly (15 to 20 dB) below the World Health Organisation (WHO) guidelines and should also meet the definition of "No observed affect" as defined in "Planning Practice Guidance - Noise" (PPG - Noise) and "National Planning Statement for England" (NPSE).

112. Conditions 6 to 10 (see paragraph 6 of this report) would effectively mitigate any noise disturbance and therefore the development is considered to be acceptable in terms of noise impact. The conditions identify locations for noise monitoring (see Appendix 1 for locations).

### **Landscape Impact**

113. The issue of adverse visual impact arising from the development has been raised by five objectors.
114. The AD Plant introduces limited visual effects on the wider landscape as compared to those of the originally consented scheme. Both the Landscape and Visual Impact Assessment (LVIA) and SCC Landscape Officer consider that the landscape impacts of the proposal can be improved by an effective and well maintained planting scheme to complement the existing hedgerows and bunds. The SCC Landscape Officer has suggested fast growing species for screening in order to ensure that the development is effectively screened.

### **Impact on Designated Historic Assets**

115. There are three listed buildings within 500m of the development; the nearest being the Grade II Listed 'Lodge Farmhouse' approximately 220m to the south-east.
116. The LVIA states that, even taking screening into account, the Grade II Listed Low Farm would experience a change in visual quality of 'moderate significance' due to the digester domes being visible at particular times of year. However, it is considered that there are no major residual effects on this receptor when compared with the previously consented scheme.
117. The SCC Historic Buildings Officer states that any harm to listed buildings would be very much less than substantial. NPPF paragraph 134 requires the level of harm to be weighed against the public benefits of the proposal.
118. In this case, the public benefits of renewable energy generation are considered to outweigh the less than substantial harm to surrounding listed buildings.

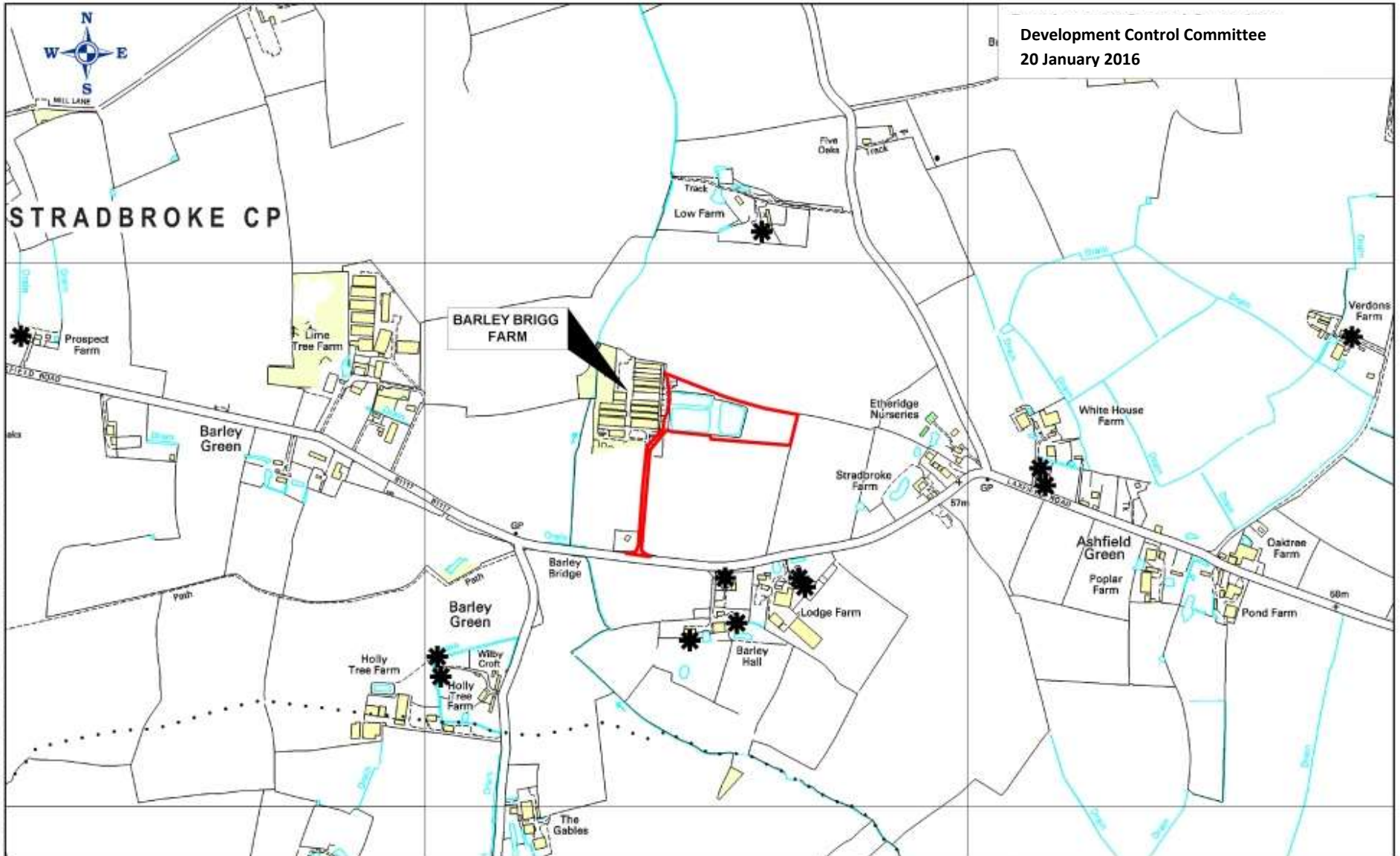
### **Conclusion**

119. The proposed AD process would reduce the greenhouse gas (GHG) emissions that are associated with landfill disposal, recover energy and produce bio-fertilisers.
120. The proposed development is in general accordance with the Development Plan, which is considered to be up to date in terms of waste policy. Subject to the recommended conditions, the development would not have a significant adverse impact on the natural environment and general amenity in accordance with the NPPF.
121. In conclusion, I recommend this application for approval, subject to conditions.

#### **Sources of further information**

- a) File reference: MS/3892/15
- b) The application and consultee responses can be viewed at:  
<https://secure.suffolkcc.gov.uk/ePlanning/loadFullDetails.do?aplId=21059>
- c) The Planning Officers file is an open file and can be consulted by prior appointment with the case officer Sean Cunniffe 01473 265903 at the Development Section, Endeavour House, 8 Russell Road, Ipswich, Suffolk, IP1 2BX.

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Development Control Committee  
20 January 2016



Director of Resource Management,  
Endeavour House,  
8 Russell Road,  
Ipswich,  
Suffolk,  
IP1 2BX

SCALE: 1:7750

KEY

- Application Site Boundary
- Objector

**MS/3892/15**  
**BARLEY BRIGG FARM, STRADBROKE**

Anaerobic digestion plant, associated infrastructure  
and use of existing agricultural lagoons

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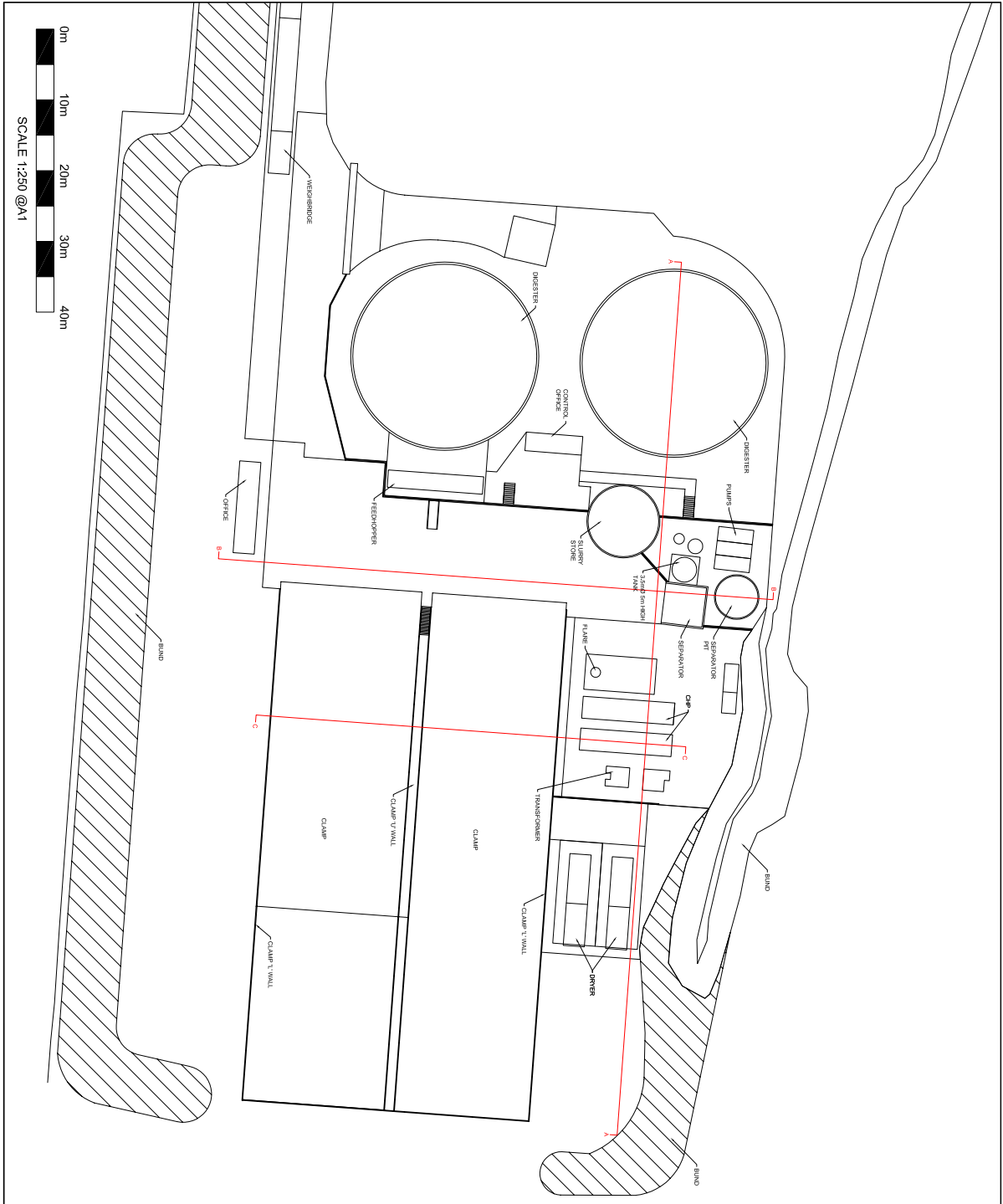


Director of  
Resource Management  
Endeavour House  
8 Russell Road  
Ipswich, Suffolk  
IP1 2BX

Development Control Committee  
20 January 2016

AERIAL PHOTO – BARLEY BRIGG FARM,  
STRADBROKE





<p><b>PLANNING APPLICATION</b></p> <p><b>Client:</b> BARLEY BRIG BIOGAS LTD</p> <p><b>Project:</b> BARLEY BRIG FARM AD PLANT</p> <p><b>Site:</b> GENERAL LAYOUT</p> <p><b>Date:</b> 01/01/2024</p> <p><b>Scale:</b> 1:250 @A1</p> <p><b>Author:</b> [Name]</p> <p><b>Checked:</b> [Name]</p> <p><b>Drawn:</b> [Name]</p> <p><b>Project Manager:</b> [Name]</p> <p><b>Client:</b> BARLEY BRIG BIOGAS LTD</p> <p><b>Site:</b> BARLEY BRIG FARM AD PLANT</p> <p><b>Scale:</b> 1:250 @A1</p> <p><b>Author:</b> [Name]</p> <p><b>Checked:</b> [Name]</p> <p><b>Drawn:</b> [Name]</p> <p><b>Project Manager:</b> [Name]</p>	
<p><b>CS CIVIL ENGINEERING LTD</b></p> <p>141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000</p>	
<p><b>No. C15-C285-101</b></p> <p><b>A</b></p>	

**Report on traffic movement numbers for proposed development:  
DC/20/02052 Castle Hill Farm, Castle Hill, Thorndon, Suffolk IP23 7JT**

**1. Summary**

- 1.1. The transport assessment figures submitted with the application documents show that the current business:
  - Services 17,000 birds monthly (see paras 2.1 & 2.2)
  - Has 22 inbound vehicle movements per month (see para. 2.2).
  - This equates to **264 inbound vehicles per annum** for 204,000 birds. (see para. 2.3)Therefore current business generates total traffic movements of **528 per annum** (264 x 2 = 528.)
- 1.2. The applicant estimates annual **inbound** traffic movements for the proposed development at **2190 per annum**.
- 1.3. He relies for this estimate on information supplied in the Transport Statement supporting the Environmental Statement. This states **1095 inbound vehicles** will serve **1,353,600 birds** per annum; 188,000 birds per cycle x 7.2 cycles per annum, plus an additional **1095 inbound vehicles** for “*staff*” and “*extl management*”.
- 1.4. This gives a total applicant estimated future total of **2190 annual inbound vehicle movements**. Movement measurement is linked to HGV capacity.
- 1.5. As the figures above are for **inbound** movements, to give an annual two-way flow the figure must be doubled, therefore the **proposed annual traffic movements** would be **4380**.
- 1.6. If accepted this development would lead to an **increase of 3852** vehicle movements per year over current business operation, as follows: projected 4380 – existing 528 = 3852 uplift in vehicle movements.
- 1.7. However, this does not include any adjustments that will need to be made to show the number of actual vehicle movements rather than HGV equivalent estimates, if further information is submitted by the applicant with regards to the information regarding litter/waste removal by tractor and trailer not HGV, as noted below in paras. 3.6., 3.7. and 3.10.
- 1.8. As an example, waste is removed on tractor trailers that carry 14 tonnes, and not in HGV's which carry 40 tonnes, a factor increase of over 2.3. This is raised now as an issue to be further explored in view of the previous underestimates by the same consultant.

**2. Current business in detail:**

- 2.1. The Transport Statement prepared by HTTC states the current business on site is “Free Range Chicken” (page 9 para 2.01). In an article published in the East Anglian Daily Times on 01/02/2019, the farm is noted as having 17,000 birds:  
<https://www.eadt.co.uk/business/farming/suffolk-farmer-diversifies-into-egg-vending-1-5875265>
- 2.2. Para 2.01 (page 9) of the Transport Statement submits the existing accepted monthly vehicle movements as:
  - 1 litter lorry for bedding
  - 2 chick lorries

- 6 feed lorries
- 3 gas deliveries
- 3 lorries to take the birds away
- 1 lorry for waste
- 6 tractor & trailers for manure

This equates to 22 vehicle movements per month for 17,000 birds (see para 2.1).

- 2.3. Page 10 para. 2.02 of the Transport Statement states that the birds are removed monthly therefore the annual vehicle movement would be **264 movements (22 x 12) for 204,000 birds (17,000 x 12)**. It is assumed this figure is for inbound vehicles; therefore the total vehicle movement would be double (in and out) at **528 total traffic movements per annum**.

### 3. Methodology HTTC Transport Statement – to support Environmental Statement

- 3.1. Estimated vehicle inbound movements as per Transport Statement appendices page 10, KAB7:

Per crop –	6	Gas & Shavings HGV
	20	Feed in HGV
	3	Chicks in HGV
	30	Birds out HGV
	12	Litter out HGV
	7	Fallen stock out
	49	Staff
	8	External management
	<b>139</b>	<b>Total per crop</b>
	<b>3</b>	<b>average vehicles per day</b>

- 3.2. HTTC Transport Statement page 8, para. 1.17 contains advice from Crown Chicken as follows: Amount “Roughly **7.2 cycles per year**”. This figure is repeated in the Planning Statement, page 2 para 1.4: “...allowing for approximately **7.2 flocks per annum**”.
- 3.3. Therefore the applicant’s consultant estimates inbound annual vehicle movements for the proposed development will be **1095**, made up as follows: 3 (average per day) x 365 days = 1095 for **1,353,600 birds** (47,000 birds per shed x 4 sheds x 7.2 crops per year).
- 3.4. In addition to the inbound traffic movements per crop, the HTTC Transport Statement appendices page 10, KAB7 lists an additional 3 inbound vehicles per day for “*staff*” and “*extl management*”; this would add an additional **1095** inbound vehicles to the total movements (average of 3 per day x 365 days).
- 3.5. **The applicant’s submitted total for inbound vehicles is 1095 + 1095 = 2190. Therefore, the total estimated annual flow of vehicle movements including staff is 2190 x 2 (in and out) = 4380.**
- 3.6. Some of the estimated traffic movement figures are shown in terms of number of HGV. However, the planning statement refers to **covered trailers**. Planning Statement, page 20 para. 6.21 states: “...At the end of each 6-8 week growing period, broilers will be removed from the houses and the used litter taken away from the farm in **covered trailers** .... Yet there is no mention of tractor and trailer movements in the estimated figures.



- 3.7. Trailers increase movements over HGVs by a factor of over 2.3; **therefore the figures will need to be revised to separate out trailer movements from HGV movements.**

#### **Waste**

- 3.8. The statement on page 20 para 6.21 of the Planning Statement does not explain where the litter/waste/dead chickens will be disposed of, or how the manure will be disposed of, if it is separately disposed of to the litter. The farm is 800 acres so too small to take that level of manure, and there is no indication it can be burned on site either.
- 3.9. As stated in para 3.5, the estimated annual vehicle movements of **4380** per annum has been calculated from the figures submitted as part of the Transport Statement used to support the Environment Statement submitted with the application.
- 3.10. These figures show **3852 additional** vehicle movements per year, **before** scaling up the movements by a factor of over 2.3 on all vehicles that are not HGV – waste, feed etc. So it is likely that the total will be much higher than this.

#### **Methodology – inputs based on another proposal, Shadingfield**

- 3.11. The methodology used for calculating the estimated vehicle flows for the proposed development appears to be based on estimated vehicle flows for another proposed development: Mill Lane, Shadingfield. East Suffolk Planning reference: DC/19/2195/FUL
- 3.12. The Shadingfield development is for 3 x poultry sheds with a capacity of 47,000 birds each and the planning decision is pending. The vehicle movements to support the proposed development at Occold have been assessed by using a ratio of 4/3. The Transport Statement appendices page 10, KAB7 refers.
- 3.13. The Transport Statement appendices page 11, KAB8 states that the estimated vehicle movement calculation is based on data provided by Cranswick (formerly Crown Chicken) and responses by them to questions raised in email correspondence for the Shadingfield application.

#### **4. Conclusions**

- 4.1. **The Transport Statement is unreliable and the applicant must provide much more detail before any conclusion can be drawn about the proposal's sustainability.**
- 4.2. In the submitted Planning Statement, the applicant states: page 10 para 4.19: *".....Mid Suffolk Council Scoping Opinion states; ".....The TA should include details of expected traffic types, volumes and movements....."*
- 4.3. The applicant's consultant's methodology is flawed by the use of HGV movements when many are in fact movements of much **smaller vehicles carrying 14 not 40 tonnes.**
- 4.4. The Planning Statement page 15 para 5.26 states: *"Accordingly, there is no excessive traffic generation ....."* However, the applicant's submitted figures show there is **an increase in annual traffic movements of 3852 over the movements for the current business.** Before scaling up movements on all vehicles that are not HGV but included as such.
- 4.5. The absence of any detailed comment on waste disposal is problematic for three specific reasons:

1. The consultant previously significantly underestimated the waste from Barley Brigg by 8000 tonnes and that issue formed the basis for a SCC Councillor led investigation.
2. There is written evidence that Barley Brigg bio-digester that is has **no capacity** to take any chicken waste (appendix 1).
3. The application has provided **no evidence** showing there **is capacity** at Eye power station to take any of the waste.

**This proposal will provide only 1% of the annual required input of birds to the Cranswick factory of 130,000,000 birds per annum.**

Prepared by: Odile Wladon (Clerk), Stradbroke Parish Council

Your ref:

My Ref:  
KAB/15/BB/09

Date:  
21/10/15

**BRIEF TRANSPORT STATEMENT (TS)**

**RELATING TO A PROPOSED INCREASED OUTPUT  
ANAEROBIC DIGESTION PLANT (ADP)**

**ON LAND AT BARLEY BRIGG FARM  
LAXFIELD ROAD, B1117  
STRADBROKE, SUFFOLK.**

Report of:  
Keith A. Berriman

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**KEITH ANTHONY BERRIMAN - EXPERIENCE & QUALIFICATIONS.**

I am an Incorporated Engineer, a Fellow of the Institution of Engineering & Technology, a Fellow of the Institute of Highway Engineers, a Fellow of the Chartered Institution of Highways & Transportation, and a Chartered Member of the Institute of Logistics and Transport.

I have been engaged in the practise of highway and traffic engineering for forty years, specifically in relation to considering and advising upon development proposals.

I have worked in both the public and private sector since 1975, and have been an independent consulting engineer since 1988.

I provide specialist highway, traffic and transport advice to developers, Local Authorities, planning consultants, architects, interested parties and engineering consultants, on the highway, traffic and transport aspects of all development proposals.

I have advised on all types of development proposals including, residential, commercial, leisure, education, retail, and roadside services developments: having advised on small and large examples of such projects.

Over the years, I have given highway and traffic evidence at many public inquiries, including Section 78 inquiries. Local Plan Inquiries, and Roads Inquiries.

Formerly, I was Head of Highways Development Control at Essex County Council. I am now Director of The Highway Traffic & Transport Consultancy Ltd (The HTTC Ltd).

I have visited the application site, and carried out investigations, for the purposes of providing this report.

Keith A. Berriman  
I.Eng., FIET, FIHE FCIHT, CMILT.

## **1.00 THE HIGHWAY TRAFFIC AND TRANSPORT ISSUES.**

1.01 This brief transport statement (TS) considers the highway traffic and transport issues related to this development proposal, to increase the size of the existing ADP from a 500 Kw AD plant, to a 1.1 Mw AD plant, on land at Barley Brigg Farm, Laxfield Road, Stradbroke, Suffolk. This will require an increase in the feedstock (the material required for the anaerobic digestion process) to be delivered to the ADP. Additionally, there will be an increase in the solid and liquid digestate (the materials produced as a result of the process), and its removal from the site. However, this will be small, in comparison to the feedstock tonnage, as, in the case of this ADP, the usual liquid digestate levels are significantly reduced due to the emphasis on removal of water using driers.

1.02 The original feedstock was slurry and pig manure, which was all supplied internally from the adjacent pig rearing unit, and, therefore required no movement of vehicles on the adjacent highway network. The increased level of feedstock maintains this use of the slurry and pig manure, but, adds other feedstock materials which will necessitate additional vehicle flows on the adjacent highway network.

1.03 However, as will be seen, only a brief TS is necessary to properly deal with these issues, in view of the low level of additional vehicle flows to be produced by this proposal. Indeed, the increased vehicle flow is of such a low order as to be accurately described as “not a material increase in vehicle flows on the highway network”. This is demonstrated in the following paragraphs.

1.04 In that regard, guidance from the Planning Practice Guidance website confirms the following.

*Transport Assessments are thorough assessments of the transport implications of development, and Transport Statements are a ‘lighter-touch’ evaluation to be used where this would be more proportionate to the potential impact of the development (i.e. in the case of developments with anticipated limited transport impacts).*

and,

*Travel Plans, Transport Assessments and Statements should be:*

- *proportionate to the size and scope of the proposed development to which they relate and build on existing information wherever possible;*

**Existing conditions, including highway safety.**

- 1.05 The site is located to the east of Stradbroke village, and west of Ashfield Green, and to the north of the B1117, Laxfield Road (see appendices KAB 1, and KAB 2). The application site is identified at KAB 2, and, as will be seen at KAB 2, the site has the benefit of an existing, long term, access to Laxfield Road, B1117.
- 1.06 It should be noted that this section of Laxfield Road, is identified in the Suffolk County Council (SCC) lorry route hierarchy as an hgv local access route, which connects to other local hgv access routes and then to hgv zone distributor routes in the vicinity (B1118), as shown at KAB 3 and KAB 4. Thus, the highway serving the site has been identified as being part of the SCC lorry route hierarchy. It follows that the small number of additional hgv's which will serve the extended ADP use, will be able to use appropriate road routes, as identified by SCC.
- 1.07 Inquiries were made of the SCC Collision Data Section, in relation to the accident history of the existing access. This access serves the existing pig rearing unit, with its hgv flows, and staff and other associated vehicle movements. Over the most recent five year record period, no personal injury accidents have been recorded at the existing access, or on the approaches to the existing access (see KAB 5 & 6).



1.08 Hence, it is the case that the existing access has a good accident record, and is demonstrated to be safe in practical traffic engineering terms.

**Proposed Development and vehicle flows.**

1.09 The proposed development requires the importation of a larger amount of feedstock than originally envisaged, and, requires feedstock to be transported using a small number of hgv's and agricultural tractor/trailer units on the adjacent highway network (and using SCC identified lorry routes). The development also requires digestate to be removed from the site using agricultural tractor trailer units (solid digestate) and agricultural tractor tanker units (liquid digestate).

1.10 However, the level of these additional vehicle flows, even during peak flow months of the year, will be small, even using worst case calculations of those flows. The data submitted by Evolution Planning, to support a request from SCC for an EIA screening opinion, included information as extracted at KAB 7 and KAB 8. I have also made use of the SCC screening opinion notes (see KAB 9, 10 & 11) in my assessment of the worst case hgv flows.

- 1.11 As can be seen at KAB 7 to KAB 11, the total volume of feedstocks is given as 21,000 tonnes, which is made up of:
- a) 6000 tonnes of slurries and manure from the adjacent pig rearing unit (no hgv flows on the highway network);
  - b) 7000 tonnes of energy crops (2000 tonnes from adjacent fields with no hgv flows on the highway network, and 5000 tonnes from farms within 5 miles of the ADP – being imported over the three month’s harvest season of July to September);
  - c) 4000 tonnes of sugar beet pulp (being imported as one load a day to the ADP, but, involving hgv’s that are already taking sugar beet to the factory, and then collecting the pulp as a backload trip);
  - d) 2000 tonnes of chicken litter (brought in from Fressingland by tractor and replacing the current, longer distance, hgv trips to Eye power station); and,
  - e) 2000 tonnes of parsley and mint stalks (collected from Eye using tractors and producing about one load a day for three months, between July and September).

1.12 Taking each of the above feedstock movements, and attributing hgv and tractor flows to them, I assess the following as worst case flows at the site access, based on technical data supplied by the applicant.

<b>Feedstock imported</b>	<b>Vehicle flows at existing access</b>
a) 6000 tonnes manure and slurries	nil
b) 2000 tonnes energy crops	nil
5000 tonnes energy crops [5000/29t hgv]	
172 x 2 trips = 344 trips over 3 months = 344/90 =	4 hgv's/day
c) 4000 tonnes sugar beet pulp – one load per day	2 hgv's/day
d) 2000 tonnes chicken litter – 2000/16t tractor	
125 loads pa = 250 trips pa	
say 6 trips/week for 42 weeks	
say 2 trips/day for 3 days of each week	2 hgv's/day
<b>Digestate removal.</b>	
e) Solid digestate = 12% x 21000t = 2520 t/14t tractor	
180 loads pa = 360 trips pa over whole year	
360/52 = say 6 to 8 trips/week	
say 2 trips/day for 3 or 4 days of each week	2 hgv's/day

f) Liquid digestate = 11% x 21000t = 2310t/15t tanker

154 loads pa = 308 trips pa over 5 months, say 20 weeks

308/20 = say 14 to 16 trips/week

say 4 trips/day for 4 days of each week

4 hgv's/day

NB . Other liquid digestate is pumped directly onto adjacent fields.

1.13 So, even if all these flows coincided on the same day of the week, then the total, two way, hgv flow at the site access would be only 14 hgv's day (7 in + 7 out). If these hgv's were all to access the site to and from the west, then there would only be an additional 14 hgv's per day travelling through Stradbroke i.e. some 2 hgv/hr. However, it seems likely that vehicle flows to and from Fressingland will take place to and from the east, and some of the farms providing the energy crops may also be located such that vehicle flows will not be through Stradbroke. On that basis, the additional hgv flow through Stradbroke will be less than 2 hgv/hr, and mainly throughout only three months of the year. Staff numbers will not increase materially, and, hence, staff vehicle flows will not increase materially.

1.14 On the basis of the above information, it is clear that there will not be any material increase in vehicle flows at the site access, nor will there be any material increase in vehicle flows on the adjacent highway network.

## **2.00 CONCLUSIONS.**

**2.01** The site has an existing, consented ADP, which is proposed to be increased in power output. This requires an increase in feedstocks and will result in a consequent increase in digestate removal from the site.

**2.02** The site has the benefit of an existing, long term access to the B1117, which has been used for vehicle flows related to the existing pig rearing unit.

**2.03** The existing site access has a good accident record, with no personal injury accidents being recorded over a recent five year's record period, and, thus, is demonstrated to be safe in practical traffic engineering terms.

**2.04** There will not be any material increase in vehicle flows at the site access, or on the adjacent highway network.

**2.05** The B1117, and other local roads, are approved hgv routes on SCC's own lorry route hierarchy.

**2.06** It follows, from all this, that there will not be any severe cumulative impacts resulting from this proposal. Hence, this proposal cannot be refused on transport grounds i.e. the NPPF states...

*Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.*

**2.07** Therefore, one must conclude that this development proposal is acceptable in highway, traffic and transport terms.

Your ref:

My Ref:  
KAB/15/BB/09

Date:  
24/09/15

## **APPENDICES**

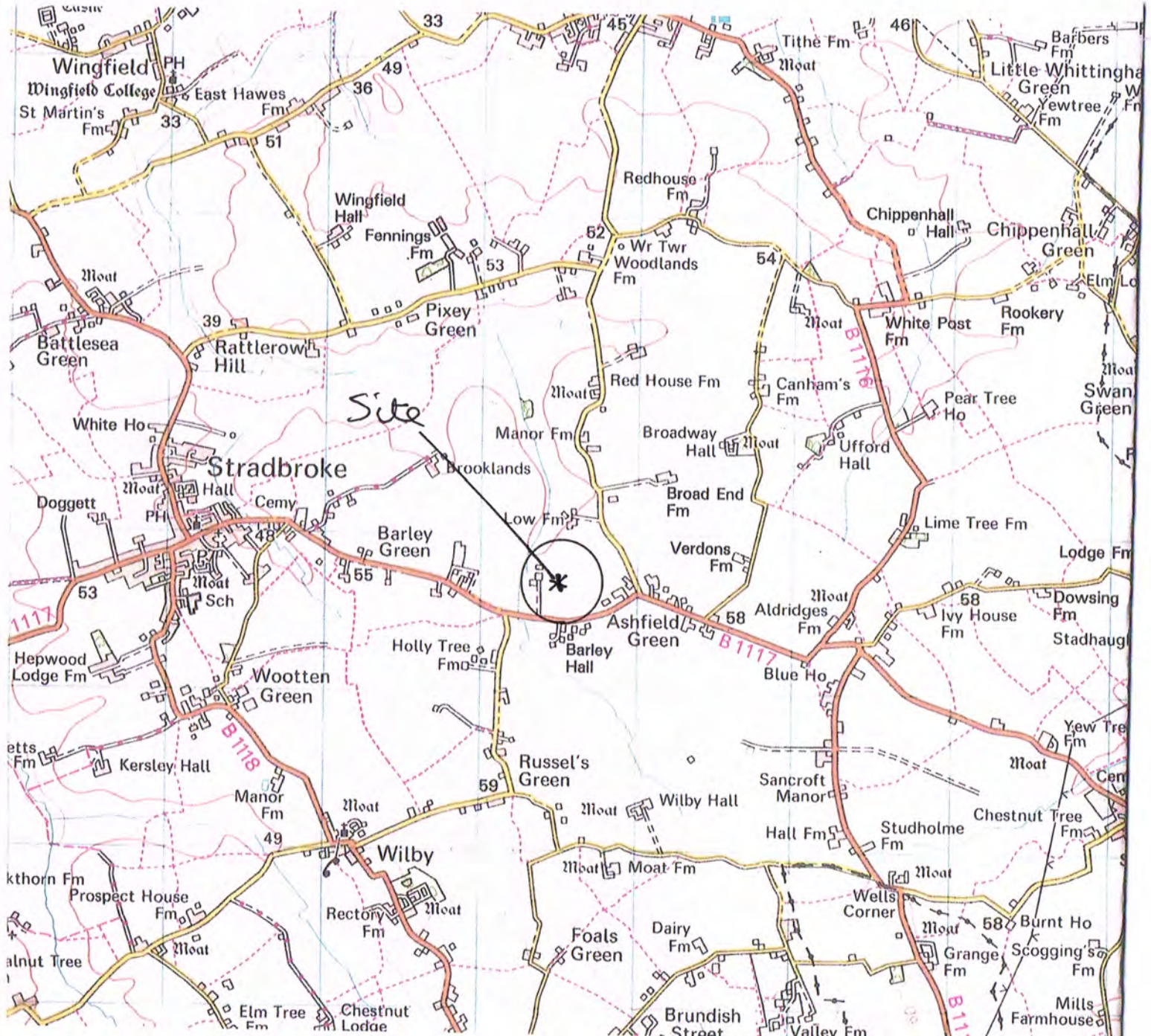
### **BRIEF TRANSPORT STATEMENT (TS)**

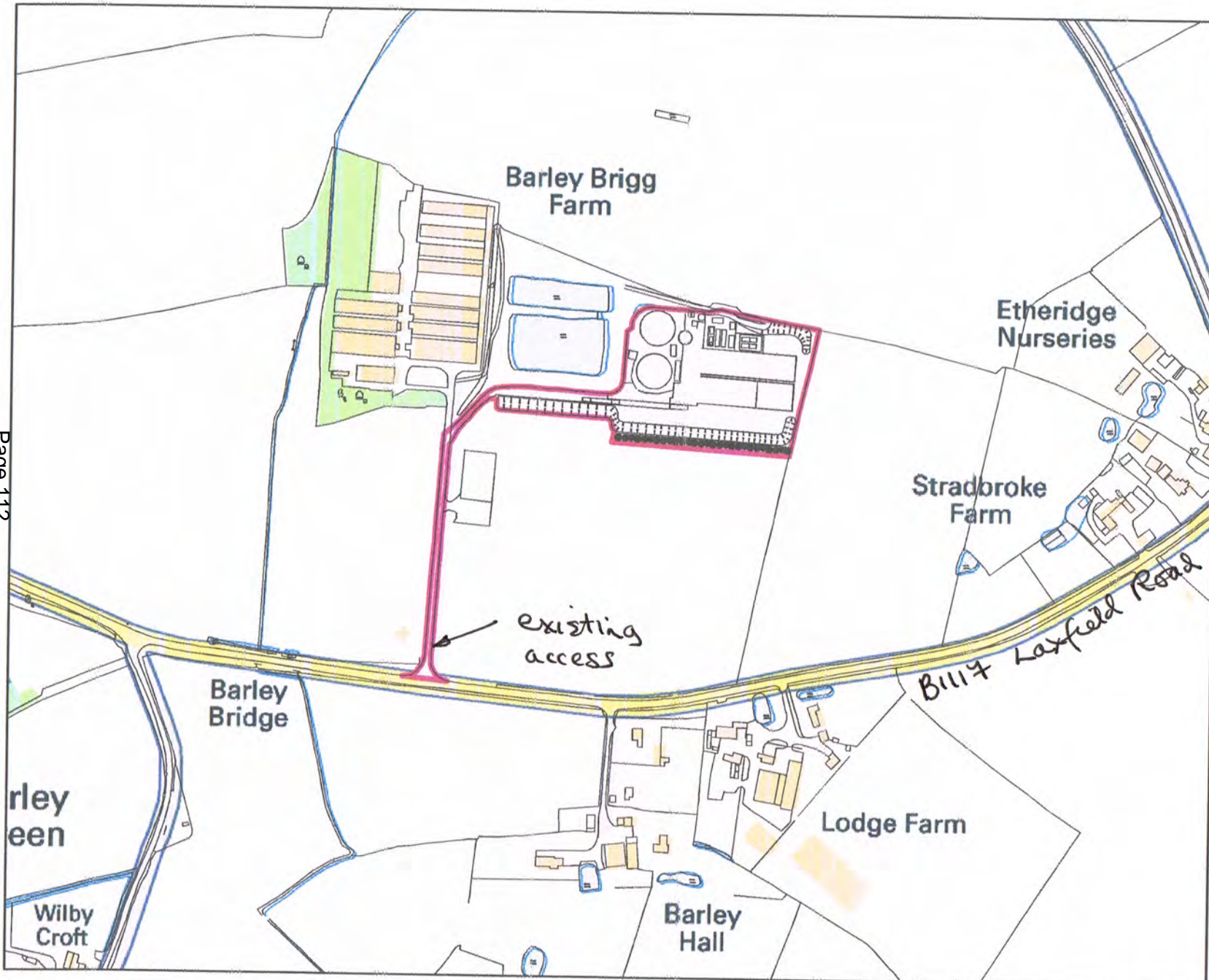
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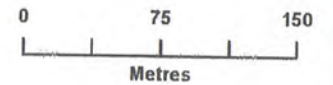
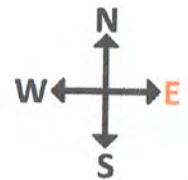
**Director**  
**Keith A. Berriman I.Eng., FIET, FIHE, FCIHT, CMILT**





**Key**

 Approx. site



Project: E399 Barley Brigg Biogas

Drawing title: EIA Screening Site Location Plan

Drawing no: E399/EIA1

Rev.0 Date: Aug 2015

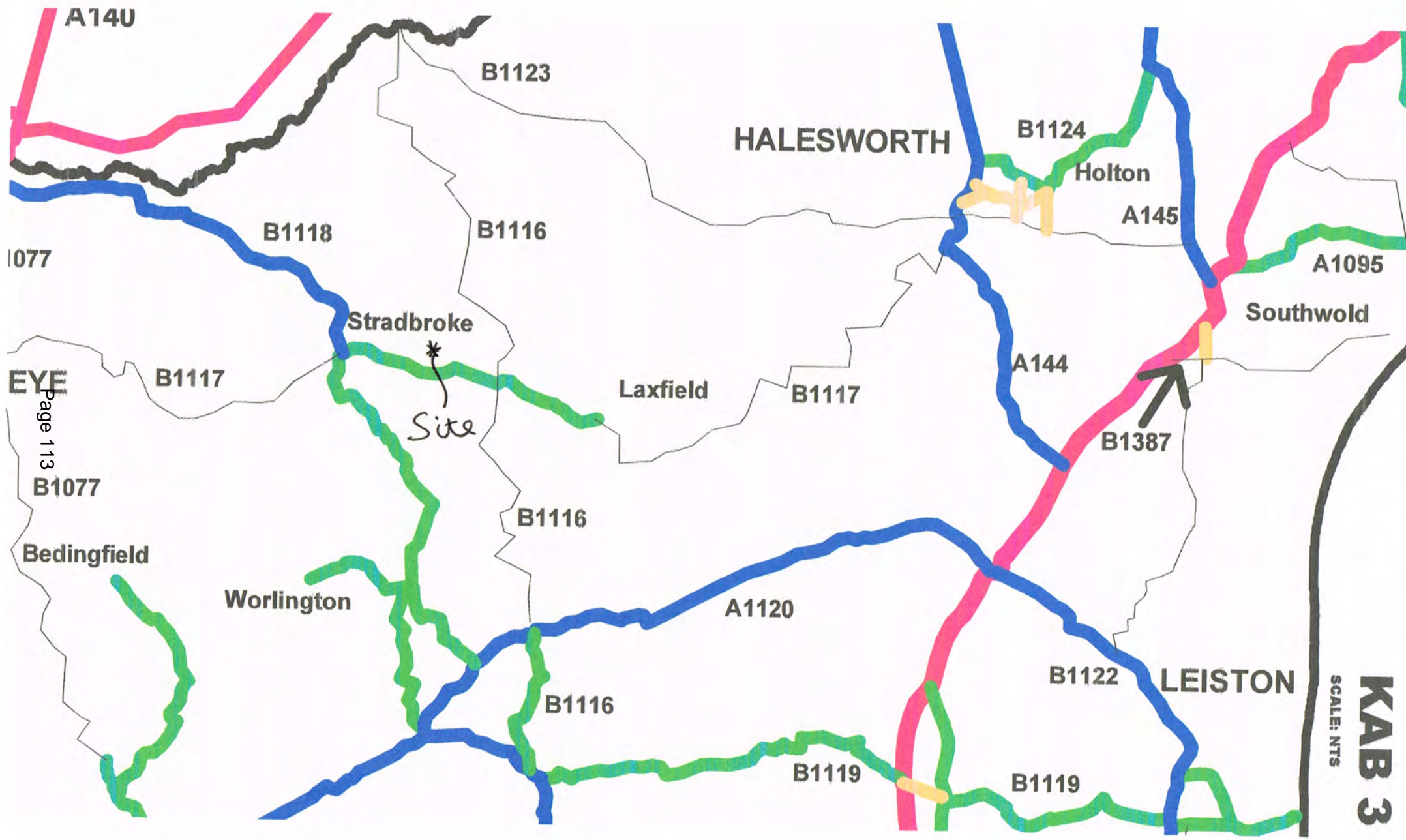
Scale: NTRS at A4 Drawn:

SCALE: NTS

**KAB 2**














## Key

Strategic Lorry Routes (  ) - all movements crossing Suffolk should use these, with those starting or ending in the county using them in preference to local lorry routes

Zone distributor routes (  ) – roads within a zone serving as a route directly to a location or as a route to local access routes (  ) which are roads or parts of roads serving as access to a specific location

Weight restrictions on designated lorry route (  )

Weight restrictions – all 7.5T except where shown (  )

**From:** ESE Collision Data [collision.data@suffolk.gov.uk]  
**Sent:** 28 July 2015 08:45  
**To:** kab@the-httc.co.uk  
**Subject:** FW: ACCIDENT DATA - ALL COLLISIONS - B1117 EAST OF STRADBROKE - KAB to SCC - 270715

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Keith

Please see response below.

Kind Regards

**Dawn Lovitt (working days Tues & Thurs)**  
**Collision Data/ Highway Records Technican (Technical Services)**  
**Highway Network Management Group**  
**Economy, Skills and Environment**  
**Suffolk County Council**  
**Endeavour House (L5-B1-63), 8 Russell Road, Ipswich, IP1 2BX**  
**Telephone: 01473 265020**  
**Fax: 01473 216864**  
**Email: [Collision.data@suffolk.gov.uk](mailto:Collision.data@suffolk.gov.uk)**  
**Email: [Highway.records@suffolk.gov.uk](mailto:Highway.records@suffolk.gov.uk)**  
**Web site: [www.suffolk.gov.uk](http://www.suffolk.gov.uk)**

---

**From:** ESE Collision Data  
**Sent:** 27 July 2015 13:45  
**To:** KEITH A BERRIMAN - THE HTTC LTD.  
**Subject:** RE: ACCIDENT DATA - ALL COLLISIONS - B1117 EAST OF STRADBROKE - KAB to SCC - 270715

Hi Keith

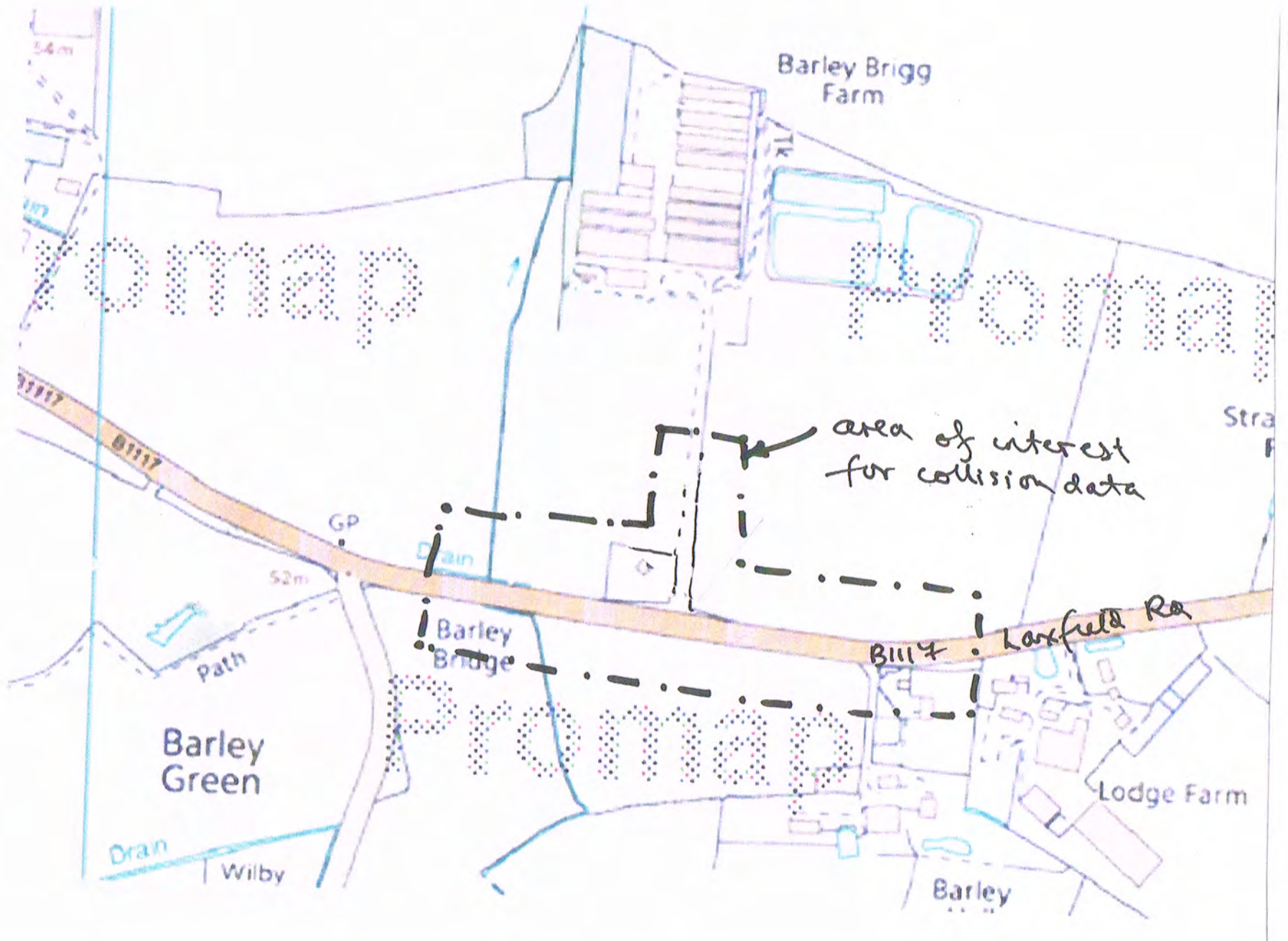
I have checked our data and there have been no recorded personal injury road traffic collisions within your highlighted area during the past five years.

We currently hold data up to 1<sup>st</sup> April 2015.

Kind regards

Susan

Susan Whitehead  
Collision Data  
Highway Network Management Group  
Economy, Skills and Environment  
Suffolk County Council  
Endeavour House (L5-B1), 8 Russell Road, Ipswich, IP1 2BX  
Telephone: 01473 265926  
Fax: 01473 216864  
Email: [Collision.data@suffolk.gov.uk](mailto:Collision.data@suffolk.gov.uk)  
Web site: [www.suffolk.gov.uk](http://www.suffolk.gov.uk)



## Description of the site

The operating AD plant is located at Barley Brigg Farm approximately 2.5km east of Stradbroke, Suffolk and is shown on the accompanying site location plan.

The wider site includes the Rattlerow Farms pig rearing unit, a large grain store and large open slurry lagoons. The site is accessed from the B1117.

The site could only be said to be in a 'Sensitive Area' as described in Schedule 3 of the 2011 EIA regs (as amended) because of two listed buildings within 500m.

## Project Description

The Barley Brigg AD plant received planning consent in 2012 from Mid Suffolk District Council for a 500kw AD plant and proposed to use only slurry and pig manure from the adjacent pig rearing unit.

Barley Brigg Biogas Ltd (the operators) now intend to apply for planning permission for a 1.1mw AD plant which processes:

- 6000 tonnes slurries and manure from the adjacent pig rearing unit
- 7000 tonnes of energy crops
- 4000 tonnes sugar beet pulp
- 2000 tonnes chicken litter
- 2000 tonnes parsley and mint stalks

The sugar beet pulp, chicken litter and potentially the parsley and mint stalks are feed stocks classified in planning terms as 'waste' and therefore require the planning application to be directed to the County Council as the waste planning authority.

...the viability of transporting these feed stocks too far undermines their usefulness to the plant. Primarily harvested during May/June and September/October each year, the energy crops yield totals 7,000 Tonnes. Of this 5000 tonnes is produced by Rattlerow Farms with at least 2000 tonnes sourced from adjacent fields. The remaining 7000 tonnes will be delivered by road; 3000 tonnes in July and 4000 tonnes in September. Crops are transported from the AD plant site where they are unloaded and stored in covered silage clamps. In addition to these energy crops, 8000 Tonnes per annum of additional by-products are fed into the AD Plant. These include sugar beet pulp, chicken litter and mint and parsley stalks. This mix compliments and enhances the digestion process.



All feed stocks will be locally sourced as the viability of transporting these feed stocks too far undermines their usefulness to the plant. Primarily harvested during May/June and September/October each year, the energy crops yield totals 7,000 Tonnes. Of this 5000 tonnes is produced by Rattlerow Farms with at least 2000 tonnes sourced from adjacent fields. The remaining 7000 tonnes will be delivered by road; 3000 tonnes in July and 4000 tonnes in September. Crops are transported from the AD plant site where they are unloaded and stored in covered silage clamps. In addition to these energy crops, 8000 Tonnes per annum of additional by-products are fed into the AD Plant. These include sugar beet pulp, chicken litter and mint and parsley stalks. This mix compliments and enhances the digestion process.

Feed stock is supplied to the plant via the feed hopper and feed pit, 365 days a year. This

Our Ref: PL\0192\15  
Date: 25 August 2015  
Enquiries to: Mr Sean Cunniffe  
Tel: 01473 265903  
Email: sean.cunniffe@suffolk.gov.uk



Steven Bainbridge  
Evolution Town Planning LLP  
Opus House,  
Elm Farm Park,  
Thurston,  
Bury St Edmunds  
IP31 3SH

Dear Steven,

**Town and Country Planning (Environmental Impact Assessment) (England & Wales)  
Regulations 2011. Notification of Screening Opinion under Parts 2 & 3**

**Proposal: Anaerobic Digester Plant.**

**Location: Barley Brigg Farm, Laxfield Road, Stradbroke, Suffolk**

17	Are there any routes on or around the location which are used by the public for access to recreation or other facilities, which could be affected by the project?	populated agricultural area. Unlikely - The development would be accessed via the B1117 (Laxfield Road) and is not near to any significant generators of incoming public traffic.	No - The development is not anticipated to lead to significant increases in vehicle movements.
18	Are there any transport routes on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	Likely - There may be impacts on local roads from vehicles bringing feedstock or carrying product between farmland and the site.	<p>No - The site related vehicles would primarily be replacing similar existing agricultural vehicles, a position that SCC Highways has accepted on similar AD plants at Ellough, Bentwaters and Boxford.</p> <p>The feedstock supplied from the pig rearing unit will involve no road movements and will, in fact, reduce road movements of manures from the site.</p> <p>The 7000 tonnes of agricultural feedstock would be produced within a 5 mile radius of the site; 5000 tonnes of which will arrive in the harvest season between July and September.</p>



Sugar beet pulp (4000 tonnes) would be delivered in lorries one load a day mid-September to mid-February on return loads from sugar beet deliveries to factories where the lorries are re loading locally. Therefore, no additional lorry movements would arise as a result of these deliveries.

The chicken litter (2000 tonnes) would be collected from Fressingland by tractor (approximately three miles

22	Are there any areas on or around the location which are densely populated or built-up, which could be affected by the project?	Unlikely - The nearest densely populated area is considered to be the village of Stradbroke 2.1km to the northwest	No - The village of Stradbroke is not expected to be significantly affected in terms of traffic, emissions or visual impacts.
----	--	--	---

**From:** Stradbroke Parish Council <stradbrokepc@outlook.com>  
**Sent:** 25 June 2020 16:42  
**To:** BMSDC Planning Area Team Blue <planningblue@babberghmidsuffolk.gov.uk>  
**Subject:** Fw: DC/20/02052 Stradbroke Parish Council objection - traffic impact and public health

Please find below and attached an email objection from the Chair of Stradbroke Parish Council's Planning Committee.

Thank you.

---

Regards  
Odile Wladon  
Clerk  
Stradbroke Parish Council  
Mobile: 07555 066147  
website: <https://www.stradbrokepc.org/>



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---

**From:** Chris Edwards <[chrisedwards@suffolkonline.net](mailto:chrisedwards@suffolkonline.net)>  
**Sent:** 23 June 2020 21:36  
**To:** 'Bron Curtis' <[Bron.Curtis@babberghmidsuffolk.gov.uk](mailto:Bron.Curtis@babberghmidsuffolk.gov.uk)>  
**Cc:** 'Stradbroke Parish Council' <[StradbrokePC@outlook.com](mailto:StradbrokePC@outlook.com)>  
**Subject:** DC/20/02052 Stradbroke Parish Council objection - traffic impact and public health

Dear Bron

Thank you for consulting Stradbroke Parish Council on this matter. We greatly appreciate the opportunity to respond. We fear a deluge of traffic in the area and the attached report from the Parish Clerk supports this position. It is our view this proposal's projected movements will lead to a severe local highway impact and in

time a severe cumulative and wider impact in view of the current highway network constraints in Mid Suffolk

### **First objection – Highways Impact severe**

1. The applicant's transport consultant who acts for many farms puts us on notice there will be massive traffic uplift in and around Eye caused by this and other future developments. In the extract below CHA is self evidently SCC as County Highways Authority

HTTC Traffic Statement page 7 para 1.14

"This is particularly so as the articulated hgv flows will be to and from the recently approved and constructed Cranswick site at Eye Airfield. It is noted that CHA made no adverse comments about the movement or articulated hgv's through Eye in relation to that very large development. The proposal was for a B2 building with a floor area of 20,450sq.m. that was to be used for chicken processing. The CHA did not require any mitigation within Eye, or on road routes to the south of Eye, including the B1077. Therefore, it cannot be reasonable or realistic for the CHA to try and require any such mitigation for this extremely minor (in actual and in comparative vehicle flows) development proposal. I note that the same officer dealt with the Eye Airfield site, as has now commented on this significantly smaller proposal (KAB5). Hence, the CHA should have no difficulty accepting this point."

2. He states that SCC should have done something about the factory if they had a problem with transport movements
3. This proposal will by our calculations produce 1% - one hundredth – of the requirement for the Eye factory (1.3 million chickens) or thereabouts
4. The transport movement uplift from the replacement development is significant - several thousand vehicles per annum from this 1% as shown in the attached "Report on traffic movements".
5. 100times this amount is several hundred thousand vehicles per annum in and around Eye
6. Eye are consulting on a lorry ban which if implemented will further impact routes to the factory. Even if it is not, foreseeably a significant proportion of the increased burden of various types of vehicle will fall in and around Stradbroke and on to the B1118, Queen Street
7. The applicant acknowledges by implication that his is to be one of many applications to come. This is a statement of intent equivalent to a phased planning application. We therefore ask SCC whether this application, specifically evidenced as one part of a cumulative impact constitute a severe impact on the highway network in and of itself?
8. The same agent has in the past significantly underreported traffic movements to such complexes, see Barley Brigg appendix 1 and the FOI from SCC and Traffic Statement. The same consultant stated the waste level to be removed

would be as noted in his statement attached. The liquid waste was underreported by 12,200 tonnes. At 14 tonnes per trailer that is 12,200 /14 = 870 trailers underreported

*Traffic statement extract*  
*Removal*

*Solid digestate = 12% x 21000t = 2520 t/14t tractor*  
*180 loads pa = 360 trips pa over whole year*  
*360/52 = say 6 to 8 trips/week*  
*say 2 trips/day for 3 or 4 days of each week 2 hgv's/day*

*Liquid digestate = 11% x 21000t = 2310t/15t tanker*  
*154 loads pa = 308 trips pa over 5 months, say 20 weeks*  
*308/20 = say 14 to 16 trips/week*  
*say 4 trips/day for 4 days of each week 4 hgv's/day*

23% of 21,000tonnes = **4,380 tonnes TOTAL**

The FOI responses record however

Q7: What was the last annually cumulative total weight of **digestate (g) output removed from the site?** (using same dates as Q6)

Solid digestate – 3,500 tonnes  
Liquid digestate – 16,500 tonnes

## **Second Objection – Public health – Biodiversity and risk not properly assessed - Avian Flu in view of Covid 19**

Avian flu H151 is a coronavirus. <https://www.nhs.uk/conditions/bird-flu/>

And from The Telegraph

<https://www.telegraph.co.uk/global-health/science-and-disease/beware-disease-x-mystery-killer-keeping-scientists-awake-night/>

*“Influenza is one of the biggest threats. This was proven in 2009 when H1N1 (swine flu) went rapidly pandemic. 213 countries and territories reported cases of the virus and an estimated 285,000 people died in its wake.*

*That is a massive number, but it represents a case fatality rate of just .02 per cent. Approximately one out of five people on the planet were infected, but very few died. In other words, H1N1 was highly infectious, but it was not highly virulent.*

*On the other hand, **H151 avian influenza has a mortality rate in humans of about 60 per cent. At present, H151 does not spread human-to-human. However, it could easily evolve and a virus with the infectiousness of H1N1 and the mortality rate of H151 would be devastating.***”

The health risk and biodiversity impact of a huge and closely interconnected network of breeder units with limited highway access routes to the destination factory has not

been assessed. If the route is along the B1118 there is a real prospect of an unacceptable health risk to Stradbroke from this and all of the other developments which, we are assured implicitly by the applicants own agent, are coming our way, and soon..

Kind regards

Chris Edwards  
Chair Stradbroke PC Planning

Cc Cllr Guy McGregor  
Sue Ives

**From:** Stradbroke Parish Council <[StradbrokePC@outlook.com](mailto:StradbrokePC@outlook.com)>  
**Sent:** 23 June 2020 16:58  
**To:** chrisedwards chrisedwards <[chrisedwards@suffolkonline.net](mailto:chrisedwards@suffolkonline.net)>  
**Subject:** DC/20/02052

Dear Chris

Please find attached a report (plus appendix) analysing the Traffic Statement submitted as part of the application for 4 poultry units at Castle Hill Farm, Thorndon.

The Planning Committee of the Parish Council have voted by majority to accept your recommendation to object to this application on the grounds of the increased vehicle movements.

Thank you.

---

Regards  
Odile Wladon  
Clerk  
Stradbroke Parish Council  
Mobile: 07555 066147  
website: <https://www.stradbrokepc.org/>



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**Subject: Comments for Planning Application DC/20/02052**

**Date:** 15 July 2020 at 12:33:01 BST

**To:**

## **Application Summary**

**Address:** Castle Hill Farm Castle Hill Thorndon Suffolk IP23 7JT

**Proposal:** Full Planning Application - Erection of 4no. poultry houses with associated admin block, store, feed bins and alterations to vehicular access (accompanied by an environmental statement)

**Case Officer:** Bron Curtis

[Click for further information](#)

## **Customer Details**

**Name:** Mr Rod Caird

**Address:** 26 Church Lane, Henley, Ipswich, Suffolk IP6 0RQ

## **Comments Details**

**Commenter Type:** Parish Clerk

**Stance:** Customer objects to the Planning Application

**Reasons for comment:**

- Increased Traffic/Highways Issues
- Other - give details
- Smells - Odour
- Strain on existing community facilities

**Comments:** This application was discussed at a meeting of Denham Parish Council on July 13, 2020. While not a formal consultee, the Parish Council wishes to object to the proposal on the following grounds:

The development will not significantly benefit employment opportunity in the area.

The development also runs against current thinking and opinion on animal welfare. Current emphasis and policy should favour small-scale, high welfare or free range production rather than industrialised agricultural practices.

Many objectors have raised concerns about noise and smell pollution and Denham shares that worry.

Construction of four poultry houses on this site will lead to increased heavy vehicle traffic across a very wide area of the county. The existing road network is already barely able to cope with the current volume of traffic. In the Denham, Hoxne and Horham area there have recently been three serious near misses involving HGVs at pinch points along Hoxne Road, at 1 East View, The Lodge and Lodge Barn and also Suffolk Edge. Residents repeatedly raise concerns about vehicle movements, and even

though contractors have been asked to use a one-way route to and from Crown Milling, Town Farm, this system is not enforceable and is not always observed.

An individual decision about locating poultry sheds in a particular position must take into account the wider context of the impact on neighbouring communities, and should not be seen in isolation. Other Parishes have raised this concern and Denham supports them. The Cranswick development on Eye airfield is leading to a proliferation of planning applications for industrial-style agricultural sites in Suffolk and the overall impact must be carefully considered in order to avoid unrecoverable damage to local communities.





Mr Bron Curtis  
Babergh and Mid Suffolk District Councils  
Endeavour House  
8 Russell Road  
Ipswich  
Suffolk  
IP1 2BX

Direct Dial: 01223 582711

Our ref: **W:** P01208035

25 November 2020

Dear Mr Curtis

**T&CP (Development Management Procedure) (England) Order 2015  
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**CASTLE HILL FARM, CASTLE HILL, THORNDON, SUFFOLK, IP23 7JT  
Application No. DC/20/02052**

Thank you for your letter of 24 November 2020 regarding further information on the above application for planning permission. On the basis of this information, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

Yours sincerely

**Joanne Robinson**  
Business Officer  
E-mail: [Joanne.Robinson@HistoricEngland.org.uk](mailto:Joanne.Robinson@HistoricEngland.org.uk)



24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU

Telephone 01223 582749  
[HistoricEngland.org.uk](http://HistoricEngland.org.uk)





Bron Curtis  
Babergh and Mid Suffolk District Council  
Endeavour House  
8 Russell Road  
Ipswich IP1 2BX

Direct Dial: 01223 582751

2<sup>nd</sup> July 2020

Dear Bron Curtis

**T&CP (Development Management Procedure) (England) Order 2015  
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**Castle Hill Farm, Castle Hill, Thorndon, Suffolk, IP23 7JT  
Application No. DC/20/02052**

Thank you for your letter of 15<sup>th</sup> June 2020 regarding the above application for planning permission. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

Yours sincerely

**Lynette Fawkes**

Inspector of Historic Buildings and Areas  
E-mail: [Lynette.Fawkes@HistoricEngland.org.uk](mailto:Lynette.Fawkes@HistoricEngland.org.uk)



**From:** SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>  
**Sent:** 01 December 2020 11:05  
**To:** BMSDC Planning Area Team Blue <planningblue@babberghmidsuffolk.gov.uk>  
**Subject:** Planning Consultation DC/20/02052 Natural England Response

Dear Sir or Madam,

Our ref: 335297  
Your ref: DC/20/02052

Thank you for your consultation.

Natural England has previously commented on this proposal and made comments to the authority in our letter ref – 319702, dated 02 July 2020. I have included a copy for your reference.

The advice provided in our previous response applies equally to this **resubmission** although we made no objection to the original proposal.

The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Should the proposal be amended in a way which **significantly** affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

Yours faithfully

Corben Hastings  
Support Adviser, Operations Delivery  
Consultations Team  
Natural England  
Hornbeam House, Electra Way  
Crewe, Cheshire, CW1 6GJ  
Tel: 0300 060 3900  
Email: [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)

During the current coronavirus situation, Natural England staff are working remotely and from some offices to provide our services and support our customers and stakeholders. Although some offices and our Mail Hub are now open, please continue to send any documents by email or contact us by phone to let us know how we can help you. See the latest news on the coronavirus at <http://www.gov.uk/coronavirus> and Natural England's regularly updated operational update at <https://www.gov.uk/government/news/operational-update-covid-19>.

Wash hands. Cover face. Make space.



[www.gov.uk/natural-england](http://www.gov.uk/natural-england)

**We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.**

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.

**Natural England offers two chargeable services - the Discretionary Advice Service, which provides pre-application and post-consent advice on planning/licensing proposals to developers and consultants, and the Pre-submission Screening Service for European Protected Species mitigation licence applications. These services help applicants take appropriate account of environmental considerations at an early stage of project development, reduce uncertainty, the risk of delay and added cost at a later stage, whilst securing good results for the natural environment.**

For further information on the Discretionary Advice Service see [here](#)  
For further information on the Pre-submission Screening Service see [here](#)

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Date: 02 July 2020  
Our ref: 319702  
Your ref: DC/20/02052



Babergh and Mid Suffolk District Councils  
Endeavour House  
8 Russell Road  
Ipswich  
Suffolk  
IP1 2BX

Customer Services  
Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

planningblue@baberghmidsuffolk.gov.uk

T 0300 060 3900

**BY EMAIL ONLY**

Dear Philip Isbell

**Planning consultation: Full planning application for the erection of 4no. poultry houses with associated admin block, store, feed bins, and alterations to vehicular access**

**Location: Castle Hill Farm, Castle Hill, Thorndon, Suffolk IP23 7JT**

Thank you for your consultation on the above dated 15 June 2020 which was received by Natural England on 15 June 2020

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

## **SUMMARY OF NATURAL ENGLAND'S ADVICE**

### **NO OBJECTION**

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites Major Farm, Braiseworth SSSI and has no objection.

Natural England's further advice on designated sites and advice on other natural environment issues is set out below.

### **Major Farm, Braiseworth Site of Special Scientific Interest**

Based on the plans submitted, Natural England considers that the proposed development will not damage or destroy the interest features for which the site has been notified and has no objection.

Poultry produce ammonia through their waste, and ammonia emissions can affect sensitive habitats and the wildlife that depend on this habitat.

Natural England notes that the Air Quality ammonia report provided with the consultation has screened the proposal to check for the likelihood of significant effects from aerial emissions on the above named designated site.

The ammonia assessment concludes that the process contribution of the proposal to ammonia concentrations at the above named designated site would be below the Natural England advisory criterion of 1% of the Critical Level OF  $3.0 \mu\text{g}/\text{m}^3$  and the Critical Load of  $10.0 \text{ kg}/\text{ha}$ . On the basis of information provided and given the distance of the designated site from the proposed planning location, Natural England concurs with this view.

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

Should the proposal change, please consult us again.

If you have any queries relating to the advice in this letter please contact Natural England at [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)

Yours faithfully,

Frances Mullany  
*Adviser – Norfolk & Suffolk Conservation Support Team*

Natural England  
Dragonfly House  
2 Gilders Way  
Norwich  
NR3 1UB

[frances.mullany@naturalengland.org.uk](mailto:frances.mullany@naturalengland.org.uk)  
02087 203588



Bron Curtis  
Babergh District Council  
Development Control  
Endeavour House Russell Road  
Ipswich  
Suffolk  
IP1 2BX

**Our ref:** AE/2020/125234/02-L01  
**Your ref:** DC/20/02052  
**Date:** 15 September 2020

Dear Ms. Curtis

**POULTRY PRODUCTION UNIT WITH CAPACITY TO HOUSE SOME 188,000 BIRDS COMPRISED OF 4NO. POULTRY HOUSES WITH ASSOCIATED ADMIN BLOCK, FEED BINS AND ANCILLARY DEVELOPMENT.**

**LAND AND BUILDINGS ON THE EAST SIDE OF CASTLE HILL, THORNDON, IP23 7JT.**

We previously objected to this application in our response of 15 July 2020, referenced AE/2020/125234. The applicant has responded to our comments and we have considered these carefully. At present we are maintaining our objection to the development.

Our objection relates to the issue of odour that would be produced by the development and in particular the impact of this on a nearby research facility. The crux of developer's response relates to the level of sensitivity afforded to the research facility, which is situated to the north of the proposed broiler sheds.

Environmental Permitting Guidance (H4) classes Industrial or Commercial Work Places as Medium Sensitivity. Planning Guidance (Guidance on the Assessment of Odour) classes Places of Work as Medium Sensitivity and Industrial as Low Sensitivity. It is debatable which category a research facility would come under and this will be a decision the planning authority has to make in this case. We would recommend that a conservative approach should be taken given the number of people who work at the research facility.

Using the medium sensitivity classification, the modelling, would indicate that the potential odour level from the broiler sheds at the research facility would be unacceptable. If classed as low sensitivity it would be acceptable. However it should be remembered that modelling attempts to demonstrate average exposure

levels, and locations where levels may be below the thresholds. However people may still at times, be exposed to higher levels of odour depending on the stage of the broiler crop and the weather conditions at the time.

We consider that odour pollution is likely to be caused at this receptor despite appropriate building and management techniques being used at the broiler farm. We suggest that it might be useful if the operator was to apply for their Environmental Permit in order that odour management can be considered in further detail and this would enable us to provide a more definitive planning response. However, we do acknowledge the costs to the applicant associated with this approach.

We trust this information is useful.

Yours Sincerely

**Mr. Pat Abbott**  
**Planning Advisor**

Direct dial 0208 4748011

Direct e-mail [pat.abbott@environment-agency.gov.uk](mailto:pat.abbott@environment-agency.gov.uk)



Bron Curtis  
Babergh District Council  
Development Control  
Endeavour House Russell Road  
Ipswich  
Suffolk  
IP1 2BX

**Our ref:** AE/2020/125234/01-L01  
**Your ref:** DC/20/02052  
**Date:** 03 July 2020

Dear Ms. Curtis

**POULTRY PRODUCTION UNIT WITH CAPACITY TO HOUSE SOME 188,000 BIRDS COMPRISED OF 4NO. POULTRY HOUSES WITH ASSOCIATED ADMIN BLOCK, FEED BINS AND ANCILLARY**

**LAND AND BUILDINGS ON THE EAST SIDE OF CASTLE HILL, THORNDON, IP23 7JT.**

Thank you for your consultation dated 15 June 2020. We have reviewed the application as submitted and we object to the proposal as it is not appropriate for its location, having regard to the effects of pollution on health when taking account of the potential sensitivity of the nearby workplaces and dwellings to adverse effects from pollution. We have detailed our objection in our response.

**Pollution Control (Odour)**

Whilst we have no objection to the design of the farm - its sheds and infrastructure, we consider that the location is too close to the research facility/workplace to the north. Due to this the development would not be able to adhere to Best Available Techniques, in relation to odour, that would be required by the Environmental Permit.

Odour modelling has been carried out as part of this application. This has led to the number of broiler sheds being reduced from 6 to 4. Whilst this is welcomed, it does not allay all our concerns. The research facility is located approx. 120m to the N/NNE of the proposed farm. So will often be in line with the prevailing wind direction from the SW. Elm Farm Cottages also are approx. 290m to the NNE and within the research facility area.

The modelling (para 4.21 of the Environmental Statement) concludes that Odour Exposure at nearby residences would be below the Environment Agency benchmark

for moderately offensive odours. However it does not provide any calculations for the dwellings currently under the control of the applicant . These should be accounted for in case they are sold or rented out in the future. Nor does it mention Elm Farm Cottages.

The Environmental Statement (para 4.24) concludes "odour effect on amenity may be considered slight or negligible at these premises (the research facility)" , and the Odour Modelling Report conclusion state that odour units at the research facility to the north are calculated to be greater than 5 OuE/m<sup>3</sup> which is in the range that it is suggested gives rise to a significant proportion of complaints. It suggests that such a workplace can be classed as "Low Sensitivity receptor" as it is assumed to be only occupied during working hours. However, the Environment Agency's H4 Odour Management Guidance classifies Industrial or Commercial workplaces as "Medium Sensitivity". Therefore the conclusion of the report underplays the risk of odour pollution at this workplace. The effect of this farm being granted planning permission is likely to be unacceptable odour pollution.

If the farm is granted planning permission, then it will also need to be issued with an Environmental Permit in order to operate. The Permit will require the farm to be constructed and operated to Best Available Techniques (BAT) to "minimise" emissions. It will not require odour to be eliminated completely. This means that even a farm constructed to the best standard and well operated, if in the wrong location, can still produce residual odours which the public, located away from the farm may find offensive.

This objection is supported by paragraph 183 of the National Planning Policy Framework (NPPF), which recognises that planning and pollution control are separate, but complementary, regimes. Planners should consider the acceptability of the proposed use of land and the impacts of that use, but not the control of processes and emissions that will be covered by a Permit.

We trust this information is useful.

Yours Sincerely

**Mr. Pat Abbott**  
**Planning Advisor**

Direct dial 0208 4748011

Direct e-mail pat.abbott@environment-agency.gov.uk

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

Philip Isbell  
Corporate Manager - Development Manager  
Planning Services  
Mid Suffolk District Council  
Endeavour House  
8 Russell Road  
Ipswich  
Suffolk IP1 2BX

Enquiries to: James Rolfe  
Direct Line: 01284 741225  
Email: James.Rolfe@suffolk.gov.uk  
Web: <http://www.suffolk.gov.uk>

Our Ref: 2020\_02052  
Date: 19<sup>th</sup> June 2020

For the Attention of Bronwen Curtis

Dear Mr Isbell

**Planning Application DC/20/02052 Castle Hill Farm Thorndon: Archaeology**

This site has the potential for the discovery of hitherto unknown heritage assets of archaeological interest in view of its favourable topographic location, on a slope overlooking a stream, its large size, lack of previous systematic investigation. A multi period pottery and flint scatter has been identified in the adjacent field (THD 034) and a Bronze Age hoard was found close by (THD 014). As a result, there is high potential for the discovery of below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.

There are no grounds to consider refusal of permission in order to achieve preservation *in situ* of any important heritage assets. However, in accordance with the *National Planning Policy Framework* (Paragraph 199), any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

In this case the following two conditions would be appropriate:

1. No development shall take place within the area indicated [the whole site] 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.

2. 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 1 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, in accordance with Core Strategy Objective SO 4 of Mid Suffolk District Council Core Strategy Development Plan Document (2008) and the National Planning Policy Framework (2018).*

**INFORMATIVE:**

*The submitted scheme of archaeological investigation shall be in accordance with a brief procured beforehand by the developer from Suffolk County Council Archaeological Service, Conservation Team.*

I would be pleased to offer guidance on the archaeological work required and, in our role as advisor to Mid Suffolk District Council, the Conservation Team of SCC Archaeological Service will, on request of the applicant, provide a specification for the archaeological mitigation. In this case, an archaeological evaluation will be required to establish the potential of the site and decisions on the need for any further investigation (excavation before any groundworks commence and/or monitoring during groundworks) will be made on the basis of the results of the evaluation.

Further details on our advisory services and charges can be found on our website: <http://www.suffolk.gov.uk/archaeology/>

Please do get in touch if there is anything that you would like to discuss or you require any further information.

Yours sincerely,

James Rolfe

Senior Archaeological Officer  
Conservation Team

From: Water Hydrants <Water.Hydrants@suffolk.gov.uk>  
Sent: 25 November 2020 16:53  
To: BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>  
Cc: Andrea Stordy <Andrea.Stordy@suffolk.gov.uk>  
Subject: FW: MSDC Planning Re-consultation Request - DC/20/02052

Good afternoon.

Comment made and published July 2020 may remain in place for this re-consultation.

Kind regards

Angie Kempen  
Water Officer  
Suffolk Fire and Rescue Service  
Endeavour House  
Russell Road  
Ipswich  
IP1 2BX  
Suffolk.

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/F191043  
Enquiries to: Water Officer  
Direct Line: 01473 260588  
E-mail: Fire.BusinessSupport@suffolk.gov.uk  
Web Address: <http://www.suffolk.gov.uk>

Date: 02/07/2020

Dear Sirs

**Castle Hill Farm, Castle Hill, Thorndon IP23 7JT**  
**Planning Application No: DC/20/02052/FUL**

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**

No additional water supply for fire fighting purposes is required in respect of this planning application.

/continued

OFFICIAL

Suffolk Fire and Rescue Service recommends that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the provision of an automatic fire sprinkler system. (Please see sprinkler information enclosed with this letter).

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: [jonny@parkerplanningservices.co.uk](mailto:jonny@parkerplanningservices.co.uk)

Enc: Sprinkler information

From: GHI Floods Planning <floods.planning@suffolk.gov.uk>  
Sent: 25 November 2020 13:22  
To: BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>  
Cc: Bron Curtis <Bron.Curtis@baberghmidsuffolk.gov.uk>  
Subject: 2020-11-25 JS Reply Castle Hill Farm, Castle Hill, Thorndon, Suffolk IP23 7JT Ref DC/20/02052

Dear Bron Curtis,

Subject: Castle Hill Farm, Castle Hill, Thorndon, Suffolk IP23 7JT Ref DC/20/02052

Please see previous consultation reply dated the 20th August 2020.

Kind Regards

Jason Skilton  
Flood & Water Engineer  
Suffolk County Council  
Growth, Highway & Infrastructure  
Endeavour House, 8 Russell Rd, Ipswich , Suffolk IP1 2BX



**From:** GHI Floods Planning <floods.planning@suffolk.gov.uk>  
**Sent:** 20 August 2020 08:09  
**To:** BMSDC Planning Area Team Blue <planningblue@babberghmidsuffolk.gov.uk>  
**Cc:** Bron Curtis <Bron.Curtis@babberghmidsuffolk.gov.uk>  
**Subject:** 2020-08-20 JS Reply Castle Hill Farm, Castle Hill, Thorndon, Suffolk IP23 7JT Ref DC/20/02052

Dear Bron Curtis,

Subject: Castle Hill Farm, Castle Hill, Thorndon, Suffolk IP23 7JT Ref DC/20/02052

Suffolk County Council, Flood and Water Management have reviewed application ref DC/20/02052.

The following submitted documents have been reviewed and we recommend **approval of this application subject to conditions:**

- Surface Water Drainage, Water Quality, & Flood Risk Revision 0 Job No. 25469
- Flood Risk Assessment & Surface Water Drainage Strategy Revision 0 Job No. 25469
- Proposed Site Plan Showing Exceedance routing Ref 25469/850

We propose the following condition in relation to surface water drainage for this application.

1. The strategy for the disposal of surface water and the Flood Risk Assessment (FRA) (dated February 2020 ref: Revision 0 Job No. 25469) shall be implemented as approved in writing by the local planning authority. The strategy shall thereafter be managed and maintained in accordance with the approved strategy.

*Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure that the proposed development can be adequately drained*

2. Within 28 days of completion of the last unit, details of all Sustainable Drainage System components and piped networks have been submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

*Reason: To ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as per s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk*

<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-asset-register/>

3. No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:
  - a. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-

- i. Temporary drainage systems
- ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
- iii. Measures for managing any on or offsite flood risk associated with construction

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater

<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-on-development-and-flood-risk/construction-surface-water-management-plan/>

#### Informatives

- Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991
- Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017
- Any discharge of surface water to a watercourse that drains into an Internal Drainage Board district catchment is subject to payment of a surface water developer contribution
- Any works to lay new surface water drainage pipes underneath the public highway will need a section 50 license under the New Roads and Street Works Act 1991
- Any works to a main river may require an environmental permit

Kind Regards

Jason Skilton  
Flood & Water Engineer  
Suffolk County Council  
Growth, Highway & Infrastructure

**From:** GHI Floods Planning <floods.planning@suffolk.gov.uk>  
**Sent:** 29 June 2020 13:49  
**To:** BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>  
**Cc:** Bron Curtis <Bron.Curtis@baberghmidsuffolk.gov.uk>  
**Subject:** 2020-06-29 JS reply Castle Hill Farm, Castle Hill, Thorndon, IP23 7JT Ref DC/20/02052

Dear Bron Curtis,

Subject: Castle Hill Farm, Castle Hill, Thorndon, IP23 7JT Ref DC/20/02052

Suffolk County Council, Flood and Water Management have reviewed application ref DC/20/02052.

The following submitted documents have been reviewed and we recommend a **holding objection at this time**

- Surface Water Drainage, Water Quality, & Flood Risk Revision 0 Job No. 25469
- Flood Risk Assessment & Surface Water Drainage Strategy Revision 0 Job No. 25469

The reason why we are recommending a holding objection is whilst we have a comprehensive assessment of flood risk and a detail proposal of a viable surface water drainage strategy, the applicant needs to provide a plan demonstrating where the exceedance flows during a rainfall event which exceed the design capacity of the system, will be directed to.

The points below detail the action required in order to overcome our current objection:-

1. Submit a flood flow exceedance plan

Kind Regards

Jason Skilton  
Flood & Water Engineer  
Suffolk County Council  
Growth, Highway & Infrastructure  
Endeavour House, 8 Russell Rd, Ipswich , Suffolk IP1 2BX

**\*\*Note I am remote working for the time being\*\***

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

From: [planningblue@baberghmidsuffolk.gov.uk](mailto:planningblue@baberghmidsuffolk.gov.uk) <[planningblue@baberghmidsuffolk.gov.uk](mailto:planningblue@baberghmidsuffolk.gov.uk)>  
Sent: 15 June 2020 10:38  
To: GHI Floods Planning <[floods.planning@suffolk.gov.uk](mailto:floods.planning@suffolk.gov.uk)>  
Subject: MSDC Planning Consultation Request - DC/20/02052

Please find attached planning consultation request letter relating to planning application - DC/20/02052 - Castle Hill Farm, Castle Hill, Thorndon, Suffolk IP23 7JT

Kind Regards

Planning Support Team

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

Email: [planning@babberghmidsuffolk.gov.uk](mailto: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: Bronwen Curtis

Dear Bronwen,

**TOWN AND COUNTRY PLANNING ACT 1990**

**CONSULTATION RETURN: DC/20/02052**

**PROPOSAL:** Full Planning Application - Erection of 4no. poultry houses with associated admin block, store, feed bins and alterations to vehicular access (accompanied by an environmental statement)

**LOCATION:** Castle Hill Farm, Castle Hill, Thorndon, Suffolk IP23 7JT

**ROAD CLASS:**

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:

**COMMENTS**

We have reviewed the data supplied with this application, the summary of our findings are as follows:

The proposal is to demolish 3 existing poultry sheds and construct 4 sheds to house up to 188,000 birds. These will run up to 7 growing cycles per year. The transport statement indicates:

- the present HGV movements from the existing sheds are 16 HGVs (32 trips) per 7 week cycle. This equates to 4.5 trips/week which is approximately 0.7 HGV trips/day.
- the proposal would create approximately 82 HGVs (164 trips) over the 7 week cycle. This equates to 23.4 trips/week which is approximately 3.3 HGV trips/day.
- The most intensive HGV trips will be over a 2 day period when removing the birds, where 30 trips/day are expected over a 2 day period. These trips are outside of the normal working day so on average, this process equates to just over 2 HGV trips per hour over a 12 hour period over the 2 days. This would happen 7-8 times a year.
- The proposal would generate an increase equates to 132 additional trips over the 7 week period (19 HGV trips/week, therefore, an average increase of 2.7 HGVs per day).

Proportionally, the increase of 2 HGV trips/day is significant for the site, however, it is not considered to be severe in terms of the highway network affected by this proposal.

Consideration should be given to the fact that the additional HGV traffic would likely use the B1117 through Eye to avoid the weight restriction in Thorndon village. This would increase the traffic through

Eye town centre. By using the B1117, HGV's can avoid the existing weight limits in Eye and Thorndon, albeit with the difficult manoeuvres on Castle Street/Magdalen Street junction. Suffolk County Development Management team has been made aware of the Eye Town Centre Traffic Review commissioned by Eye Town Council, which has particular regard to HGV traffic movements. The report recommends additional roads are part of the existing weight restriction within Eye. The proposed weight restriction would include Magdalen Street and Cranley Green Road which are on the route from these poultry houses to the A140. If the weight restriction proposal comes to fruition, this may result in increased HGVs through local villages and less suitable minor local roads.

Taking all the above into account, it is our opinion that while this development does have an impact on the highway network it does not represent a severe impact (NPPF para 109). It could be considered the cumulative impact is significant for the roads in Eye Town centre. As the traffic movements are low and the peak flows from this development are not in the 'normal working day', we should not recommend refusal of the application on transport grounds. However, we recommend the HGV routing for the proposal is managed through the planning system by recommending that a planning condition is added to any permission to require an agreed transport plan, taking into account timings and routing of HGV traffic. This can then be monitored and if not complied with, enforcement action can be taken.

## CONDITIONS

Should the Planning Authority be minded to grant planning approval the Highway Authority in Suffolk would recommend they include the following conditions and obligations:

**Transport Plan Condition:** All HGV traffic movements to and from the site over the duration of the production period shall be subject to a Transport Plan which shall be submitted to the planning authority for approval a minimum of 28 days before commencement. No HGV movements shall be permitted to and from the site other than in accordance with the routes defined in the Plan.

**Reason:** To reduce and / or remove as far as is reasonably possible the effects of HGVs

**Access Condition:** Before the development is commenced, details of the access and associated works, (including layout, levels, gradients, surfacing and means of surface water drainage) as outlined in Drawing No 1195/02A, shall be submitted to and approved in writing by the Local Planning Authority.

**Reason:** To ensure that roads/footways are constructed to an acceptable standard.

**Visibility Condition:** Before the access into the site is first used, visibility splays shall be provided with an X dimension of 2.4 and a Y dimension of 120m to the south and 160m to the north 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.

**Construction Management Plan Condition:** Before the development hereby permitted is commenced a Construction Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. Construction of the development shall not be carried out other than in accordance with the approved plan. The Construction Management Plan shall include the following matters:

- haul routes for construction traffic on the highway network and monitoring and review mechanisms.
- provision of boundary hoarding and lighting
- details of proposed means of dust suppression
- details of measures to prevent mud from vehicles leaving the site during construction
- details of deliveries times to the site during construction phase
- details of provision to ensure pedestrian and cycle safety
- programme of works (including measures for traffic management and operating hours)
- parking and turning for vehicles of site personnel, operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials
- maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.

**Reason:** In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase.

## NOTES

As highlighted in Public Rights of Way response to this application, Public Footpaths are recorded near the proposed development area. Whilst we do not have any objections to this proposal, the granting of planning permission is separate to any consents that may be required in relation to Public Rights of Way, including temporary closures for construction. These consents are to be obtained from the Public Rights of Way & Access Team at Suffolk County Council, as the Highway Authority.

The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification. The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing.

Yours sincerely,

**Samantha Harvey**  
**Senior Development Management Engineer**  
Growth, Highways and Infrastructure

**From:** GHI PROW Planning <PROWplanning@suffolk.gov.uk>  
**Sent:** 03 August 2020 10:01  
**To:** BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>  
**Cc:** Claire Dickson <Claire.Dickson@suffolk.gov.uk>; David Falk <david.falk@suffolk.gov.uk>  
**Subject:** FW: MSDC Planning Consultation Request - DC/20/02052

Good morning

Further to our response below, I can now confirm that the Applicant has been in contact with the West Area Rights of Way Team. They have agreed that they are happy with the Applicant's proposals and confirmed that a Permission to Work on A Public Right of Way form needs to be completed.

Kind regards

**Public Rights of Way Team**

Growth, Highways and Infrastructure  
Suffolk County Council  
Phoenix House, 3 Goddard Road, Ipswich IP1 5NP  
[PROWplanning@suffolk.gov.uk](mailto:PROWplanning@suffolk.gov.uk)

**From:** GHI PROW Planning  
**Sent:** 13 July 2020 11:04  
**To:** [planningblue@baberghmidsuffolk.gov.uk](mailto:planningblue@baberghmidsuffolk.gov.uk)  
**Cc:** David Falk <[david.falk@suffolk.gov.uk](mailto:david.falk@suffolk.gov.uk)>; Claire Dickson <[Claire.Dickson@suffolk.gov.uk](mailto:Claire.Dickson@suffolk.gov.uk)>  
**Subject:** RE: MSDC Planning Consultation Request - DC/20/02052

**PUBLIC RIGHTS OF WAY AND ACCESS RESPONSE**

**REF: Castle Hill Farm, Castle Hill, Thorndon, IP23 7JT**

Thank you for your consultation concerning the above application, and please accept my apologies for our late response. This is due to my being off sick. We would be very grateful if you were still able to take the below into account.

The proposed site does contain a public right of way (PROW), as Footpath 24 Thorndon crosses the access track. The Definitive Map for Thorndon can be seen at <https://www.suffolk.gov.uk/assets/Roads-and-transport/public-rights-of-way/Thorndon.pdf>. A more detailed plot of public rights of way can be provided. Please contact [DefinitiveMaps@suffolk.gov.uk](mailto:DefinitiveMaps@suffolk.gov.uk) for more information. Note, there is a fee for this service.

**We accept this proposal, however it is important for the Applicant to note that the landowner's right to drive on FP24 does not "override" its status as a public footpath. The landowner may have a private right to drive on FP24, however they do not have a right to obstruct or carry out works on FP24 without express permission from the Rights of Way and Access Team at Suffolk County Council as the Highway Authority. Regardless of whether planning permission is granted, the Applicant should note that they MUST contact the appropriate Area Rights of Way Officer via [PROW.west@suffolk.gov.uk](mailto:PROW.west@suffolk.gov.uk) to discuss any works that may affect FP24.**

**The Applicant MUST also take the following into account:**

1. PROW are divided into the following classifications:
  - Public Footpath – only for use on foot or with a mobility vehicle
  - Public Bridleway – use as per a public footpath, and on horseback or by bicycle
  - Restricted Byway – use as per a bridleway, and by a 'non-motorised vehicle', e.g. a horse and carriage
  - Byway Open to All Traffic (BOAT) – can be used by all vehicles, in addition to people on foot, mobility vehicle, horseback and bicycle

All currently recorded PROW are shown on the Definitive Map and described in the Definitive Statement (together forming the legal record of all currently recorded PROW). There may be other PROW that exist which

Page 151

have not been registered on the Definitive Map. These paths are either historical paths that were not claimed under the National Parks and Access to the Countryside Act 1949 or since, or paths that have been created by years of public use. To check for any unrecorded rights or anomalies, please contact [DefinitiveMaps@suffolk.gov.uk](mailto:DefinitiveMaps@suffolk.gov.uk).

2. The applicant, and any future owners, residents etc, must have private rights to take motorised vehicles over a PROW other than a BOAT. To do so without lawful authority is an offence under the Road Traffic Act 1988. Any damage to a PROW resulting from works must be made good by the applicant. Suffolk County Council is not responsible for the maintenance and repair of PROW beyond the wear and tear of normal use for its classification and will seek to recover the costs of any such damage it is required to remedy. We do not keep records of private rights and suggest that a solicitor is contacted.
3. **The granting of planning permission IS SEPARATE to any consents that may be required in relation to PROW. It DOES NOT** give authorisation for structures such as gates to be erected on a PROW, or the temporary or permanent closure or diversion of a PROW. Nothing may be done to close, alter the alignment, width, surface or condition of a PROW, or to create a structure such as a gate upon a PROW, without the due legal process being followed, and permission being granted from the Rights of Way & Access Team as appropriate. Permission may or may not be granted depending on all the circumstances. To apply for permission from Suffolk County Council (as the highway authority for Suffolk) please see below:
  - To apply for permission to carry out work on a PROW, or seek a temporary closure – <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/rights-and-responsibilities/> or telephone 0345 606 6071. **PLEASE NOTE** that any damage to a PROW resulting from works must be made good by the applicant. Suffolk County Council is not responsible for the maintenance and repair of PROW beyond the wear and tear of normal use for its classification and will seek to recover the costs of any such damage it is required to remedy.
  - To discuss applying for permission for structures such as gates to be constructed on a PROW – contact the relevant Area Rights of Way Team <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/public-rights-of-way-contacts/> or telephone 0345 606 6071.
  - To apply for permission for a PROW to be stopped up or diverted within a development site, the officer at the appropriate borough or district council should be contacted at as early an opportunity as possible to discuss the making of an order under s257 of the Town and Country Planning Act 1990 - <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/public-rights-of-way-contacts/> **PLEASE NOTE** that nothing may be done to stop up or divert the legal alignment of a PROW until the due legal process has been completed and the order has come into force.
4. Under Section 167 of the Highways Act 1980 any structural retaining wall within 3.66 metres of a PROW with a retained height in excess of 1.37 metres, must not be constructed without the prior written approval of drawings and specifications by Suffolk County Council. The process to be followed to gain approval will depend on the nature and complexity of the proposals. Construction of any retaining wall or structure that supports a PROW or is likely to affect the stability of the PROW may also need prior approval at the discretion of Suffolk County Council. Applicants are strongly encouraged to discuss preliminary proposals at an early stage.
5. Any hedges adjacent to PROW must be planted a minimum of 1 metre from the edge of the path in order to allow for annual growth and cutting, and should not be allowed to obstruct the PROW. Some hedge types may need more space, and this should be taken into account by the applicant. In addition, any fencing should be positioned a minimum of 0.5 metres from the edge of the path in order to allow for cutting and maintenance of the path, and should not be allowed to obstruct the PROW.

**In the experience of the County Council, early contact with the relevant PROW officer avoids problems later on, when they may be more time consuming and expensive for the applicant to address. More information about Public Rights of Way can be found at [www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/](http://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/)**

Thank you for taking the time to consider this response.

#### **Public Rights of Way Team**

Growth, Highways and Infrastructure

Suffolk County Council

Phoenix House, 3 Goddard Road, Ipswich IP1 5NP

[PROWplanning@suffolk.gov.uk](mailto:PROWplanning@suffolk.gov.uk)



**From:** GHI PROW Planning <PROWplanning@suffolk.gov.uk>  
**Sent:** 13 July 2020 11:04  
**To:** BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>  
**Cc:** David Falk <david.falk@suffolk.gov.uk>; Claire Dickson <Claire.Dickson@suffolk.gov.uk>  
**Subject:** RE: MSDC Planning Consultation Request - DC/20/02052

## **PUBLIC RIGHTS OF WAY AND ACCESS RESPONSE**

**REF: Castle Hill Farm, Castle Hill, Thorndon, IP23 7JT**

Thank you for your consultation concerning the above application, and please accept my apologies for our late response. This is due to my being off sick. We would be very grateful if you were still able to take the below into account.

The proposed site does contain a public right of way (PROW), as Footpath 24 Thorndon crosses the access track. The Definitive Map for Thorndon can be seen at <https://www.suffolk.gov.uk/assets/Roads-and-transport/public-rights-of-way/Thorndon.pdf>. A more detailed plot of public rights of way can be provided. Please contact [DefinitiveMaps@suffolk.gov.uk](mailto:DefinitiveMaps@suffolk.gov.uk) for more information. Note, there is a fee for this service.

**We accept this proposal, however it is important for the Applicant to note that the landowner's right to drive on FP24 does not "override" its status as a public footpath. The landowner may have a private right to drive on FP24, however they do not have a right to obstruct or carry out works on FP24 without express permission from the Rights of Way and Access Team at Suffolk County Council as the Highway Authority. Regardless of whether planning permission is granted, the Applicant should note that they MUST contact the appropriate Area Rights of Way Officer via [PROW.west@suffolk.gov.uk](mailto:PROW.west@suffolk.gov.uk) to discuss any works that may affect FP24.**

**The Applicant MUST also take the following into account:**

1. PROW are divided into the following classifications:
  - Public Footpath – only for use on foot or with a mobility vehicle
  - Public Bridleway – use as per a public footpath, and on horseback or by bicycle
  - Restricted Byway – use as per a bridleway, and by a 'non-motorised vehicle', e.g. a horse and carriage
  - Byway Open to All Traffic (BOAT) – can be used by all vehicles, in addition to people on foot, mobility vehicle, horseback and bicycle

All currently recorded PROW are shown on the Definitive Map and described in the Definitive Statement (together forming the legal record of all currently recorded PROW). There may be other PROW that exist which have not been registered on the Definitive Map. These paths are either historical paths that were not claimed under the National Parks and Access to the Countryside Act 1949 or since, or paths that have been created by years of public use. To check for any unrecorded rights or anomalies, please contact [DefinitiveMaps@suffolk.gov.uk](mailto:DefinitiveMaps@suffolk.gov.uk).

2. The applicant, and any future owners, residents etc, must have private rights to take motorised vehicles over a PROW other than a BOAT. To do so without lawful authority is an offence under the Road Traffic Act 1988. Any damage to a PROW resulting from works must be made good by the applicant. Suffolk County Council is not responsible for the maintenance and repair of PROW

beyond the wear and tear of normal use for its classification and will seek to recover the costs of any such damage it is required to remedy. We do not keep records of private rights and suggest that a solicitor is contacted.

3. **The granting of planning permission IS SEPARATE to any consents that may be required in relation to PROW.** It **DOES NOT** give authorisation for structures such as gates to be erected on a PROW, or the temporary or permanent closure or diversion of a PROW. Nothing may be done to close, alter the alignment, width, surface or condition of a PROW, or to create a structure such as a gate upon a PROW, without the due legal process being followed, and permission being granted from the Rights of Way & Access Team as appropriate. Permission may or may not be granted depending on all the circumstances. To apply for permission from Suffolk County Council (as the highway authority for Suffolk) please see below:
  - To apply for permission to carry out work on a PROW, or seek a temporary closure – <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/rights-and-responsibilities/> or telephone 0345 606 6071. **PLEASE NOTE** that any damage to a PROW resulting from works must be made good by the applicant. Suffolk County Council is not responsible for the maintenance and repair of PROW beyond the wear and tear of normal use for its classification and will seek to recover the costs of any such damage it is required to remedy.
  - To discuss applying for permission for structures such as gates to be constructed on a PROW – contact the relevant Area Rights of Way Team <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/public-rights-of-way-contacts/> or telephone 0345 606 6071.
  - To apply for permission for a PROW to be stopped up or diverted within a development site, the officer at the appropriate borough or district council should be contacted at as early an opportunity as possible to discuss the making of an order under s257 of the Town and Country Planning Act 1990 - <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/public-rights-of-way-contacts/> **PLEASE NOTE** that nothing may be done to stop up or divert the legal alignment of a PROW until the due legal process has been completed and the order has come into force.
4. Under Section 167 of the Highways Act 1980 any structural retaining wall within 3.66 metres of a PROW with a retained height in excess of 1.37 metres, must not be constructed without the prior written approval of drawings and specifications by Suffolk County Council. The process to be followed to gain approval will depend on the nature and complexity of the proposals. Construction of any retaining wall or structure that supports a PROW or is likely to affect the stability of the PROW may also need prior approval at the discretion of Suffolk County Council. Applicants are strongly encouraged to discuss preliminary proposals at an early stage.
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**In the experience of the County Council, early contact with the relevant PROW officer avoids problems later on, when they may be more time consuming and expensive for the applicant to address. More information about Public Rights of Way can be found at [www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/](http://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/)**

Thank you for taking the time to consider this response.

**Public Rights of Way Team**

Growth, Highways and Infrastructure  
Suffolk County Council  
Phoenix House, 3 Goddard Road, Ipswich IP1 5NP  
[PROWplanning@suffolk.gov.uk](mailto:PROWplanning@suffolk.gov.uk)

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

From: [planningblue@baberghmidsuffolk.gov.uk](mailto:planningblue@baberghmidsuffolk.gov.uk) <[planningblue@baberghmidsuffolk.gov.uk](mailto:planningblue@baberghmidsuffolk.gov.uk)>

Sent: 15 June 2020 10:42

To: GHI PROW Planning <[PROWplanning@suffolk.gov.uk](mailto:PROWplanning@suffolk.gov.uk)>

Subject: MSDC Planning Consultation Request - DC/20/02052 (Thorndon poultry sheds - CD)

Please find attached planning consultation request letter relating to planning application - DC/20/02052 - Castle Hill Farm, Castle Hill, Thorndon, Suffolk IP23 7JT

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.

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**From:** Chris Ward <Chris.Ward@suffolk.gov.uk>  
**Sent:** 26 November 2020 14:11  
**To:** Bron Curtis <Bron.Curtis@babberghmidsuffolk.gov.uk>  
**Cc:** BMSDC Planning Area Team Blue <planningblue@babberghmidsuffolk.gov.uk>  
**Subject:** RE: MSDC Planning Re-consultation Request - DC/20/02052

Dear Bron,

Thank you for notifying me about the re-consultation. Having reviewed the additional documents submitted, I have no further comment to make following on from my previous response on the 15<sup>th</sup> June 2020.

Kind regards

**Chris Ward**  
Travel Plan Officer  
Transport Strategy  
Strategic Development - Growth, Highways and Infrastructure  
Suffolk County Council  
Endeavour House, 8 Russell Road, Ipswich, IP1 2BX  
web : <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/travel-plans/>

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

From: [planningblue@babberghmidsuffolk.gov.uk](mailto:planningblue@babberghmidsuffolk.gov.uk) <[planningblue@babberghmidsuffolk.gov.uk](mailto:planningblue@babberghmidsuffolk.gov.uk)>  
Sent: 24 November 2020 14:41  
To: Chris Ward  
Subject: MSDC Planning Re-consultation Request - DC/20/02052

Please find attached planning re-consultation request letter relating to planning application - DC/20/02052 - Castle Hill Farm, Castle Hill, Thorndon, Suffolk IP23 7JT

Kind Regards

Planning Support Team

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**From:** Chris Ward <Chris.Ward@suffolk.gov.uk>  
**Sent:** 15 June 2020 13:49  
**To:** Bron Curtis <Bron.Curtis@baberghmidsuffolk.gov.uk>  
**Cc:** BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>; Sam Harvey <Sam.Harvey@suffolk.gov.uk>  
**Subject:** RE: MSDC Planning Consultation Request - DC/20/02052

Dear Bron,

Thank you for consulting me about the proposed poultry houses at Castle Hill Farm near Thorndon. Having reviewed the application documents submitted, I have no comment to make, as the development does not meet the thresholds of requiring a Travel Plan.

Kind regards

**Chris Ward**  
Travel Plan Officer  
Transport Strategy  
Strategic Development - Growth, Highways and Infrastructure  
Suffolk County Council

Endeavour House, 8 Russell Road, Ipswich, IP1 2BX

web : <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/travel-plans/>

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

**From:** [planningblue@baberghmidsuffolk.gov.uk](mailto:planningblue@baberghmidsuffolk.gov.uk) <[planningblue@baberghmidsuffolk.gov.uk](mailto:planningblue@baberghmidsuffolk.gov.uk)>  
**Sent:** 15 June 2020 10:41  
**To:** Chris Ward  
**Subject:** MSDC Planning Consultation Request - DC/20/02052

Please find attached planning consultation request letter relating to planning application - DC/20/02052 - Castle Hill Farm, Castle Hill, Thorndon, Suffolk IP23 7JT

Kind Regards

Planning Support Team

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**From:** Paul Harrison <Paul.Harrison@babberghmidsuffolk.gov.uk>  
**Sent:** 01 July 2020 13:25  
**To:** Bron Curtis <Bron.Curtis@babberghmidsuffolk.gov.uk>; BMSDC Planning Area Team Blue <planningblue@babberghmidsuffolk.gov.uk>  
**Subject:** DC 20 02052 Thorndon

Heritage consultation response

Bron

The proposal is to replace the existing poultry sheds with larger sheds slightly to the east of the existing buildings.

The site is not adjacent to any heritage assets, but is near to Occold Hall (grade II; some 600m to the north), Thorndon Hill (grade II; 600m to the south), and to Thorndon village which includes the Church of All Saints (grade II\*; 900m to the west) and other buildings.

The settings of the two listed houses include their rural surroundings. Standing as they do on the plateau clayland their rural setting is extensive in most directions, and should be taken to include the site.

The site itself lies in a small river valley which reduces the proposal's visual impact on the setting of the listed houses to virtually nil. It is also relevant that the nearby research centre compromises the setting of both buildings. Moreover the proposal is for removal of the existing, redundant buildings. Both these factors further limit impact of the proposal, and in my view it would not result in harm to the significance of the listed houses.

All Saints Church stands near the eastern entrance to Thorndon Village and its tower is visible well beyond its immediate surroundings. The tower was built to be seen and heard over a wide area, and is still a landmark in the area; its setting should be taken to include the site.

The presence of the research centre represents a compromise to this part of the Church's setting. Other factors limiting impact of the proposal include, as noted above, topography around the site, removal of existing buildings, and the very modest proportion of the Church's setting represented by this locality. The proposal's impact on the Church's setting would be very low, and in my view would not result in harm to the significance of the listed Church.

In my view the setting of other listed buildings in Thorndon village does not extend to include the site.

I recommend that the finishing colour in particular of the roofs should be controlled by condition so as to ensure that their visual impact is minimised.

Paul

**Paul Harrison**  
Heritage and Design Officer  
T 01449 724677 | 07798 781360  
E [paul.harrison@babberghmidsuffolk.gov.uk](mailto:paul.harrison@babberghmidsuffolk.gov.uk)  
E [heritage@babberghmidsuffolk.gov.uk](mailto:heritage@babberghmidsuffolk.gov.uk)

**From:** Chris Knock <[Chris.Knock@baberghmidsuffolk.gov.uk](mailto:Chris.Knock@baberghmidsuffolk.gov.uk)>

**Sent:** 10 September 2020 16:51

**To:** Bron Curtis <[Bron.Curtis@baberghmidsuffolk.gov.uk](mailto:Bron.Curtis@baberghmidsuffolk.gov.uk)>

**Subject:** Planning application ref DC/20/02052 - Intensive poultry operation at Castle Hill Farm, Thorndon

Hi Bron

Comments from the Communities Team:

- a) With the building of the new Cranswick chicken processing factory on Eye Airfield then logically there would be an expectation of associated applications to erect the farm buildings they rear the birds in.
- b) There are a significant number of processing jobs at risk at Cranswick if they can't gain the supply of chickens they need locally.
- c) Having looked on the application there are some understandable complaints from residents in Eye about lorry traffic in their narrow streets, particularly at night, which we suggest can be overcome by including a planning condition that traffic from the site at IP23 7JT has to go out to the A140 from Thorndon and not through Eye Town Centre.
- d) As a general healthy eating comment - white meat consumption is increasing whilst red meat consumption is decreasing. That is a good health trend for us to wish to see continue.
- e) We note - there are already three sheds at IP23 7JT and no near neighbours. The expectation is that the two new sheds will be constructed to the highest achievable energy efficient design and operated according the highest of welfare standards. The health and well-being of the staff is important, and so it is important to have rest rooms so that breaks can be taken in appropriate facilities, and there are also outdoor green spaces for exercise.

Regards

Chris

Chris Knock

External Funding Officer, Communities Team

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

**Sent:** 17 July 2020 09:55

**To:** BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>

**Subject:** RE: DC/20/02052 - Castle Hill Farm, Castle Hill, Thorndon

Public Realm do not comment on applications that have no implications for public open space. Any tree issues will have been commented on by David Pizzey and this is an application for poultry houses.

Regards

Dave Hughes  
Public Realm Officer



**From:** David Harrold <[David.Harrold@babberghmidsuffolk.gov.uk](mailto:David.Harrold@babberghmidsuffolk.gov.uk)>  
**Sent:** 04 November 2020 12:10  
**To:** Bron Curtis <[Bron.Curtis@babberghmidsuffolk.gov.uk](mailto:Bron.Curtis@babberghmidsuffolk.gov.uk)>  
**Subject:** Plan ref DC/20/02052 Castle Hill Farm, Thorndon

Thank you for seeking further clarity on my email to you dated 8 July 2020.

In that email I agreed with the Environment Agency's comments and recommendation for refusal due to the predicted and unacceptable odour impact on the existing neighbouring commercial premises (Covance Site). I understand the Agency have also raised concerns about the residential premises under the applicants' control (Castle Hill Farm (a bungalow)) and also Elm Cottages (a terrace) to the north of the development.

The odour dispersion report by AS Modelling & Data limited concludes that:

"At the nearby commercial properties to the north of the proposed poultry houses, the predicted odour concentrations exceed 5.0 ouE/m<sup>3</sup> as an annual 98th percentile hourly mean, which is in the range that UKWIR research suggests gives rise to a significant proportion of complaints.

The Environment Statement submitted, however, states that this concentration will have low to negligible impact on the neighbouring premises due to its low sensitivity to odour. The low sensitivity is based on the Covance site being considered industrial in nature.

I feel this is not correct. The Covance site, I understand, comprise research facilities and offices more akin to a commercial premises as described in guidance and as a result will have a medium (higher) sensitivity to the predicted odour. In this circumstance the predicted odour concentration will have an unacceptable impact on the Covance site which the Environment Agency cannot control through the permitting regime they enforce.

The Environment Agency states

"We consider that odour pollution is likely to be caused at this receptor despite appropriate building and management techniques being used at the broiler farm"

The model and environment statement also remains silent on the Castle Hill Farm (a bungalow) under the control of the applicant and its future occupation. It may be that this is occupied in association with the proposed farming activity but you may wish to see some form of statement on this or agreement that it will continue to be used as such, in order to protect any future occupiers of these premises.

Similarly, there is a terrace of small cottages surrounded by the Covance site which appears to be in residential occupation that needs to be taken into account within the odour impact assessment.

I hope the above advice is of some assistance and maintain my previous recommendation on this application to you

David Harrold MCIEH  
Senior Environmental Health Officer

**Babergh & Midsuffolk District Councils**  
**t: 01449 724718**

e: [david.harrold@babermidsuffolk.gov.uk](mailto:david.harrold@babermidsuffolk.gov.uk)

## **BMSDC Planning Mailbox**

---

**From:** David Harrold  
**Sent:** 08 July 2020 12:48  
**To:** BMSDC Planning Mailbox  
**Cc:** Bron Curtis  
**Subject:** Plan ref DC/20/02052 Castle Hill Farm, Castle Hill, Thorndon. Environmental HeNoise/Odour/Light/Smokehealth -

Thank you for consulting me on the above application to erect four poultry houses.

I apologise for a late response.

As I am sure you are aware this type of industry (intensive food production) is regulated by the Environment Agency and areas of interest such as lighting, noise and odour control will be the subject of their permitting regime under the Environmental Protection Act.

In this respect I note that the Agency have been consulted and have objected to the proposal and I would concur with the advice given.

If I can be of further assistance, please do not hesitate to contact me.

David Harrold MCIEH  
Senior Environmental Health Officer

**Babergh & Midsuffolk District Councils**  
**t: 01449 724718**  
**e: david.harrold@baberghmidsuffolk.gov.uk**

**From:** Nathan Pittam <Nathan.Pittam@babberghmidsuffolk.gov.uk>  
**Sent:** 30 November 2020 10:55  
**To:** Bron Curtis <Bron.Curtis@babberghmidsuffolk.gov.uk>  
**Cc:** BMSDC Planning Mailbox <planning@babberghmidsuffolk.gov.uk>  
**Subject:** DC/20/02052. Land Contamination

Dear Bron

**EP Reference : 284207**  
**DC/20/02052. Land Contamination**  
**Castle Hill Farm, Castle Hill, Thorndon, EYE, Suffolk.**  
**Erection of 4no. poultry houses with associated admin block, store, feed bins and alterations to vehicular access (accompanied by an environmental statement).**

Many thanks for your request for comments in relation to the above application. I can confirm that I have no reason to change my comments of 8<sup>th</sup> July 2020.

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](mailto:Nathan.pittam@babberghmidsuffolk.gov.uk)  
Work: 01449 724715  
websites: [www.babergh.gov.uk](http://www.babergh.gov.uk) [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)

**From:** Nathan Pittam <Nathan.Pittam@baberghmidsuffolk.gov.uk>  
**Sent:** 08 July 2020 09:23  
**To:** Bron Curtis <Bron.Curtis@baberghmidsuffolk.gov.uk>  
**Cc:** BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>  
**Subject:** DC/20/02052. Land Contamination

Dear Bron

**EP Reference : 277722**  
**DC/20/02052. Land Contamination**  
**Castle Hill Farm, Castle Hill, Thorndon, EYE, Suffolk.**  
**Erection of 4no. poultry houses with associated admin block, store, feed bins and alterations to vehicular access (accompanied by an environmental statement).**

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@baberghmidsuffolk.gov.uk](mailto:Nathan.pittam@baberghmidsuffolk.gov.uk)  
Work: 07769 566988 / 01449 724715  
websites: [www.babergh.gov.uk](http://www.babergh.gov.uk) [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)



## **Minimum requirements for dealing with unexpected ground conditions being encountered during construction.**

1. *All site works at the position of the suspected contamination will stop and the Local Planning Authority and Environmental Health Department will be notified as a matter of urgency.*
2. *A suitably trained geo-environmental engineer should assess the visual and olfactory observations of the ground and the extent of contamination and the Client and the Local Authority should be informed of the discovery.*
3. *The suspected contaminated material will be investigated and tested appropriately in accordance with assessed risks. The investigation works will be carried out in the presence of a suitably qualified geo-environmental engineer. The investigation works will involve the collection of solid samples for testing and, using visual and olfactory observations of the ground, delineate the area over which contaminated materials are present.*
4. *The unexpected contaminated material will either be left in situ or be stockpiled (except if suspected to be asbestos) whilst testing is carried out and suitable assessments completed to determine whether the material can be re-used on site or requires disposal as appropriate.*
5. *The testing suite will be determined by the independent geo-environmental specialist based on visual and olfactory observations.*
6. *Test results will be compared against current assessment criteria suitable for the future use of the area of the site affected.*
7. *Where the material is left in situ awaiting results, it will either be reburied or covered with plastic sheeting.*
8. *Where the potentially contaminated material is to be temporarily stockpiled, it will be placed either on a prepared surface of clay, or on 2000-gauge Visqueen sheeting (or other impermeable surface) and covered to prevent dust and odour emissions.*
9. *Any areas where unexpected visual or olfactory ground contamination is identified will be surveyed and testing results incorporated into a Verification Report.*
10. *A photographic record will be made of relevant observations.*
11. *The results of the investigation and testing of any suspect unexpected contamination will be used to determine the relevant actions. After consultation with the Local Authority, materials should either be: • re-used in areas where test results indicate that it meets compliance targets so it can be re-used without treatment; or • treatment of material on site to meet compliance targets so it can be re-used; or • removal from site to a suitably licensed landfill or permitted treatment facility.*
12. *A Verification Report will be produced for the work.*

DC/20/02052. Air Quality: Re-Consultation.

Dear Bron

**EP Reference : 284206**

**DC/20/02052. Air Quality: Re-Consultation.**

**Castle Hill Farm, Castle Hill, Thorndon, EYE, Suffolk.**

**Erection of 4no. poultry houses with associated admin block, store, feed bins and alterations to vehicular access (accompanied by an environmental statement).**

Many thanks for your request for comments in relation to the above application. I can confirm that I have no comments to make in addition to those made previously during the consultation period.

Kind regards

Nathan

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

**Babergh and Mid Suffolk District Councils – Working Together**

Email: [Nathan.pittam@baberghmidsuffolk.gov.uk](mailto:Nathan.pittam@baberghmidsuffolk.gov.uk)

Work: 01449 724715

websites: [www.babergh.gov.uk](http://www.babergh.gov.uk) [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)

**From:** Nathan Pittam <Nathan.Pittam@babberghmidsuffolk.gov.uk>  
**Sent:** 08 July 2020 10:21  
**To:** Bron Curtis <Bron.Curtis@babberghmidsuffolk.gov.uk>  
**Cc:** BMSDC Planning Area Team Blue <planningblue@babberghmidsuffolk.gov.uk>  
**Subject:** DC/20/02052. Air Quality

Dear Bron

**EP Reference : 277723**  
**DC/20/02052. Air Quality**  
**Castle Hill Farm, Castle Hill, Thorndon, EYE, Suffolk.**  
**Erection of 4no. poultry houses with associated admin block, store, feed bins and alterations to vehicular access (accompanied by an environmental statement).**

Many thanks for your request for comment in relation to the above application. I can confirm that I have no objection to the proposed development from the perspective of air quality. Emissions to air will be controlled through an Environmental Permit required for the operation of the facility which will need to be obtained from the Environment Agency by the operator. I would recommend early engagement with the Environment Agency to ensure compliance with their requirements.

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](mailto:Nathan.pittam@babberghmidsuffolk.gov.uk)  
Work: 07769 566988 / 01449 724715  
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**From:** Peter Chisnall <Peter.Chisnall@babberghmidsuffolk.gov.uk>  
**Sent:** 08 July 2020 12:37  
**To:** BMSDC Planning Area Team Blue <planningblue@babberghmidsuffolk.gov.uk>  
**Subject:** DC/20/02052

Hi Bron,

## APPLICATION FOR PLANNING PERMISSION - DC/20/02052

Proposal: Full Planning Application - Erection of 4no. poultry houses with associated admin block, store, feed bins and alterations to vehicular access (accompanied by an environmental statement)

Location: Castle Hill Farm, Castle Hill, Thorndon, Suffolk IP23 7JT

Many thanks for your request to comment on the sustainability aspects of this application, I apologise for the delay in responding.

The council declared a climate emergency in 2019 and has an aspiration to become Carbon neutral by 2030, it is encouraging all persons involved in developments and activities in the district to consider doing the same. This council is keen to encourage consideration of sustainability issues at an early stage so that the most environmentally friendly buildings are constructed and the inclusion of sustainable techniques, materials, technology etc can be incorporated into the scheme without compromising the overall viability.

I have no objection and If the planning department decided to set conditions on the application, I would recommend the following.

Prior to the commencement of development a scheme for the provision and implementation of water, energy and resource efficiency measures, during the construction and operational phases of the development shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include a clear timetable for the implementation of the measures in relation to the construction and occupancy of the development. The scheme shall be constructed and the measures provided and made available for use in accordance with such timetable as may be agreed.

The Sustainability & Energy Strategy must be provided detailing how the development will minimise the environmental impact during construction and occupation (as per policy CS3, and NPPF) including details on environmentally friendly materials, construction techniques minimisation of carbon emissions, details of renewable energy systems to achieve a 10% reduction in the expected energy use of the building, and water minimisation measures.

Details as to the provision for electric vehicles should also be included please see the Suffolk Guidance for Parking, published on the SCC website on the link below:

<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/parking-guidance/>

The document should clearly set out the unqualified commitments the applicant is willing to undertake on the topics of energy and water conservation, CO2 reduction, resource conservation, use of sustainable materials and provision for electric vehicles.

Clear commitments and minimum standards should be declared and phrases such as 'where possible, subject to, where feasible' must not be used.

Evidence should be included where appropriate demonstrating the applicants previous good work and standards achieved in areas such as site waste management, eg what recycling rate has the applicant achieved in recent projects to show that their % recycling rate commitment is likely.

Reason – To enhance the sustainability of the development through better use of water, energy and resources. This condition is required to be agreed prior to the commencement of any development as any construction process, including site preparation, has the potential to include energy and resource efficiency measures that may improve or reduce harm to the environment and result in wider public benefit in accordance with the NPPF.

Guidance can be found at the following locations:

<https://www.midsuffolk.gov.uk/environment/environmental-management/planning-requirements/>

Regards,

Peter

**Peter Chisnall**, CEnv, MIEMA, CEnvH, MCIEH

Environmental Management Officer

**Babergh and Mid Suffolk District Council - Working Together**

Tel: 01449 724611

Email: [peter.chisnall@baberghmidsuffolk.gov.uk](mailto:peter.chisnall@baberghmidsuffolk.gov.uk)

[www.babergh.gov.uk](http://www.babergh.gov.uk) [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)

## Consultation Response Pro forma

<b>1</b>	<b>Application Number</b>	DC/20/02052	
<b>2</b>	<b>Date of Response</b>	11/09/20	
<b>3</b>	<b>Responding Officer</b>	Name:	Michelle Gordon
		Job Title:	Corporate Manager – Economy & Business
		Responding on behalf of...	Economic Development
<b>4</b>	<b>Recommendation</b> Note: This section must be completed before the response is sent. The recommendation should be based on the information submitted with the application.	Approve	
<b>5</b>	<b>Discussion</b> Please outline the reasons/rationale behind how you have formed the recommendation. Please refer to any guidance, policy or material considerations that have informed your recommendation.	<p>This farm diversification application will replace an existing 3 sheds and provide improved access to the highway network alongside improved welfare conditions through new state of the art sheds.</p> <p>Whilst this site will only directly employ one person, it is part of the wider supply chain directly supplying the £74m Cranfield site which supports over 900 jobs.</p> <p>This wider industry is worth £3.5bn to the economy of Norfolk and Suffolk accounting for 17.6% of the UKs poultry production, and sites like this one play a very important role in this supply chain.</p>	
<b>6</b>	<b>Amendments, Clarification or Additional Information Required</b> (if holding objection)  If concerns are raised, can they be overcome with changes? Please ensure any requests are proportionate	N/A	
<b>7</b>	<b>Recommended conditions</b>	N/A	

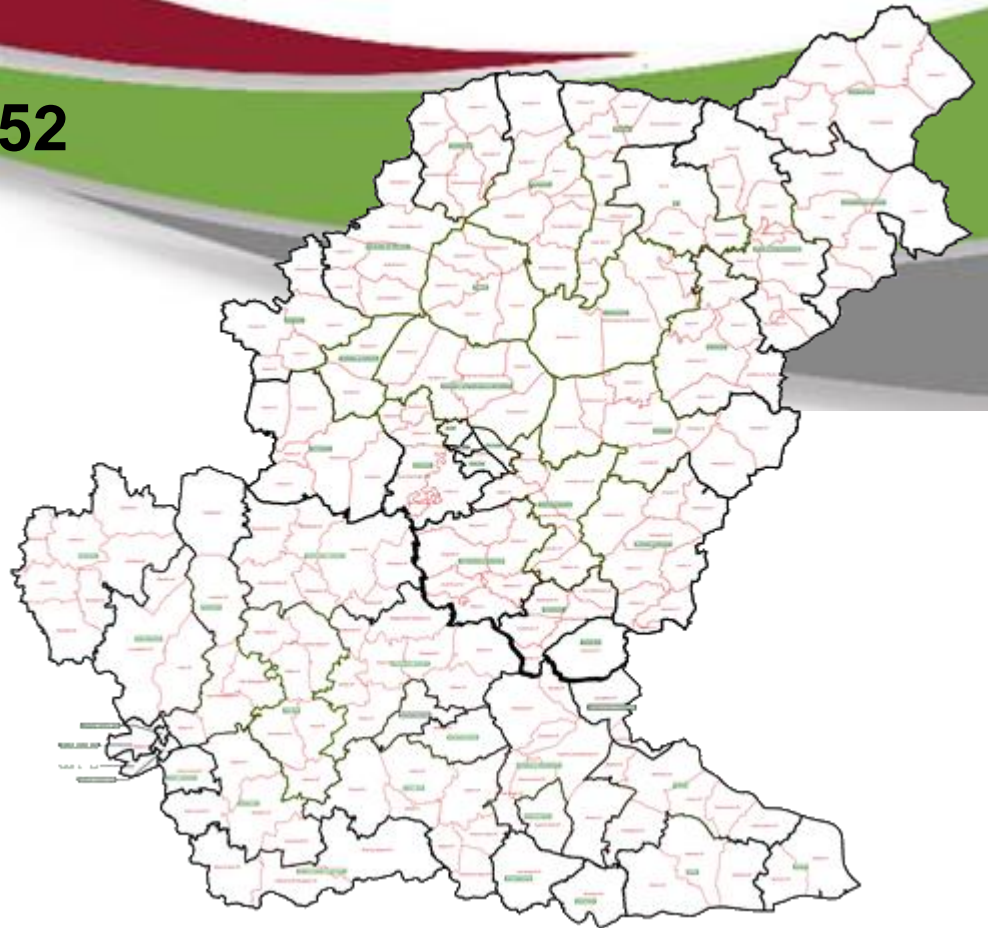
Please note that this form can be submitted electronically on the Councils website. Comments submitted on the website will not be acknowledged but you can check whether they have been received by reviewing comments on the website under the application reference number. Please note that the completed form will be posted on the Councils website and available to view by the public.

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**Application No: DC/20/02052**

**Address: Castle Hill Farm,  
Castle Hill, Thorndon**

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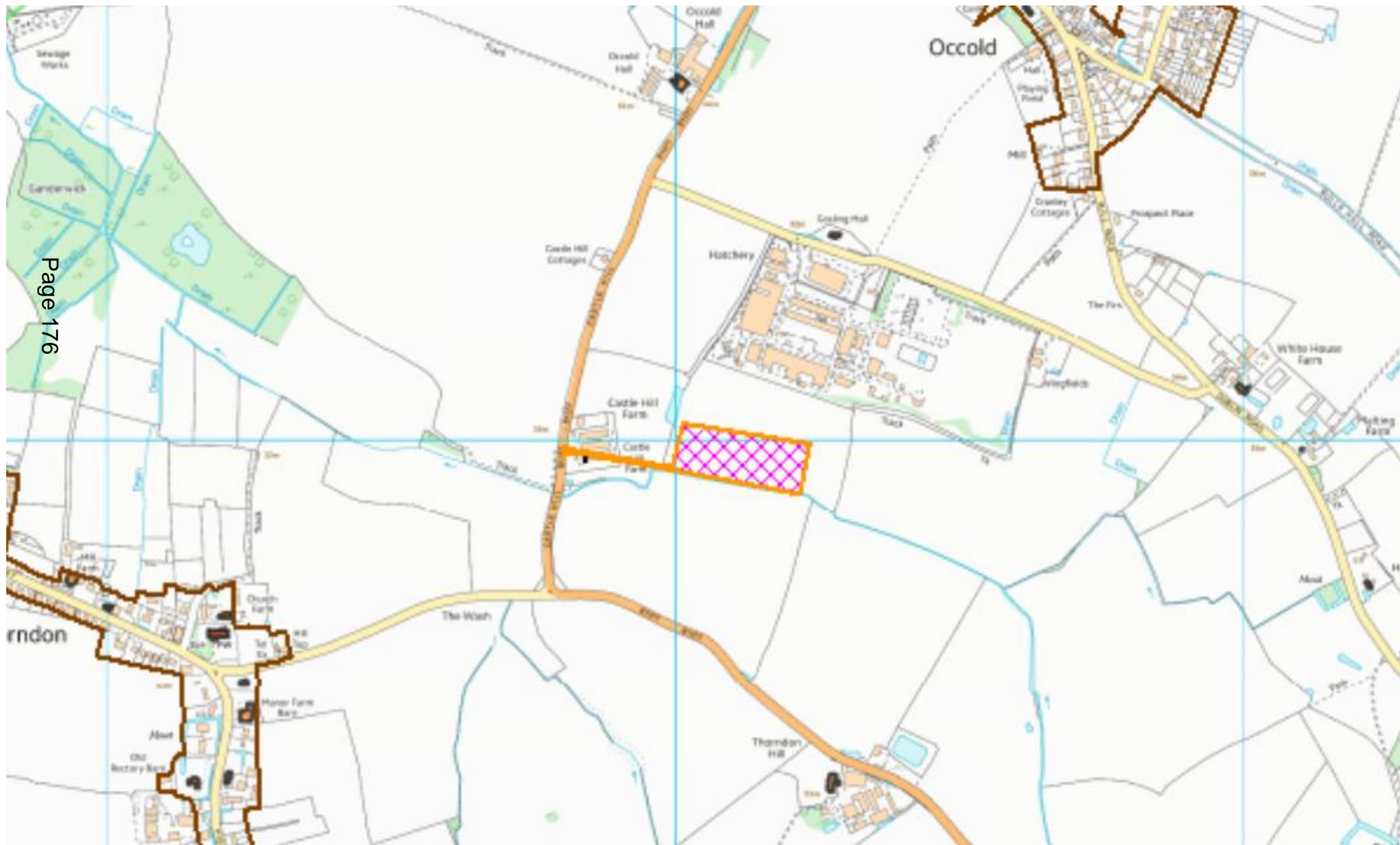


# Constraints Map

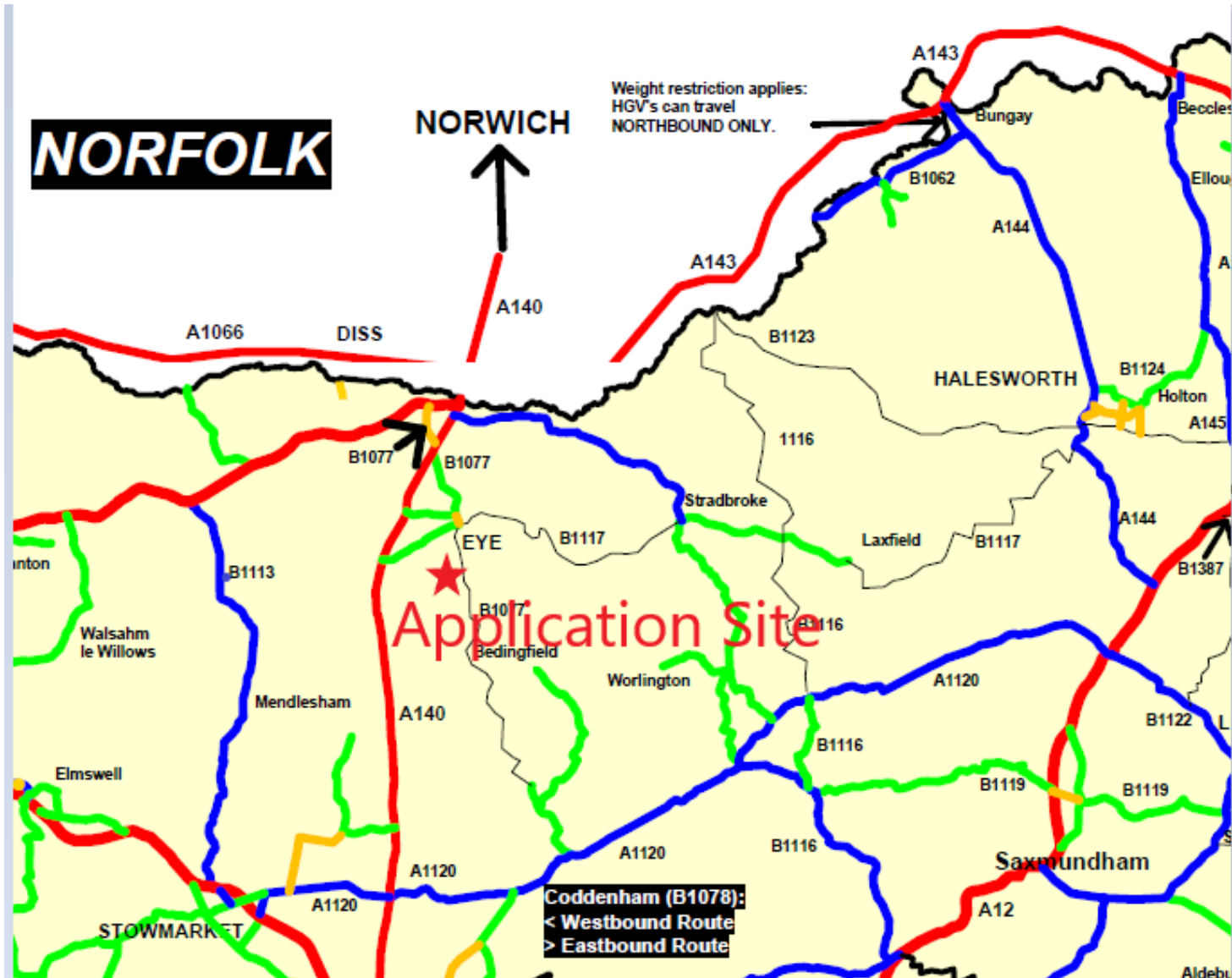
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- Grade I
  - Grade II
  - Grade II\*

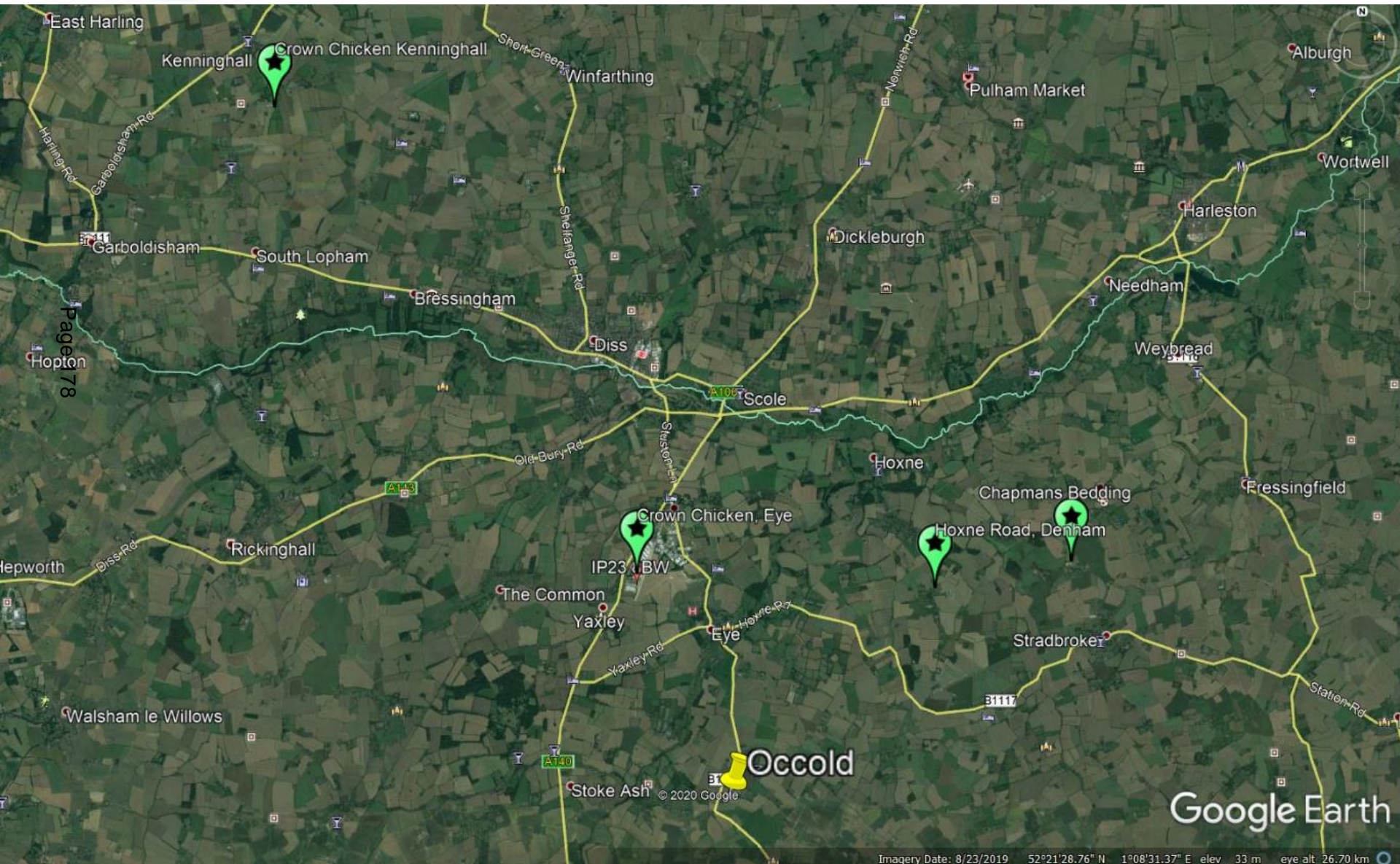
Slide 4

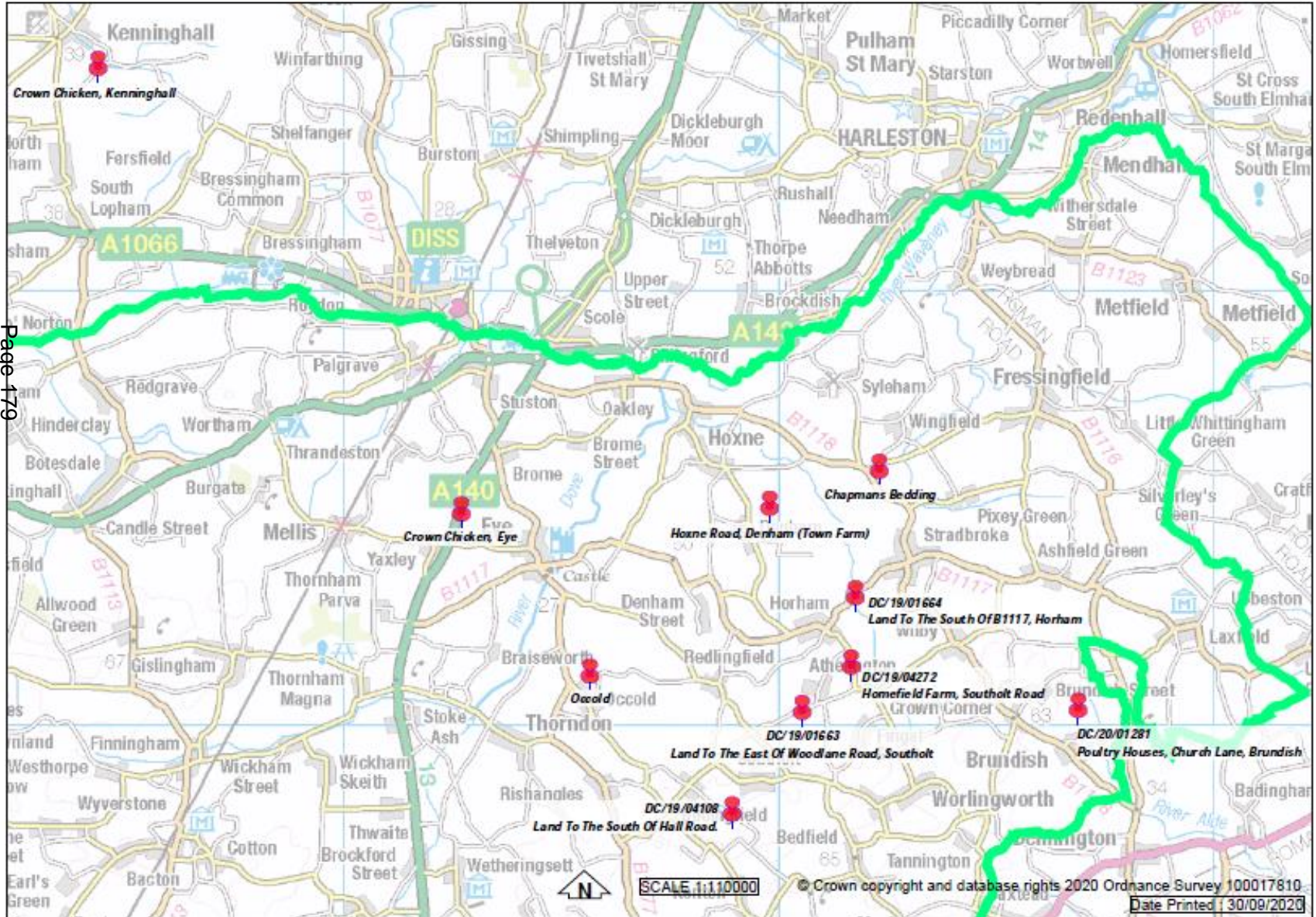
Built Up Area Boundaries





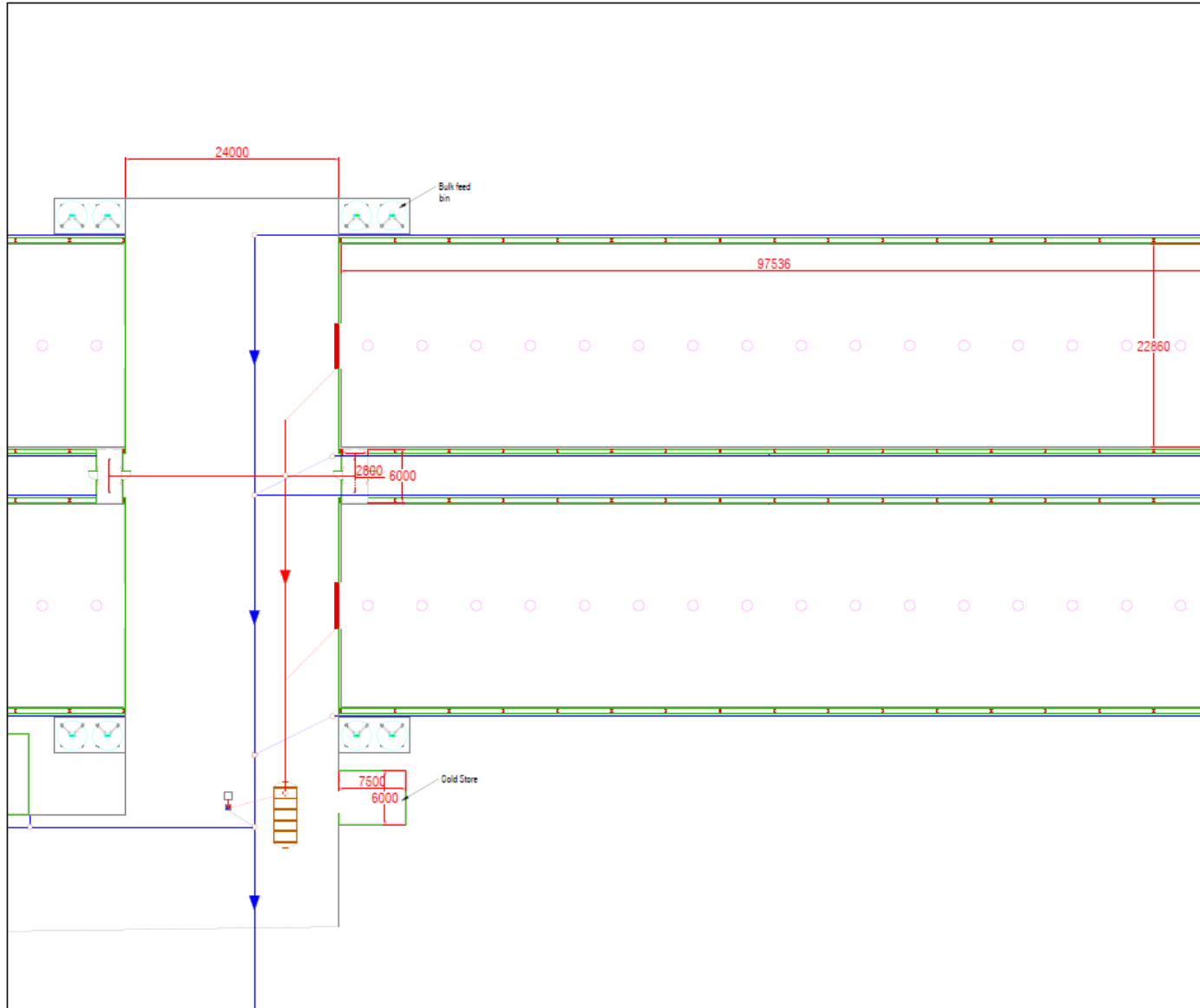






# Site Layout





**C. E. DAVIDSON LTD**

CLIENT: OOCOLD HALL FARM		
DATE: JUNE 2020		
SUBJECT: CASTLE HILL FARM, OOCOLD, SUFFOLK, IP23 7JT - PROPOSED POULTRY FARM REDEVELOPMENT		
DRAWING NO: CHF-INT3		
SCALE: 1:200 AT A1		
APPROVED BY:	PGD	DRAWN BY: CPD
REV	DATE	DESCRIPTION
0	03-06-2020	INTERNAL SHED LAYOUT
1	08-06-2020	INTERNAL SHED LAYOUT

GABLE ELEVATIONS



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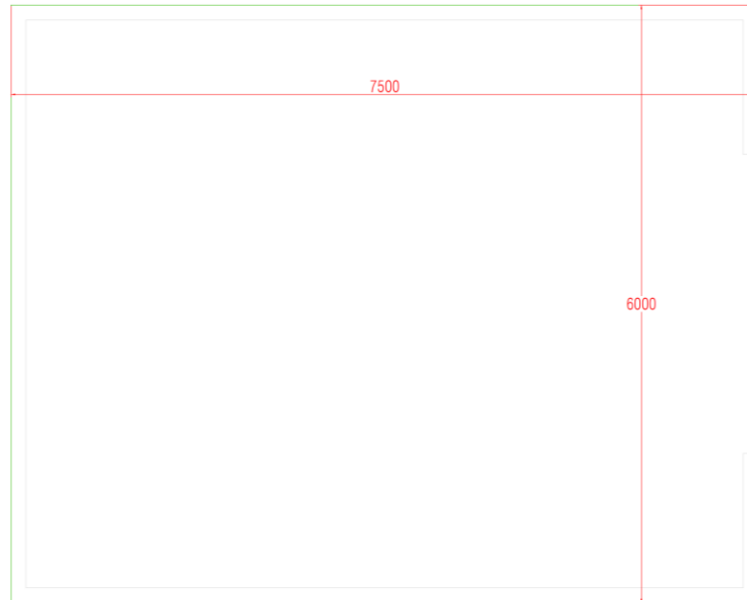
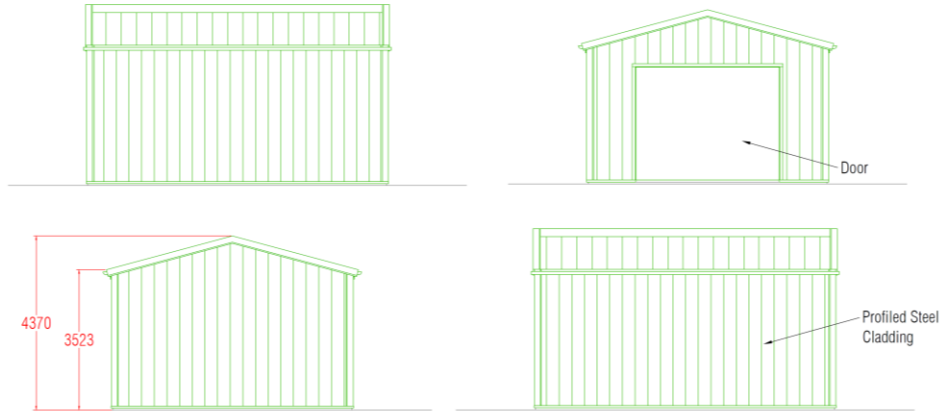


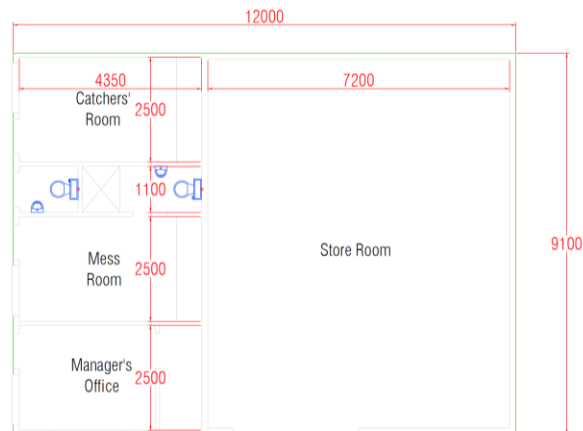
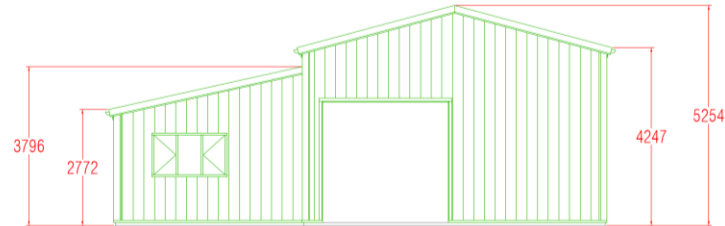
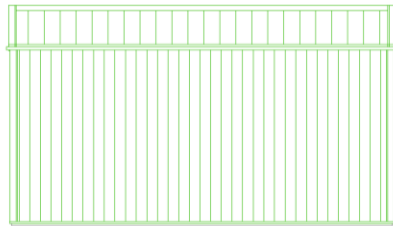
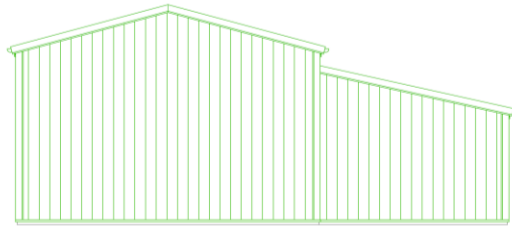
SIDE ELEVATIONS



# Chilled Storage Building

Slide 11







# Agenda Item 7b

## Committee Report

Item 7B

Reference: DC/20/01110

Case Officer: Bron Curtis

Ward: Onehouse.

Ward Member/s: Cllr John Matthissen.

---

## **RECOMMENDATION – GRANT OUTLINE PLANNING PERMISSION WITH CONDITIONS**

---

### **Description of Development**

Outline Planning Application. (Access to be considered) for the erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure

### **Location**

Land To The South Of, Union Road, Onehouse, Suffolk

**Expiry Date:** 08/10/2020

**Application Type:** OUT - Outline Planning Application

**Development Type:** Major Large Scale - Dwellings

**Applicant:** Endurance Estates Land Promotion Limited and Mr Paul Barn...

**Agent:** Pegasus Group

**Parish:** Onehouse

**Site Area:** 7.61ha

**Density of Development:**

Gross Density (Total Site): up to 19 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):** No

**Has the application been subject to Pre-Application Advice:** Yes DC/19/03324

---

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

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

It is a major application for in excess of 15 residential dwellings.

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## **PART TWO – POLICIES AND CONSULTATION SUMMARY**

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### **Summary of Policies**

*Mid Suffolk Local Plan 1998*

GP1: Design and Layout of Development

HB1: Protection of Listed Buildings

HB14: Ensuring archaeological remains are not destroyed

H3: Housing development in villages 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

CL8 Protecting wildlife habitats T10 Highway considerations in development

T11 Facilities for pedestrians and cyclists

RT4 Amenity open space and play areas within residential development

SC5 Areas at risk of flooding

*Mid Suffolk Core Strategy 2008*

CS1: Settlement hierarchy

CS2: Development in the countryside and countryside villages

CS3: Reduce contributions to climate change

CS5: Mid Suffolk's environment

*Mid Suffolk Core Strategy Focussed Review 2012*

FC1: Presumption in favour of sustainable development

FC1.1: Mid Suffolk approach to delivering Sustainable Development

*Stowmarket Area Action Plan 2013*

SAAP Policy 4.2: Providing a Landscape Setting for Stowmarket

SAAP Policy 6.2: Land Adjoining Paupers Graves, Union Road, Stowmarket

SAAP Policy 6.6: Development Briefs

SAAP Policy 6.7: Paupers Graves

SAAP Policy 6.9: Transport - buses / cycle / walking

SAAP Policy 6.12 Infrastructure Delivery Programme (IDP)

SAAP Policy 9.1: Biodiversity Measures

SAAP Policy 9.5: Historic Environment

**The Emerging Babergh and Mid Suffolk Joint Local Plan (JLP)**

Babergh and Mid are currently preparing a Joint Local Plan which, if adopted, will replace the current Development Plan policies and set out a strategy for the growth of Babergh and Mid Suffolk up to 2036. The JLP will include land allocations and development management policies to inform the determination of planning applications. Details of the JLP insofar as it relates to the proposal are set out in the assessment below in order to provide context to the direction of travel of the council's strategic policies.

The JLP is currently out for a 6 week pre submission consultation (Regulation 19) on the legal compliance and soundness of the Plan after which it will be submitted to the Secretary of State (Regulation 22) which is expected during winter 2020/21.

The progress of the JLP towards adoption is material to the weight it is afforded in the determination of planning applications as an emerging policy document. A verbal update on the status of the JLP will be given at the Committee meeting.

### **Neighbourhood Plan Status**

This application site is not within a Neighbourhood Plan Area.

### **Housing Land Supply position**

Mid Suffolk have recently published an updated housing land supply position demonstrating a supply of 7.67 years. This is material to the weight afforded to the relevant Development Plan policies as discussed in the assessment below.

### **Consultations and Representations**

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

***NB: The application was originally submitted with two alternative proposals (A and B). Scheme B has been withdrawn from the proposal during the course of determination. Consultation and representation comments may make reference to two separate proposals, A and B.***

### **Summary of Consultations**

#### **Parish Council (Appendix 3)**

Onehouse Parish Council

- Object
- The SAAP is the adopted document for planning applications in the Stowmarket area.
- This site was considered reserve and not part of the main plan.
- The first review of the SAAP has not been undertaken but the numbers proposed have already been given permission.
- Policy documents identify Onehouse as a secondary village appropriate for infill development to meet local needs only.
- Visually Important Open Space policies apply.
- Gaps between Stowmarket and Onehouse should be reinforced whilst allowing public access.
- The Rat river valley needs protection to maintain its attractive character.
- SAAP policies seeks to ensure provision of open space and protection of the open character of the area including protection of the Paupers Graves.
- Paupers Graves is a VIOP (sic). This development would harmfully effect the value of this space.
- The council has always accepted the concerns of Haughley and Onehouse for their loss of identity and their need for continued separation from Stowmarket.
- There have been 8000 planning applications considered by MSDC. The fact these have not been built suggests that demand for housing is unproven.
- Covid will result in recession meaning that the need for housing will not change in the foreseeable future.
- Development of the adjacent site has resulted in localised flooding on Finborough Road.

- Starhouse Lane has not been incorporated into highways planning for connectivity of this proposal with the countryside.
- Increased traffic on an already overloaded country lane will be detrimental.

#### Stowmarket Town Council

- Recognise that the site has been allocated for residential development for some time.
- Wish to see the site developed in a sustainable and sympathetic manner.
- Prefer to see a mixed development including care home provision to enable the greatest social and economic benefits.
- The local environment should be protected.
- The site requires comprehensive water management.
- The narrowness of Union Road and Starhouse Lane are a concern. Traffic management and calming measures are recommended.
- Agree that the type and mix of housing should respond to housing need in the area.
- Concern regarding the capacity of local amenities and infrastructure.

#### Combs Parish Council

- Neither support or oppose.
- It is probably that any negative impacts on Onehouse would cascade into neighbouring parishes including Combs.
- Question the need for development
- Believe the land is declared as reserve and ask MSDC to assess the impact of recent development to determine if this would be sustainable in the area and with the existing infrastructure.
- Concerns regarding impact of traffic on Combs Lane and Combs Ford.
- There has often been severe flooding on Combs Lane.

#### **National Consultee (Appendix 4)**

##### Anglian Water:

- Assets are within / close to the site which will affect site layout.
- There is not currently capacity to treat the waste water from the development but AW are obligated to accept waste water from developments with permission so would ensure there is sufficient capacity if permission is granted.
- The sewerage system has capacity for expected used water flows from the development.
- The preference for surface water disposal is SuDS.
- Informative notes recommended.

##### Environment Agency:

- No comments

##### Internal Drainage Board:

- Proposed discharge of surface water to the River Rat is not the responsibility of the IDB but the EA.

##### Mid Suffolk Disability Forum:

- Mid Suffolk Disability forum wish to see the dwellings comply with Building Regs for accessibility.
- At least one dwelling should be wheelchair accessible and 35% should be bungalows.
- Footways should be wide enough for wheelchair use.

##### Natural England:

- No objection.

NHS:

- Both proposals would have an impact on funding for healthcare.
- Object to option B as unsustainable effect on primary care in the area.
- Impacts of option A expected to be addressed through developer contribution.
- No objection to option A.
- Further information to explain impact of scheme B.

Suffolk Wildlife Trust:

- Holding objection initially but resolved.
- .

*Further comments on additional information:*

- Surveys are satisfactory.
- Mitigation measures should be implemented.
- No objection.

**County Council Responses (Appendix 5)**

Archaeology:

- The site lies in an area of archaeological potential.
- No grounds for refusal but conditions recommended to secure investigation.

Developer Contributions:

- The development must be planned comprehensively with the adjacent site to secure a better outcome for the locality and ensure pedestrian and cyclist connectivity.
- Details of contribution requirements.
- Revised education costs provided.

Fire and Rescue:

- Hydrants are required.
- Must comply with Building Regs.

Flood and Water Management after

*Further comments on additional information:*

- Submitted information meets policy requirements
- Approve subject to conditions.

Highways:

- Further footway improvements required.

*Further comments on additional information:*

- Visibility splays are sufficient.
- Proposed PROW and footway links provide a safe route for the vulnerable user and for access to the primary school.
- There are bus stops close to the site.
- The transport assessment demonstrates the local junctions have capacity to cope with this development.
- This development can achieve safe and suitable access for all users without a severe impact on the highway.
- No objection.

Travel Plan Officer:

- Comments will be provided in Highways response.
- Clarification of Travel plan requirements.

### **Internal Consultee Responses (Appendix 6)**

#### Ecology:

- No objection subject to biodiversity mitigation and enhancements
- Sufficient ecological information for determination.

#### Economic Development:

- No objection.
- No comments on scheme A.

#### Environmental Health (air quality)

- No objection.

#### Environmental Health (contamination):

- No objection.

#### Environmental health (noise/odour/light/smoke):

- No objection.
- Condition to secure construction management plan recommended

#### Environmental Health (sustainability):

- BMSDC declared a climate emergency and aim to be carbon neutral by 2030
- Sustainability information is expected for a proposal of this size.
- There is mention of this at reserved matters stage but the expectation is for some detail at this stage.
- Recommend refusal.
- Conditions recommended if minded to grant.

#### Heritage:

- The development is likely to cause some harm to heritage assets but this will be determined at reserved matters stage.
- Main concerns relate to the impact on a number of nearby listed buildings as the development would alter the rural setting of these assets.
- The proposed access works will not cause any harm.

#### Landscape:

- The LVIA includes a comprehensive assessment of the proposal and recommendations for mitigation.
- Generally agree with the conclusion that the proposal will have limited visual impacts.
- Design recommendations.

#### Public Realm:

- No objection.
- The amount of open space is above the minimum required and play space is welcome.

#### Strategic Planning:

- The land is part of an allocated site in the emerging JLP.
- The site is also included in the SAAP allocation.
- The site is exempt from CIL so all contributions must be secured by s106.

- Infrastructure needs must be addressed.
- Support scheme A but not scheme B.

#### Strategic Housing:

- The SHMA confirms a continued need for housing across all tenures and a growing need for affordable housing.
- The SHMA indicates a need for 127 new dwellings per annum in Mid Suffolk.
- Too many 3 bed houses are proposed. More 2 bed houses should be included.
- Advice on mix and tenure of housing required.

#### Waste:

- No objection subject to conditions

### **B: Representations**

At the time of writing this report at least 22 letters/emails/online comments have been received. It is the officer opinion that this represents 21 objections, 0 support and 1 general comment. A verbal update shall be provided as necessary.

Views are summarised below:-

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

- Bad timing during lockdown as the application can't be discussed at a public meeting. Time for comments should be extended. Application should be withdrawn.
- Site is wholly within a secondary village and so not appropriate.
- There is a 5 year land supply, recent Hopkins and Taylor Wimpey developments and likely downturn on the housing market following Covid means there is no need for this.
- Will put additional pressure on local amenities that are already stretched.
- Unnecessary use of greenfield site ahead of brownfield is a travesty.
- Does not respect the gap between Onehouse and Stowmarket.
- Disregards the Pauper's Graves VIOS.
- There has been flooding on Finborough Road as a result of the Hopkins development that would be exacerbated by this proposal. Photos of flood incidents in the area around Burford Bridge.
- Onehouse residents were not invited to take part in the applicant's public consultation.
- Highways impacts of additional traffic – there has not been enough assessment of the junction of Union Road and Starhouse Lane which is inadequate for volumes of traffic. It is unrealistic and unsafe for residents to walk or cycle into town.
- Increased danger for cyclists.
- Unacceptable visual impact. Will erode views and the appearance of the landscape.
- Will have a detrimental impact on the NHS.
- Suffolk Wildlife Trust don't comment on the badger sett on the site. There are a number of other protected species known to be present on the land.
- Full archaeological report should be required if planning granted.
- Concern that LA036 is allocation for approx. 400 dwellings and this development would bring the total to 446.
- Will cause more carbon emissions as people will have to travel to work.
- Public footpath should be maintained through out constructions so people can walk from Union Road to Finborough Road.

- Request the number of trees / hedges to be removed are restricted and more trees should be planted.
- Path on the southern side should be moved to maintain privacy of houses on Finborough Road.
- Note the sustainability officer's recommendation of refusal.
- This is not a sustainable community as it will need more services and land will eventually run out.
- Disrespectful attitude from BMSDC regarding hedge complaint.
- Impact on local residents from the Hopkins site has been immense. To add to development in a rural area is unacceptable.
- We need to keep agricultural land to grow food so we don't depend on other countries.
- Will overlook properties on Finborough Road.
- Will increase light pollution.
- Will affect the view from my property.
- How will the financial contribution benefit local infrastructure?
- The land is high quality agricultural land and should be preserved.
- Suggested conditions if Committee are minded to grant permission.

## **PLANNING HISTORY**

<b>REF:</b> DC/19/04993	EIA Screening Opinion - Residential Development and Supporting Infrastructure, or Residential Development and Care Home Supporting Infrastructure.	<b>DECISION:</b> EIA not required 07.11.2019
<b>REF:</b> DC/20/01639	Screening Opinion Request - Proposed residential development and supporting infrastructure or a residential development and care home and supporting infrastructure	<b>DECISION:</b> EIA not required 30.04.2020

---

## **PART THREE – ASSESSMENT OF APPLICATION**

---

### **1. The Site and Surroundings**

- 1.1 The application site is an area of grassed agricultural land, with some trees and hedges to the boundaries, located in the countryside within the parish of Onehouse and close to the defined settlement boundary of the town of Stowmarket. It forms part of the allocation LA036 within the emerging Joint Local Plan.
- 1.2 The land is bordered by a residential development currently under construction to the east (Hopkins Homes) and by the highways Union Road to the north, Starhouse Lane to the west and Finborough Road to the south.
- 1.3 The topography of the site is fairly level at the northern side adjoining Union Road which then slopes down south towards the B1115 Finborough Road where there is a steep vegetated bank between the level of the site and the highway.



- 1.4 The site is not a designated Visually Important Open Space (VIOS) within any document of the Development Plan as suggested by the Parish Council but does lie close to the Paupers Graves VIOS to the north and adjacent to the Rat river valley Special Landscape Area (SLA).
- 1.5 There are no listed buildings or other above ground heritage assets within the site itself but there are listed buildings within the surrounding area including:
- Starhouse Farmhouse and Barn (both GII) approx. 90m to the north-west of the site
  - The Shepherd and Dog pub (GII) approx. 145m to the south-west of the site
  - Stow Lodge hospital (GII) approx. 350m to the north-east

## **2. The Proposal**

2.1. This is an outline application, with matters of access only to be considered at this time, for a residential development of up to 146 dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, highways works, drainage and utilities infrastructure

2.2. It should be noted that the application as originally submitted proposed two alternative schemes of development; scheme A – 146 dwellings and associated works or scheme B – 129 dwellings and 66 bed care home and associated works. During the course of determination scheme B was withdrawn from the proposal. The application seeks permission for the scheme A development only, as described above.

2.3. The application plans include an indicative layout demonstrating the capacity of the site to accommodate the development and showing how the scheme may be laid out. However, details of scale, appearance, layout and landscaping are reserved matters that are not considered as part of this application.

2.4. The site area is 7.61 hectares.

## **3. The Principle of Development**

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. A key material consideration regarding the principle of development is the National Planning Policy Framework (NPPF) 2019.

3.2 This application site is outside but close to the settlement boundary for Stowmarket. The site is greenfield land and is in agricultural use. Relevant local plan policies are policy H7 which seeks to restrict housing development unrelated to the needs of the countryside, and core strategy policy CS1 which identifies a settlement hierarchy and CS2 which also seeks to resist development other than those listed in the policy. The NPPF has changed direction since these policies were adopted as detailed further below, so as to affect the weight of these policies in determining this application.

3.3 The Core Strategy Focused Review (2012) identified this change in line with the National Planning Policy Framework. Reflecting this policies FC1 – Presumption in favour of sustainable development and FC1.1 – Mid Suffolk approach to delivering sustainable development identify a more positive approach to proposed development.

3.4 The NPPF identifies in paragraph 213 that the weight attributed to policies should be according to their degree of consistency with the NPPF. The closer the aims of the policy are to the NPPF the greater the weight that can be attributed to them.

3.5 The NPPF also identifies that planning decisions should apply the presumption in favour of sustainable development which means:

*“approving development proposals that accord with an up-to-date development plan without delay or, where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*

3.6 Footnote 7 of the NPPF confirms that “out-of-date” includes the situation where the local planning authority cannot demonstrate a five year supply of deliverable housing sites or where the Housing Delivery Test indicates that the delivery of housing was less than 75% of the housing requirement over the previous three years. In this instance the Council can demonstrate a sufficient land supply. This is a material planning consideration, but first the weight attributed to policies in the development plan must be ascertained.

3.7 The policies most important for determining the application are policy H7 of the local plan, CS1 and CS2 of the Core Strategy, FC2 of the Core Strategy Focused Review and policies SAAP 6.2 to 6.12 inclusive of the Stowmarket Area Action Plan (SAAP) as they relate to the proposed and potential future allocation of land for housing development to the north-west of Stowmarket. These are considered to carry less weight as they are not entirely consistent with the aims of the NPPF. Policy FC1 of the Core Strategy Focused Review repeated the requirements of the former paragraph 14 of the NPPF (2012), which is replaced now with paragraph 11 (NPPF 2019) which is the more relevant consideration, and so this policy is given less weight. Policy FC1.1 seeking to conserve and enhance the local character of different parts of the district, is up-to-date and relevant to this application. These two policies seek to promote the principles of sustainable development.

3.8 Therefore with regard to the MSDC Housing Land Supply Position Statement, even in the presence of a sufficient land supply these key policies cannot be given full weight. Therefore, paragraph 11dii) of the NPPF presumption in favour of sustainable development should apply in this instance given the above considerations.

3.9 The Stowmarket Area Action Plan (SAAP) identifies the site, together with the land to the east currently under construction, as a ‘reserve’ site with potential for future housing development of approximately 200 homes to be considered as part of the first review of the SAAP. The SAAP also requires development briefs to be carried out for identified sites before applications are made. Whilst a development brief has been submitted for land at Union Road it does not include this site. Having regard to the weight accorded to these policies as described above these policies are not considered to be fatal to the determination of this application.

3.10 Also a material consideration, albeit of limited weight, is the emerging JLP which, when adopted, will replace the SAAP and other current Development Plan documents. The emerging Joint Local Plan allocates this land, together with the adjacent site currently under construction for housing development of approximately 400 homes. Allocations are areas of land that benefit from a strategic assessment of their suitability for future development to meet the councils’ objectives for housing and other delivery. Allocations are expected to be the focus for new development within the districts during the plan period.

3.11 It cannot be ignored that the policies most important for determining the application do not accord with the NPPF. Therefore less weight will still be given to these policies as identified above. Whilst

tension with the development plan exists and is noted, that tension is considered to be less significant as a consequence, in light of the lesser weight afforded to the most important development plan policies relevant to this application where they are not consistent with the NPPF.

3.12 The site lies close to the north-west edge of the settlement boundary of the Town of Stowmarket where there is a full range of services and facilities. Stowmarket High School and the Mid Suffolk leisure centre are within walking distance, approximately 1km to the east and the proposal includes footway extensions to connect to the local footways serving these facilities. A primary school is also planned for the Chilton Leys estate on land to the north of the site, also within reasonable walking distance. The development will provide a mix of housing including affordable housing, and, if Members are minded to grant outline permission, the reserved matters stage will provide the opportunity to achieve the best design, layout and landscaping options for the development. Conditions are recommended below to secure environmental mitigation and enhancements and to ensure new residents have appropriate information and access to enable them to make sustainable transport choices including electric vehicle charging and resource efficiency. The proposal is considered to meet the social, economic and environmental criteria of sustainable development in general terms.

3.13 Therefore an assessment against the Development Plan is made, considering the material consideration of the NPPF and the purpose of the planning system to contribute to the achievement of sustainable development. The conclusion to this report will then consider whether the development should be approved, and whether the harms of approving would be outweighed by the benefits of the scheme.

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

4.1. Access details are submitted for consideration as part of this application. The proposed access and highways development is as follows:

- A vehicular access and bell mouth to serve the internal roadway for the development from Union Road.
- A pedestrian footway linking the site to the adjacent Hopkins development on the south side of Union Road.
- A pedestrian footway linking the site to the Starhouse Lane junction on the south side of Union Road leading to a dropped kerb crossing place on the east side of Starhouse lane (to provide access to footpath number 24).
- A pedestrian footway linking footpath number 24 to a dropped kerb crossing place pm the west side of Starhouse Lane.
- A dropped kerb pedestrian crossing place on Starhouse lane close to the Finborough Road junction.
- Pedestrian access from the site onto Finborough Road.
- A dropped kerb pedestrian crossing place and link to the existing footway on Finborough Road.

4.2 A number of concerns have been raised regarding the impact of the proposed development on traffic volume and highway safety, particularly because of the narrowness of Starhouse Lane.

4.3. SCC Highways have been consulted and advise that the proposed access and highways works would ensure safe access to and from the site, connecting with the local footway network and without causing a severe impact on highway safety.

4.4. Details of estate road, parking and turning areas, etc. will be considered at the reserved matters stage as part of the detailed layout and design of the development.

4.5. SCC Highways recommend conditions to control the access elements of the development that form part of this application and for the reserved matters.

4.6. On the basis of SCC Highways advice and subject to the conditions recommended the proposal is not considered to have an unacceptable impact on highway safety.

## **6. Landscape Impact**

6.1. The application site occupies a visually prominent location on inclined land forming part of the valley side of the semi-rural landscape in the locality. The site lies adjacent to, but outside, a designated SLA to the south. The Paupers Graves VIOS lies outside and to the north of the site, close to the Chilton Leys development. The value of this area as a designated site is not considered to be materially affected by the proposal.

6.2. A number of concerns have been raised regarding the visual impact of the loss of open, agricultural land on the character of the area and in particular the value of the land in an undeveloped state in reinforcing the physical gap between Stowmarket and Onehouse.

6.3. The application documents include a landscape and visual impact assessment which concludes the proposal would have relatively limited visual impacts and the development would be experienced as an extension to the built settlement of Stowmarket and a continuation of the development already under construction at Union Road to the east of the site.

6.4. Details of the design, scale, layout and landscaping of the development will be considered at the reserved matters stage and controls can be imposed to ensure the use of appropriate building styles, materials and to secure landscape planting to help ameliorate the visual impacts of the built form of the development.

6.5. The council's landscape advisor accepts this conclusion and makes recommendations for the design of the development that will mitigate visual impacts.

6.6. On the basis of the above there are not considered to be any unacceptable landscape impacts that would warrant refusal of the application.

## **7. Ecology, Biodiversity And Protected Species**

7.1. The site is an area of grassed agricultural land with mature trees and hedges to the boundaries close to the River Rat, in a countryside location. As such there is potential for the site to include protected species and habitats.

7.2. Regulation 9(5) of the Conservation of Habitats and Species Regulations 2010 provides that all competent authorities must "have regard to the Habitats Directive in the exercise of its functions." When determining planning applications the Local Planning Authority must therefore consider (i) whether any criminal offence under the 2010 Regulations against any European Protected Species is likely to be committed; and (ii) if one or more such offences are likely to be committed, whether the LPA can be satisfied that the three Habitats Directive ""derogation tests"" are met. Only if the LPA is satisfied that all three tests are met may planning permission be granted.

7.3. The application documents include an ecology report which confirms the site is not within or close to a designated site and concludes the main arable part of the site to be of low ecological value and the trees and hedges to be of elevated value to species including birds and bats. A badger survey has also

been completed and further surveys have been submitted in response to Suffolk Wildlife Trust's concerns regarding impacts on otter and voles.

7.4. A number of protected species and habitats have been identified and the report recommends a mitigation measures as well as opportunities for enhancement and net gain.

7.5. The council's ecology adviser confirms that there is sufficient information to enable the LPA to discharge its statutory duty and that subject to conditions, planning permission can be granted. On the basis of this advice there is not considered to be any unacceptable impact on protected species or habitats.

## **8. Land Contamination, Flood Risk and Drainage**

8.1. The application documents include a contamination report which found no sources of contamination on the site. The Environmental Health Officer has no objection to the proposal and on this basis there is considered to be no unacceptable contamination impacts arising from the development.

8.2. In terms of flood risk and drainage, whilst the site lies wholly within flood zone 1 the land is elevated above the Rat river valley which lies to the south and concerns have been raised regarding the impact of the development on drainage and flood risk in the area where there is a history of flooding.

8.3. The application documents include a flood risk assessment which concludes the site itself is not at risk from significant flood risk. It also includes a surface water strategy that confirms the greenfield infiltration / run-off rate of the site can be maintained with the proposed attenuation and SuDS scheme within the development.

8.4. The Environment Agency and Internal Drainage Board have been consulted and raise no objection. SCC as Lead Local Flood Authority is responsible for advising on the suitability of surface water management and in this case SCC confirm that the submitted details are acceptable and there is no objection to the proposal subject to conditions.

8.6. On the basis of the technical advice received and subject to the conditions as recommended there are not considered to be any unacceptable contamination, flood risk, drainage or waste issues arising from the proposed development.

## **9. Heritage Issues**

9.1. The Development Plan refers to historic buildings and seeks to protect assets and settings through policy HB1. SAAP Policy 9.5 seeks to protect the historic landscape of Stowmarket and surrounding villages, including protecting man made landmarks, archaeological features and safeguarding built heritage. These policies reflect the NPPF objectives of sustaining and enhancing the significance of heritage assets.

9.2. There are no above ground heritage assets within the site itself but there are a number of listed buildings close to the site and within the wider surrounding area. The site has the potential to have below ground assets.

9.3. The development of this open, rural grassland site will change the character of the landscape in this area and the context in which nearby listed buildings are experienced, thereby having the potential to affect the setting of these buildings. The development will extend the urban, built character of the edge of Stowmarket settlement along Union Road / Finborough Road This change will be experienced as an extension of that effect already imposed by the recent adjacent developments in the area.

9.4. The application documents include a historic environment assessment which identifies three listed buildings within close proximity of the site that have the potential to be affected by the development:

- Starhouse Farmhouse and Barn (both GII) approx. 90m to the north-west of the site
- The Shepherd and Dog pub (GII) approx. 145m to the south-west of the site
- Stow Lodge hospital (GII) approx. 350m to the north-east

Listed buildings within the wider area are not considered to be materially affected due to distance and lack of intervisibility such that the site is not considered to contribute to their setting.

9.5. In all cases the listed buildings are screened by mature planting, buildings and modern development such that views to / from the site are obscured or partial. The report does not find any historic interrelationship with any of the listed buildings and states that the site makes a very limited contribution to the significance to these assets. The report concludes that the development of the site would not impact the significance of any listed buildings.

9.6. The MSDC Heritage Officer advises that, whilst the access proposals would not cause harm to the significance of any assets, the built form of the development is likely to have an impact as it will result in a change to the urban / rural transition setting of nearby listed buildings. However, no specific concern or objection is raised at this time and the advice states that the degree and level of any harm arising from this change of setting can be assessed at the reserved matters stage.

9.7. The SCC Archaeological Officer has confirmed the site has potential for below ground assets and recommends conditions to secure appropriate investigation and recording of any finds, raising no objection to the proposal.

9.8. Impacts on below ground assets can be controlled by condition on the grant of permission and the detailed design, scale, layout and landscaping of the proposal can be controlled at the reserved matters stage. On this basis and having regard to the specialist advice summarised above the proposal is not considered to result in any unacceptable impact on heritage.

## **10. Impact on Residential Amenity**

10.1. There are a number of existing dwellings in the surrounding area and some concerns have been raised regarding the impact on the amenities of these properties, particularly in terms of the level of the site above Finborough Road and the impact of any dwellings on the southern side of the site on these properties.

10.2. This application is made in outline with only matters of access to be considered at this stage. Details of the design, layout and scale of the proposal, including the position and orientation of buildings, together with the impact of these on the amenities of existing properties, will be considered at the reserved matter stage where it is likely that the residential amenity of nearby properties can be safeguarded through the design, layout and landscaping of the development.

## **11. Planning Obligations**

11.1. The land forms part of a Strategic Site meaning that there is a £0 CIL charge and all infrastructure contributions will be secured by way of a s106 planning obligation.

11.2. A draft planning obligation has been prepared to secure the provision of affordable housing and contributions required by the NHS towards healthcare, by SCC towards travel plan administration, education, libraries and waste as well as securing the provision and maintenance of open spaces.

11.3. The viability of the proposal has been assessed to identify the capacity of the development to afford the policy requirements for contributions. Your viability assessor advises the scheme can achieve 25% affordable housing.

11.4 A verbal update on the progress of the planning obligation will be given at the meeting.

## **12. Parish Council Comments**

12.1 Onehouse Parish Council raise concerns relating to the policy status of the site and the impact on the Paupers Graves VIOS, the strategic gap between Stowmarket and Onehouse, the character of the rural landscape, flooding and highways.

12.2 Stowmarket Town Council recognise the site allocation and seek a sympathetic development to enable the greatest social and economic benefits whilst protecting the environment. Concerns relating to traffic management and the capacity of local amenities and infrastructure are raised.

12.3 Combs Parish Council question the need for development and query the reserve status of the site. Concerns are raised regarding traffic and flooding.

The matters raised by the Town and Parish Councils have been addressed in the above report.

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## **PART FOUR – CONCLUSION**

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### **13. Planning Balance and Conclusion**

13.1. This application is made in outline with the principle of development and issues of access only to be considered at this stage. The detail of the scale, design, layout and appearance of the built and landscaped form of the development will be considered at reserved matters stage if outline permission is granted.

13.2. The site is located in the countryside, outside of a defined settlement boundary and the proposal is not for a type of development provided for by any of the countryside exception policies within the Development Plan. However, the Development Plan policies have been assessed for their degree of accordance with the principles of the NPPF and the majority are considered to be out of date and, as such, afforded limited weight in the determination of this application.

13.3. The development will extend the urban form of the settlement of Stowmarket on this north-western side, along Union Road and Finborough Road and will be experienced as a continuation of the development currently under construction. The site location, together with the proposed access improvements will ensure the sustainability of the development in terms of access whilst benefits for the wider area and mitigation of immediate impacts will be secured by conditions and planning obligation.

13.4. The proposed development of up to 146 dwellings will have a number of impacts as discussed above. Officers and consultees are satisfied that the submitted documents demonstrate the site can accommodate this scale of development either with acceptable impacts or such impacts as can be made acceptable by condition on the grant of permission.

13.5 Overall, the benefits of the development are considered to outweigh the impacts and the proposal is in general accordance with the objectives and policies of the Development Plan and NPPF. The officer's recommendation is for the grant of conditional planning permission as detailed below.

## **RECOMMENDATION**

That authority be delegated to the Chief Planning Officer to grant outline 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 (21%)
- Travel plan administration
- Education
- Libraries
- Waste
- Open space provision and maintenance
- NHS contribution
- Market Housing Mix

**(2) That the Chief Planning Officer be authorised to GRANT outline 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:**

- Standard time limit for reserved matters and implementation
- Approved Plans
- Visibility splays
- Footway provision
- Access layout
- Estate roads details
- Parking details
- Travel Plan
- Resident's travel Pack
- Construction management plan
- Waste conditions
- Archaeology
- Hydrants
- Levels
- Construction environmental management plan
- Skylark mitigation
- Landscape and ecological management plan
- Biodiversity enhancement strategy
- Wildlife sensitive lighting design scheme
- SuDs conditions
- Resource efficiency and sustainability scheme to be agreed including EV charging.



**(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
- Anglian Water

**(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**

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# Application No: DC/20/01110

## Location: Union Road, Onehouse

		Page No.
Appendix 1: Call In Request	<i>N/a</i>	
Appendix 2: Details of Previous Decision	<i>N/a</i>	
Appendix 3: Town/Parish Council/s	<i>Onehouse Parish Council Stowmarket Town Council Combs Parish Council</i>	
Appendix 4: National Consultee Responses	<i>Anglian Water Environment Agency NHS Suffolk Wildlife Trust</i>	
Appendix 5: County Council Responses	<i>County Council Responses (Appendix 5)  Archaeology Developer Contributions Fire and Rescue Flood and Water Management Highways Travel Plan Officer</i>	
Appendix 6: Internal Consultee Responses	<i>Internal Consultee Responses (Appendix 6)  Environmental health (noise/odour/light/smoke): Environmental Health (sustainability): Ecology Economic Development</i>	



Babergh and Mid Suffolk District Councils



	<i>Environmental Health (air quality)</i> <i>Environmental Health (contamination):</i> <i>Heritage</i> <i>Landscape</i> <i>Public Realm</i> <i>Strategic Planning:</i> <i>Strategic Housing</i> <i>Waste</i>	
Appendix 7: Any other consultee responses	<i>Mid Suffolk Disability Forum</i>	
Appendix 8: Application Site Location Plan	Yes	
Appendix 9: Application Plans and Docs	Yes	
Appendix 10: Further information	<i>N/a</i>	

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



# **Consultee Comments for Planning Application DC/20/01110**

## **Application Summary**

Application Number: DC/20/01110

Address: Land To The South Of Union Road Onehouse Suffolk

Proposal: Outline Planning Application. (Access to be considered) for the erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure

Case Officer: Bron Curtis

## **Consultee Details**

Name: Mrs Peggy Fuller

Address: 86 Forest Road, Onehouse, Stowmarket, Suffolk IP14 3HJ

Email: Not Available

On Behalf Of: Onehouse Parish Clerk

## **Comments**

Onehouse Parish Council continues to object to the proposals and our comments sent 29 May 2020 remain unchanged.

**From:** Peggy Fuller <peggy.onehousepc@btinternet.com>

**Sent:** 10 August 2020 13:35

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

**Subject:** Re: DC/20/01110 Land To the South of Union Road Onehouse (EH Sustainability)

Hello Vanessa

Onehouse Parish Council still objects to the proposals and our comments remain unchanged from these submitted 29 May 2020.

Regards

Peggy Fuller

Clerk to Onehouse PC

# Consultee Comments for Planning Application DC/20/01110

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Case Officer: Bron Curtis

## Consultee Details

Name: Mrs Peggy Fuller

Address: 86 Forest Road, Onehouse, Stowmarket, Suffolk IP14 3HJ

Email: peggy.onehousepc@btinternet.com

On Behalf Of: Onehouse Parish Clerk

## Comments

Onehouse Parish Council continues to object to the proposals and our comments sent 29 May 2020 remain unchanged.

## **Response to Planning Application – 20/01110 Land South of Union Road, Onehouse.**

### **Onehouse Parish Council strongly objects to either proposal.**

The current Stowmarket Area Action Plan is the adopted document for planning applications in the Stowmarket area.

- This plot of land was considered a reserve site – not part of the main action plan.

6.7 North West Stowmarket - Chilton Leys Estimated capacity for 1000 homes during the plan period. There is estimated capacity at Union Road / Finborough Road for a further 200 homes which may be considered at the first review of the SAAP.

**The first review of the SAAP has not been undertaken and the numbers proposed have already been given permission to be built.**

- **The SAAP and Core Strategy identifies Onehouse as a secondary village and is unsuitable for growth, but capable of taking appropriate residential infill and development for local needs only.**
- **Visually Important Open Space (VIOS) SAAP Policy 4.2 section 5**

**5). The Council will resist development that would have a harmful effect on the value of a Visually Important Open Space and will require developments that may have a detrimental effect on the quality of a Visually Important Open Space to be sensitively designed to minimise these effects.**

**Gaps between Onehouse and Stowmarket should be reinforced, while allowing public access via linked cycle and footpath networks through open space, community woodlands and strategic planting schemes.**

**The River Rattlesden valley needs protection to ensure its attractive character is maintained.**

**6.46 The design and layout of the development area will provide for public open space, space for formal and informal recreation and other structural tree planting to enhance existing woodland for community use in the area around the Paupers Graves, off Onehouse Road. This will provide a framework of open space that will help to preserve the separation and character of Onehouse.**

**SAAP Policy 6.2 Land Adjoining Paupers Graves, Union Road, Stowmarket The Stowmarket Area Action Plan will help to maintain the important character of this attractive stand of trees and open space by designating space for additional tree planting around The Paupers Graves site. This will emphasise the contribution made by the area to the gap between Stowmarket and Onehouse.**

The Paupers Graves have been identified as a VIOP – this development would harmfully effect the value of this space.

6.61 The Council has always accepted the concern expressed by Haughley and Onehouse for their gradual loss of identity and their need for continued separation from Stowmarket which has again been emphasised in the recent consultation. Sensitive design and careful



layout will be needed to maximise the benefit of the identified gaps between 46 Mid Suffolk Stowmarket Area Action Plan (February 2013) Stowmarket Area Action Plan the settlements and allow for their realistic long term protection. **The gap between Onehouse and Stowmarket should be properly managed and reinforced with strategic tree belts and/or community access woodlands and open space secured for future generations. This is why it is considered especially important to protect the Paupers Graves.**

6.63 The "Luck" Planning appeal decision (see glossary) provided for restraint on development near Union Road. The protection this offered the town centre road network will be maintained until the alternative transport arrangements, discussed in chapter 8, have been properly implemented. The last thing that an emerging and improved public transport system needs is to operate in unnecessarily congested streets. The land between Union Road and Finborough Road is currently used for arable farming and parts of the site provide a rich habitat. Due to local topography there are important views through the site which contribute to the character and appearance of the river valley. The topographical issues can be addressed through strategic planting and transport issues can be addressed following the implementation of the sustainable transport measures for the town. **Proposals for Union Road will be held over until a review has confirmed that development is acceptable.**

6.64 As part of any road improvements associated with the development of this area of Stowmarket, Starhouse Lane offers the opportunity to be upgraded and made safer for pedestrians and cyclists, while maintaining its essential rural and visually attractive 'sunken lane' character. This will be a matter for review

## **SAAP Policy 6.7**

### **Paupers Graves**

**The Paupers Graves will be protected as Visually Important Open Space, (see Map 6.1 and Proposals Map).**

There have been 8,000 planning applications granted by MSDC that are still outstanding to be built, the fact that these permissions have not resulted in development of housing suggests that the demand for housing is unproven.

This application does not actively demonstrate need for further housing in this area. The current Covid-19 situation is having massive impact on the social and economic status of the entire country indicating a recession, this suggests that the demand for housing will not change in the foreseeable future.

### **Actual Application**

#### **Flooding:**

Development on this site has already shown that the Risk of additional flooding to Finborough Road, has greatly been increased. The Hopkins Homes site has created disturbing environmental impacts on local residents experiencing flooding as a direct result of removal of vegetation and top soil.

The methodology provided by developers ensuring that there would be little or no impact to existing residents is clearly flawed and no additional development should be considered until this is properly examined and ALL parties satisfied further flooding is not a risk.

#### **Accessibility / Highways Impact**

Starhouse lane has not been incorporated in Highways planning as part of the connectivity for this proposed development with the rest of the countryside.

Increased traffic on an already overloaded country lane, is detrimental not only to current essential users of this Lane, but enhanced danger to local pedestrians and cyclists.

No upgrade to Starhouse Lane leaves this application woefully short and would be detrimental to the current residents.

# Consultee Comments for Planning Application DC/20/01110

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Name: Mrs Peggy Fuller

Address: 86 Forest Road, Onehouse, Stowmarket, Suffolk IP14 3HJ

Email: peggy.onehousepc@btinternet.com

On Behalf Of: Onehouse Parish Clerk

## Comments

Onehouse Parish Council strongly objects to either proposal.

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This plot of land was considered a reserve site not part of the main action plan.

6.7 North West Stowmarket - Chilton Leys Estimated capacity for 1000 homes during the plan period. There is estimated capacity at Union Road / Finborough Road for a further 200 homes which may be considered at the first review of the SAAP.

The first review of the SAAP has not been undertaken and the numbers proposed have already been given permission to be built.

The SAAP and Core Strategy identifies Onehouse as a secondary village and is unsuitable for growth, but capable of taking appropriate residential infill and development for local needs only.

Visually Important Open Space (VIOS) SAAP Policy 4.2 section 5

5). The Council will resist development that would have a harmful effect on the value of a Visually Important Open Space and will require developments that may have a detrimental effect on the quality of a Visually Important Open Space to be sensitively designed to minimise these effects.

Gaps between Onehouse and Stowmarket should be reinforced, while allowing public

access via linked cycle and footpath networks through open space, community woodlands and strategic planting schemes.

The River Rattlesden valley needs protection to ensure its attractive character is maintained.

6.46 The design and layout of the development area will provide for public open space, space for formal and informal recreation and other structural tree planting to enhance existing woodland for community use in the area around the Paupers Graves, off Onehouse Road. This will provide a framework of open space that will help to preserve the separation and character of Onehouse.

SAAP Policy 6.2 Land Adjoining Paupers Graves, Union Road, Stowmarket The Stowmarket Area Action Plan will help to maintain the important character of this attractive stand of trees and open space by designating space for additional tree planting around The Paupers Graves site. This will emphasise the contribution made by the area to the gap between Stowmarket and Onehouse. The Paupers Graves have been identified as a VIOP this development would harmfully effect the value of this space.

6.61 The Council has always accepted the concern expressed by Haughley and Onehouse for their gradual loss of identity and their need for continued separation from Stowmarket which has again been emphasised in the recent consultation. Sensitive design and careful layout will be needed to maximise the benefit of the identified gaps between 46 Mid Suffolk Stowmarket Area Action Plan (February 2013) Stowmarket Area Action Plan the settlements and allow for their realistic long term protection. The gap between Onehouse and Stowmarket should be properly managed and reinforced with strategic tree belts and/or community access woodlands and open space secured for future generations. This is why it is considered especially important to protect the Paupers Graves.

6.63 The "Luck" Planning appeal decision (see glossary) provided for restraint on development near Union Road. The protection this offered the town centre road network will be maintained until the alternative transport arrangements, discussed in chapter 8, have been properly implemented. The last thing that an emerging and improved public transport system needs is to operate in unnecessarily congested streets. The land between Union Road and Finborough Road is currently used for arable farming and parts of the site provide a rich habitat. Due to local topography there are important views through the site which contribute to the character and appearance of the river valley. The topographical issues can be addressed through strategic planting and transport issues can be addressed following the implementation of the sustainable transport measures for the town. Proposals for Union Road will be held over until a review has confirmed that development is acceptable.

6.64 As part of any road improvements associated with the development of this area of Stowmarket, Starhouse Lane offers the opportunity to be upgraded and made safer for pedestrians and cyclists, while maintaining its essential rural and visually attractive 'sunken

lane' character. This will be a matter for review

#### SAAP Policy 6.7

##### Paupers Graves

The Paupers Graves will be protected as Visually Important Open Space, (see Map 6.1 and Proposals Map). There have been 8,000 planning applications granted by MSDC that are still outstanding to be built, the fact that these permissions have not resulted in development of housing suggests that the demand for housing is unproven.

This application does not actively demonstrate need for further housing in this area. The current Covid-19 situation is having massive impact on the social and economic status of the entire country indicating a recession, this suggests that the demand for housing will not change in the foreseeable future.

##### Actual Application

##### Flooding:

Development on this site has already shown that the Risk of additional flooding to Finbrorough Road, has greatly been increased. The Hopkins Homes site has created disturbing environmental impacts on local residents experiencing flooding as a direct result of removal of vegetation and top soil.

The methodology provided by developers ensuring that there would be little or no impact to existing residents is clearly flawed and no additional development should be considered until this is properly examined and ALL parties satisfied further flooding is not a risk.

##### Accessibility / Highways Impact

Starhouse lane has not been incorporated in Highways planning as part of the connectivity for this proposed development with the rest of the countryside.

Increased traffic on an already overloaded country lane, is detrimental not only to current essential users of this Lane, but enhanced danger to local pedestrians and cyclists.

No upgrade to Starhouse Lane leaves this application woefully short and would be detrimental to the current residents.

Ref. No.	Details	Site and Applicant	Resolution
DC/20/01110	(Access to be considered) for the erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure	Land South of Union Road, Onehouse for Endurance Estates Land Promotion Limited and Mr Paul Barnard	The Town Council has no objection to the grant of planning consent.

Ref. No.	Details	Site and Applicant	Representations to the Planning Authority by the Town Clerk on behalf of the Town Council
DC/20/01110	<p>(Access to be considered) for two alternative proposals. EITHER Scheme A: Erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure; Or Scheme B: Erection of up to 129 dwellings and a residential care home (up to 66 beds) (Use Class C2), vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure</p> <p><b>Revised plans to be considered</b></p>	Land South of Union Road, Onehouse for Endurance Estates Land Promotion Limited and Mr Paul Barnard	Please see below.

**DC/20/01110 contd.**

The Town Council recognises that this site on Union Road, has been allocated as a strategic site for residential development for some time. Therefore, it does not object to the principle of development which has been established through the local planning process. However, it does wish to see the site developed in a responsible, sustainable and sympathetic manner and in furtherance of this, it wishes to make some constructive comments to the Planning Authority which, it hopes, can be considered and addressed through appropriate conditions, should the Planning Authority see fit to grant planning consent.

Those comments are as follows:

The Town Council would prefer to see a mixed development on the site including the provision of a Care Home as suggested by the developer so that the maximum levels of social and economic benefits might be achieved from the development of the site.

The local environment should be protected with specific measures required including the adoption of a comprehensive tree planting scheme and removal of only what is absolutely necessary in terms of the trees and hedgerows along the boundaries of the site. (Note: We are aware that the removal of trees and hedgerows on the adjacent site on Union Road has been received with a mixture of dismay and condemnation by the local community and the Town Council considers that their apparently indiscriminate removal is unjustified).

The site requires a comprehensive set of water management measures to be implemented to prevent run-off to adjacent land and flooding of the B1115 to the south of the site and Starhouse Lane to the west.

We would welcome a detailed inspection of the site and submission of recommendations by Suffolk County Council's Flood and Water Management Team.

The narrowness of both Union Road and Starhouse Lane are a cause of serious concern given the anticipated increase in traffic that will occur from this site and the site adjacent to it. The access to the site from Union Road, visibility splays, provision of a designated place for a pedestrian crossing and appropriate traffic calming measures are considered by the Town Council to be essential components of the proposed scheme. The constraints imposed by land ownership and existing utilities along Starhouse Lane would appear to restrict the options available for improving this narrow road but the Town Council would request that traffic calming measures are introduced and a passing point provided if feasible. We would welcome a detailed inspection of the site and submission of recommendations by Suffolk County Council's Highways Department.

The Town Council supports the observations made by Mid Suffolk District Council that the type and mix of housing on the site should closely reflect and respond to existing housing needs in the local area.

The capacity of local amenities and infrastructure in the face of the development of Chilton Leys and Union Road remains a concern for the Town Council as clearly, sustainable growth measures depend upon services being provided which are adequate as the local population continues to grow.



## **Representations of Stowmarket Town Council**

### **DC/20/01110**

The Town Council recognises that this site on Union Road, has been allocated as a strategic site for residential development for some time. Therefore, it does not object to the principle of development which has been established through the local planning process. However, it does wish to see the site developed in a responsible, sustainable and sympathetic manner and in furtherance of this, it wishes to make some constructive comments to the Planning Authority which, it hopes, can be considered and addressed through appropriate conditions, should the Planning Authority see fit to grant planning consent.

Those comments are as follows:

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The Town Council supports the observations made by Mid Suffolk District Council that the type and mix of housing on the site should closely reflect and respond to existing housing needs in the local area.

The capacity of local amenities and infrastructure in the face of the development of Chilton Leys and Union Road remains a concern for the Town Council as clearly, sustainable growth measures depend upon services being provided which are adequate as the local population continues to grow.

The Town Council would be grateful if the Planning Authority could consider the above in determining the proposals for this key site on the boundary of Stowmarket and Onehouse. We thank you for inviting us to comment upon this application.

**From:** Tony Bamber <combsparishcouncil@gmail.com>

**Sent:** 10 August 2020 13:19

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

**Subject:** Re: DC/20/01110 Land To the South of Union Road Onehouse (EH Sustainability)

Dear Vanessa

The comments made by Combs Parish Council in respect of the earlier application that was circulated on 23rd April still stand and we trust these will be taken into account.

Kind regards

Tony

*Tony Bamber  
Parish Clerk and Responsible Financial Officer  
Combs Parish Council*

*Tel 01449 613255*

# Consultee Comments for Planning Application DC/20/01110

## Application Summary

Application Number: DC/20/01110

Address: Land To The South Of Union Road Onehouse Suffolk

Proposal: Outline Planning Application. (Access to be considered) for two alternative proposals.

EITHER Scheme A: Erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure; Or Scheme B: Erection of up to 129 dwellings and a residential care home (up to 66 beds) (Use Class C2), vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure

Case Officer: Bron Curtis

## Consultee Details

Name: Mr Tony Bamber

Address: Adstone, Bildeston Road, Combs Stowmarket, Suffolk IP14 2JZ

Email: combsparrishcouncil@gmail.com

On Behalf Of: Combs Parish Clerk

## Comments

Combs Parish Councillors neither support nor oppose the application but hope that their concerns will be noted.

Thank you for being invited to comment on an out of Parish application.

It can be quite difficult to dispassionately quantify what the future impacts would be to the area with a development such as this, but it is probable that if there were to be any negative impacts in the Onehouse Parish due to this application these would cascade into and affect the surrounding areas, Combs being one of these.

Looking at the recent and current building programme in that area we have every sympathy for Onehouse and question does it need another of this scale without taking a breath.

We believe this parcel of land was declared as reserve and, noting the area is currently not in dire need of housing of this scale, we ask that the District Council takes the opportunity to monitor and measure the impacts from the recent and current construction and to correctly quantify whether this project would be sustainable within this area and with the existing infrastructure before moving forward.

The PC has concerns over the potential effect of traffic on Combs Lane and consequently Combs Ford, especially in light of the fact that the proposal to build an access road to the A14 has now

been withdrawn.

Since works had been carried out a while ago, there has often been severe flooding on Combs Lane and there is a further concern that additional development is unlikely to ameliorate this.



## Planning Applications – Suggested Informative Statements and Conditions Report

If you would like to discuss any of the points in this document please contact us on 03456 066087, Option 1 or email [planningliaison@anglianwater.co.uk](mailto:planningliaison@anglianwater.co.uk)

AW Site Reference: 166007/1/0107640

Local Planning Authority: Mid Suffolk District

Site: The South Of, Union Road, Onehouse, Suffolk

Proposal: For the erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure

Planning application: DC/20/01110

**Prepared by:** Pre-Development Team

**Date:** 14 November 2020

## ASSETS

### Section 1 - Assets Affected

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

## WASTEWATER SERVICES

### Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Stowmarket Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.

### Section 3 - Used Water Network

The sewerage system at present has available capacity for these flows via a pumped conveyance connection to the public foul sewer. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection. (1) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. (2) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. (3) INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water. (4) INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087. (5) INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements

### Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented

## Planning Applications – Suggested Informative Statements and Conditions Report

If you would like to discuss any of the points in this document please contact us on 03456 066087, Option 1 or email [planningliaison@anglianwater.co.uk](mailto:planningliaison@anglianwater.co.uk)

AW Site Reference: 158150/1/0106644

Local Planning Authority: Mid Suffolk District

Site: Land To The South Of Union Road  
Onehouse Suffolk

Proposal: Outline Planning Application. (Access to be considered) for the erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure

Planning application: DC/20/01110

**Prepared by:** Pre-Development Team

**Date:** 29 October 2020



## ASSETS

### Section 1 - Assets Affected

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

## WASTEWATER SERVICES

### Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Stowmarket Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.

### Section 3 - Used Water Network

The sewerage system at present has available capacity for these flows via a pumped conveyance connection to the public foul sewer. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection. (1) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. (2) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. (3) INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water. (4) INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087. (5) INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements

### Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented



## Planning Applications – Suggested Informative Statements and Conditions Report

If you would like to discuss any of the points in this document please contact us on 03456 066087, Option 1 or email [planningliaison@anglianwater.co.uk](mailto:planningliaison@anglianwater.co.uk)

AW Site Reference: 158150/1/0082630

Local Planning Authority: Mid Suffolk District

Site: Land To The South Of Union Road  
Onehouse Suffolk

Proposal: EITHER Scheme A: Erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure; Or Scheme B: Erection of up to 129 dwellings and a

Planning application: DC/20/01110

**Prepared by:** Pre-Development Team

**Date:** 27 April 2020

## ASSETS

### Section 1 - Assets Affected

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

## WASTEWATER SERVICES

### Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Stowmarket Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.

### Section 3 - Used Water Network

This response has been based on the following submitted documents: Flood risk assessment The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection. (1) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. (2) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. (3) INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water. (4) INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087. (5) INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

### Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented.

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

From: Ipswich, Planning <planning.ipswich@environment-agency.gov.uk>

Sent: 10 November 2020 15:33

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

Subject: RE: MSDC Planning Re-consultation Request - DC/20/01110

Good Afternoon

We have no further comments to this application.

Kind Regards

Liam

Liam Robson

Sustainable Places Planning Advisor – East Anglia Area (East) Environment Agency | Icen House, Cobham Road, Ipswich, Suffolk, IP3 9JD Please be aware that due to COVID-19 – any post will not be picked up. Please direct all correspondence electronically.

[liam.robson@environment-agency.gov.uk](mailto:liam.robson@environment-agency.gov.uk)

External: 02084 748 923 | Internal: 48923

Do your future plans have environmental issues or opportunities? Speak to us early!

If you are planning a new project or development, we want to work with you to make the process as smooth as possible. We offer a tailored advice service with an assigned project manager giving you detailed and timely specialist advice. Early engagement can improve subsequent planning and permitting applications to you and your clients' benefit. More information can be found on our website here.

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

From: Ipswich, Planning <planning.ipswich@environment-agency.gov.uk>

Sent: 28 October 2020 13:21

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

Subject: RE: MSDC Planning Re-consultation Request - DC/20/01110

Thank you for your additional re-consultation.

We refer to our letter DC/20/01110 sent August 2020.

We do not wish to make additional comments at this time.

Many Thanks  
Sustainable places



Bron Curtis  
Babergh District Council  
Development Control  
Endeavour House Russell Road  
Ipswich  
Suffolk  
IP1 2BX

**Our ref:** AE/2020/125325/01-L01  
**Your ref:** DC/20/01110  
**Date:** 07 August 2020

Dear Sir/Madam

**DEVELOPMENT OF UP TO 146 DWELLINGS INCLUDING VEHICULAR AND PEDESTRIAN ACCESSES, PUBLIC OPEN SPACE, PLAY SPACE, LANDSCAPING AND ASSOCIATED HIGHWAYS, DRAINAGE AND UTILITIES INFRASTRUCTURE (SCHEME A); OR A DEVELOPMENT OF UP TO 129 DWELLINGS AND A RESIDENTIAL CARE HOME (UP TO 66 BEDS) (USE CLASS C2), VEHICULAR AND PEDESTRIAN ACCESSES, PUBLIC OPEN SPACE, PLAY SPACE, LANDSCAPING AND ASSOCIATED HIGHWAYS, DRAINAGE AND UTILITIES INFRASTRUCTURE (SCHEME B).**

**LAND SOUTH OF UNION ROAD, ONEHOUSE, STOWMARKET**

Thank you for your consultation dated 20 July 2020. We have reviewed the new information related to this application and have no further comments to make.

Yours Sincerely

**Mr. Pat Abbott**  
**Planning Advisor**

Direct dial 0208 4748011

**From:** Ipswich, Planning <planning.ipswich@environment-agency.gov.uk>  
**Sent:** 08 June 2020 08:17  
**To:** BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>  
**Subject:** RE: DC/20/01110 - Land To The South of Union Road, Onehouse

Hello Paul

Thanks for the message, we have no comments to make on this one thank you

Pat

**Pat Abbott** | Sustainable Places Planning Advisor  
**Environment Agency** | Icen House, Cobham Road, Ipswich, Suffolk IP3 9JD

[Pat.abbott@environment-agency.gov.uk](mailto:Pat.abbott@environment-agency.gov.uk)

Tel: 0208 4748011

Please note as from 18 March 2020 until further notice, due to the Corona Virus restrictions I will be working away from the office. Replies may take slightly longer than usual.

	For the latest guidance: - INTRANET.EA.GOV - NHS.UK/coronavirus - GOV.UK/coronavirus	
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**Do your future plans have environmental issues or opportunities? Speak to us early!**

If you are planning a new project or development, we want to work with you to make the process as smooth as possible. We offer a tailored advice service with an assigned project manager giving you detailed and timely specialist advice. Early engagement can improve subsequent planning and permitting applications to you and your clients benefit. More information can be found on our website [here](#).



**From:** Planning Department <Planning@wlma.org.uk>  
**Sent:** 10 August 2020 11:29  
**To:** BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>  
**Subject:** RE: DC/20/01110 Land To the South of Union Road Onehouse (EH Sustainability)

 **EXTERNAL EMAIL: Don't click any links or open attachments unless you trust the sender and know the content is safe. Click [here](#) for more information or help from Suffolk IT**

Good Morning,

My colleague, Yvonne, has been in discussion with the applicant following her comments of 30/04/20. She confirmed that no consent is required from the Internal Drainage Board after the applicant clarified that surface water discharge will be to a main river, for which the EA is the appropriate consenting body.

As a result we have no further comments on this application.

Kind regards,

Ellie

**Eleanor Roberts**

Sustainable Development Officer

t: 07827 356752 | e: [ellie.roberts@wlma.org.uk](mailto:ellie.roberts@wlma.org.uk) | e: [planning@wlma.org.uk](mailto:planning@wlma.org.uk)

Water Management Alliance

Kettlewell House, Austin Fields Industrial Estate, King's Lynn, Norfolk, PE30 1PH, UK

m: +44 (0)7827 356752 | t: +44 (0)1553 819600 | f: +44 (0)1553 819639 | e: [info@wlma.org.uk](mailto:info@wlma.org.uk) | [www.wlma.org.uk](http://www.wlma.org.uk)

[Consisting of](#)

[Broads Drainage Board](#), [East Suffolk Drainage Board](#), [King's Lynn Drainage Board](#)  
[Norfolk Rivers Drainage Board](#) and [South Holland Drainage Board](#) in association with [Pevensey and Cuckmere Water Level Management Board](#)



**From:** Planning Department <[Planning@wlma.org.uk](mailto:Planning@wlma.org.uk)>  
**Sent:** 06 May 2020 11:49  
**To:** BMSDC Planning Mailbox <[planning@babberghmidsuffolk.gov.uk](mailto:planning@babberghmidsuffolk.gov.uk)>  
**Cc:** [Rob.Ward@cannonce.co.uk](mailto:Rob.Ward@cannonce.co.uk)  
**Subject:** FW: 20\_02457\_P / Planning ref: DC/20/01110

Dear Sir/Madam,

Please see below conversation for updated comment from the IDB.

Kind regards,  
Yvonne

Yvonne Smith  
Sustainable Development Officer  
e: [Yvonne.Smith@wlma.org.uk](mailto:Yvonne.Smith@wlma.org.uk) | e: [planning@wlma.org.uk](mailto:planning@wlma.org.uk)

Water Management Alliance  
Kettlewell House, Austin Fields Industrial Estate, King's Lynn, Norfolk, [PE30 1PH](http://PE30 1PH), UK  
t: +44 (0)1553 819600 | f: +44 (0)1553 819639 | e: [info@wlma.org.uk](mailto:info@wlma.org.uk) | [www.wlma.org.uk](http://www.wlma.org.uk)

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**From:** Planning Department [<mailto:Planning@wlma.org.uk>]  
**Sent:** 06 May 2020 10:52  
**To:** Rob Ward <[Rob.Ward@cannonce.co.uk](mailto:Rob.Ward@cannonce.co.uk)>  
**Subject:** FW: 20\_02457\_P / Planning ref: DC/20/01110

Dear Rob,

Thank you for your email, I have reviewed your comments and re-visited the online documents. I confirm that I had misinterpreted your strategy as being a proposed discharge to an ordinary watercourse within the Internal Drainage District (I had interpreted that you meant the River Rat was an ordinary watercourse which was tributary of the Main River). As

you are proposing to discharge directly to the Main River, you are correct that consent from the Internal Drainage Board is not required and therefore you should instead liaise with the Environment Agency.

Apologies for my error.

Kind Regards,

Yvonne

Yvonne Smith  
Sustainable Development Officer  
e: [Yvonne.Smith@wlma.org.uk](mailto:Yvonne.Smith@wlma.org.uk) | e: [planning@wlma.org.uk](mailto:planning@wlma.org.uk)

Water Management Alliance  
Kettlewell House, Austin Fields Industrial Estate, King's Lynn, Norfolk, [PE30 1PH](http://PE30 1PH), UK  
t: +44 (0)1553 819600 | f: +44 (0)1553 819639 | e: [info@wlma.org.uk](mailto:info@wlma.org.uk) | [www.wlma.org.uk](http://www.wlma.org.uk)

Consisting of [Broads Drainage Board](#), [East Suffolk Drainage Board](#), [King's Lynn Drainage Board](#), [Norfolk Rivers Drainage Board](#) and [South Holland Drainage Board](#) in association with [Pevensey and Cuckmere Water Level Management Board](#)



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**From:** Rob Ward <[Rob.Ward@cannonce.co.uk](mailto:Rob.Ward@cannonce.co.uk)>  
**Sent:** 05 May 2020 17:14  
**To:** Planning Department <[Planning@wlma.org.uk](mailto:Planning@wlma.org.uk)>  
**Subject:** Ref: 20\_02457\_P / Planning ref: DC/20/01110

**F.A.O. Yvonne Smith**  
**Your Ref: 20\_02457\_P**  
**Planning Ref: DC/20/01110**

Dear Yvonne,

**RE: Outline Planning Application for two alternative proposals. EITHER Scheme A: Erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure; Or Scheme B: Erection of up to 129 dwellings and a residential care home (up to 66 beds) (Use Class C2) at Land To The South Of Union Road Onehouse Suffolk**

We have been forwarded a copy of your response (dated 30<sup>th</sup> April 2020) to the proposed development of land to the south of Union Road, Onehouse, Stowmarket (application ref: DC/20/01110).

We are a little confused by some elements of your consultation response and therefore ask for clarification with regards to our understanding as follows:

1. The proposed residential development lies outside of the mapped IDD (as shown on Map No. CMT189G). However, the very last section of the proposed outfall pipe to the River Rat does just extend into the IDD. Byelaws only have effect within the IDD, not the full watershed catchment area.
2. The proposal does not include for the disposal of surface water runoff to any of the listed 'Adopted Watercourses' (i.e. DRN189G0101, ...102 or ...103) within catchment 189G. The proposed outfall from the site will connect to the River Rat which is designated Main River. Therefore, the consenting process for the outfall will sit with the Environment Agency. This is as per the neighbouring Hopkins Homes development which is currently under construction. Under what process will the Board secure a SWDC if they are not party to the consenting of the outfall?
3. You mention the LLFA's consultation response, but this contradicts their consultation response for the adjacent Hopkins site where they note "*...agreement for new pipes to be laid underneath the public highway (Finborough Rd, B1115) & an Environmental Permit for discharge point from the Environment Agency.*" with no mention of any IDB consents or contribution fee?
4. You also recommend seeking consent prior to determination of the planning application, However, this is an outline application supported by an illustrative layout and we would therefore be unable to accurately complete the application for land drainage consent as we do not yet know the impermeable area (and therefore, could not yet define the contribution fee).

Regards,

Rob

Robert Ward  
Principal Consultant

Cannon Consulting Engineers | Cambridge House | Lanwades Business Park | Kentford | Newmarket | CB8 7PN  
01638 555 107  
[Rob.Ward@CannonCE.co.uk](mailto:Rob.Ward@CannonCE.co.uk) | [www.CannonCE.co.uk](http://www.CannonCE.co.uk)



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The Mid Suffolk Disability Forum would like to see a commitment to ensuring that all dwellings will meet Part M4 of the Building Regulations in an outline planning application.

Additionally, all dwellings should be visitable and meet Part M4(1), and 50% of the dwellings should meet the 'accessible and adaptable' standard Part M4(2). It is our view that in housing developments of over 10 dwellings, at least one of the dwellings should be built to wheelchair standard Part M4(3).

It is also our view that 3% of the dwellings in housing developments of over 10 dwellings should be bungalows to assist people with mobility problems and to assist people who wish to downsize from larger dwellings.

Every effort should be made to ensure all footpaths, both within the site and connecting to current footpaths, are wide enough for wheelchair users, with a minimum width of 1500mm, and that any dropped kerbs are absolutely level with the road for ease of access.

Linda Hoggarth  
Chair  
Mid Suffolk Disability Forum

**From:** SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>  
**Sent:** 11 November 2020 15:55  
**To:** BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>  
**Subject:** DC/20/01110

Dear Sir or Madam,

Application ref: DC/20/01110  
Our ref: 331872

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

Enquiries line: 0300 060 8349  
Email: [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)

[www.gov.uk/natural-england](http://www.gov.uk/natural-england)

**During the current coronavirus situation, Natural England staff are working remotely and from some offices to provide our services and support our customers and stakeholders.**

Although some offices and our Mail Hub are now open, please continue to send any documents by email or contact us by phone to let us know how we can help you.

See the latest news on the coronavirus at <http://www.gov.uk/coronavirus> and Natural England's regularly updated operational update at <https://www.gov.uk/government/news/operational-update-covid-19>.

Wash hands, cover face, make space.

## BMSDC Planning Area Team Yellow

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**Subject:** DC/20/01110 (Amendments to plans) Consultation Response  
**Attachments:** ufm25.pdf

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**From:** SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>  
**Sent:** 22 July 2020 10:38  
**To:** BMSDC Planning Mailbox <planning@baberghmidsuffolk.gov.uk>  
**Subject:** DC/20/01110 (Amendments to plans) Consultation Response

Dear Bron Curtis,

Our ref: 322887  
Your ref: DC/20/01110

Thank you for your consultation.

Natural England has previously commented on this proposal and made comments to the authority in our letter dated 28 April 2020, our reference 315397.

The advice provided in our previous response applies equally to this **amendment** although we made no objection to the original proposal.

The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Should the proposal be amended in a way which **significantly** affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

Yours sincerely,

Dominic Rogers  
Consultations Team  
Natural England  
Hornbeam House, Electra Way  
Crewe, Cheshire, CW1 6GJ

Enquiries line: 0300 060 3900  
Email: [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)  
[www.gov.uk/natural-england](http://www.gov.uk/natural-england)

**During the current coronavirus situation, Natural England staff are working remotely to provide our services and support our customers and stakeholders.**

**All offices and our Mail Hub are closed, so please send any documents by email or contact us by phone or email to let us know how we can help you.**

See the latest news on the coronavirus at <http://www.gov.uk/coronavirus> and Natural England's regularly updated operational update at <https://www.gov.uk/government/news/operational-update-covid-19>.

Stay alert, control the virus, save lives.



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

From: [planning@baberghmidsuffolk.gov.uk](mailto:planning@baberghmidsuffolk.gov.uk) [<mailto:planning@baberghmidsuffolk.gov.uk>]

Sent: 20 July 2020 13:36

To: SM-NE-Consultations (NE) <[consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)>

Subject: MSDC Planning Re-consultation Request - DC/20/01110

Please find attached planning re-consultation request letter relating to planning application - DC/20/01110 - Land To The South Of, Union Road, Onehouse, Suffolk

Kind Regards

Planning Support Team



Date: 28 April 2020  
Our ref: 315397  
Your ref: DC/20/01110



Bron Curtis  
Mid Suffolk District Council  
planning@baberghmidsuffolk.gov.uk

Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

T 0300 060 3900

**BY EMAIL ONLY**

Dear Bron Curtis

**Planning consultation:** Outline application for either 146 dwellings and associated infrastructure or 129 dwellings and 66 bed care home with associated infrastructure

**Location:** Land To The South Of Union Road Onehouse Suffolk

Thank you for your consultation on the above dated 23 April 2020 which was received by Natural England on 23 April 2020

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

#### **SUMMARY OF NATURAL ENGLAND'S ADVICE**

##### **NO OBJECTION**

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Natural England's generic advice on other natural environment issues is set out at Annex A.

#### **Sites of Special Scientific Interest Impact Risk Zones**

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the [data.gov.uk](https://data.gov.uk) website

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

Heather Ivinson  
Consultations Team

## Annex - Generic advice on natural environment impacts and opportunities

### Sites of Special Scientific Interest (SSSIs)

Local authorities have responsibilities for the conservation of SSSIs under s28G of the Wildlife & Countryside Act 1981 (as amended). The National Planning Policy Framework (paragraph 175c) states that development likely to have an adverse effect on SSSIs should not normally be permitted. Natural England's SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the Natural England Open Data Geoportal. Our initial screening indicates that one or more Impact Risk Zones have been triggered by the proposed development, indicating that impacts to SSSIs are possible and further assessment is required. You should request sufficient information from the developer to assess the impacts likely to arise and consider any mitigation measures that may be necessary.

### Biodiversity duty

Your authority has a duty to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available here.

### Protected Species

Natural England has produced standing advice<sup>1</sup> to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

### Local sites and priority habitats and species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraphs 171 and 174 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. The list of priority habitats and species can be found here<sup>2</sup>. Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found here.

### Ancient woodland, ancient and veteran trees

You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 175 of the NPPF. Natural England maintains the Ancient Woodland Inventory which can help identify ancient woodland. Natural England and the Forestry Commission have produced standing advice for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a SSSI or in exceptional circumstances.

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<sup>1</sup> <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

<sup>2</sup> <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

## **Protected landscapes**

For developments within or within the setting of a National Park or Area of Outstanding Natural Beauty (AONB), we advise you to apply national and local policies, together with local landscape expertise and information to determine the proposal. The National Planning Policy Framework (NPPF) (paragraph 172) provides the highest status of protection for the landscape and scenic beauty of National Parks and AONBs. It also sets out a 'major developments test' to determine whether major developments should be exceptionally be permitted within the designated landscape. We advise you to consult the relevant AONB Partnership or Conservation Board or relevant National Park landscape or other advisor who will have local knowledge and information to assist in the determination of the proposal. The statutory management plan and any local landscape character assessments may also provide valuable information.

Public bodies have a duty to have regard to the statutory purposes of designation in carrying out their functions (under (section 11 A(2) of the National Parks and Access to the Countryside Act 1949 (as amended) for National Parks and S85 of the Countryside and Rights of Way Act, 2000 for AONBs). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

Heritage Coasts are protected under paragraph 173 of the NPPF. Development should be consistent the special character of Heritage Coasts and the importance of its conservation.

## **Landscape**

Paragraph 170 of the NPPF highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland or dry stone walls) could be incorporated into the development in order to respect and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the [Landscape Institute](#) Guidelines for Landscape and Visual Impact Assessment for further guidance.

## **Best and most versatile agricultural land and soils**

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 170 and 171). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in [GOV.UK guidance](#). Agricultural Land Classification information is available on the [Magic](#) website on the [Data.Gov.uk](#) website. If you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further.

Guidance on soil protection is available in the Defra [\*Construction Code of Practice for the Sustainable Use of Soils on Construction Sites\*](#), and we recommend its use in the design and construction of development, including any planning conditions. Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

## **Access and Recreation**

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered

where appropriate.

### **Rights of Way, Access land, Coastal access and National Trails**

Paragraphs 98 and 170 of the NPPF highlights the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way, coastal access routes and coastal margin in the vicinity of the development and the scope to mitigate any adverse impacts. Consideration should also be given to the potential impacts on any nearby National Trails, including the England Coast Path. The National Trails website [www.nationaltrail.co.uk](http://www.nationaltrail.co.uk) provides information including contact details for the National Trail Officer.

### **Environmental enhancement**

Development provides opportunities to secure net gains for biodiversity and wider environmental gains, as outlined in the NPPF (paragraphs 8, 72, 102, 118, 170, 171, 174 and 175). We advise you to follow the mitigation hierarchy as set out in paragraph 175 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you should consider off site measures. Opportunities for enhancement might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access.
  - Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
  - Planting additional street trees.
  - Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

**From:** planning.apps  
**Sent:** 11 November 2020 15:10  
**To:** BMSDC Planning Area Team Yellow  
**Subject:** DC/20/01110

Hi Bron

As you are aware, the CCG commented on the earlier version of this planning application in which we discussed mitigation for scheme A. This response is still most up to date of the current position and the CCG have no further comments to make other than being very grateful to be given the opportunity to explain the primary care position in the area and for your hard work in coming to this conclusion.

Regards

**CCG Estates Planning Support**  
Ipswich & East Suffolk CCG & West Suffolk CCG

**From:** Crisell Chris (Suffolk NHS) <[Chris.Crisell@suffolk.nhs.uk](mailto:Chris.Crisell@suffolk.nhs.uk)>  
**Sent:** 22 July 2020 11:26  
**To:** Bron Curtis <[Bron.Curtis@babberghmidsuffolk.gov.uk](mailto:Bron.Curtis@babberghmidsuffolk.gov.uk)>; Anik Bennett <[Anik.Bennett@babberghmidsuffolk.gov.uk](mailto:Anik.Bennett@babberghmidsuffolk.gov.uk)>  
**Subject:** RE: DC/20/01110 - Land to The South of Union Road Onehouse

Hi Bron

I can try and provide some context for you but I have to wait until next week to have some figures around numbers of care facilities in the area currently and number of beds.

The objection is based on information from the CCGs Primary Care Commissioning Team who look after all the GP practices. When a planning application with care facilities involved comes into the inbox I contact them to get their opinion and for them to contact the Primary Care Network (PCN), which is a group of GP practices working together to share services for the benefit of their patients. We had a long delay in getting the response due to Covid-19 and that nobody had time to look at the proposals so we had to wait. The feedback from the commissioning team was that option B would be an objection due to the care facility and the lack of personnel capacity to deal with another care facility.

Care facilities in their nature attract a demographic of elderly people with statistically more complex care needs than regular residential dwellings. Due to the complex care needs of individuals in care facilities they require more time with GPs and this would usually take place at the care facility and not the GP surgery. When an appointment is made to go to the GP surgery a certain amount of time is allotted per patient and this is usually 10 minutes as a general rule for people under 55 years of age for example. A GP visiting a care facility has to leave the surgery and while they are at the care facility they could spend 35-45 minutes with a patient. This means that the GP has seen 2 patients in the time he would have seen 10-12 patients at the surgery.

We are trying to use technology to mitigate this time spent away from the surgery and Covid-19 has sped this approach up but this is in no way mitigating the impact care facilities have on capacities of GP surgeries.

I hope I have explained the position currently but I have been in conversation with Greg Shaw of Pegasus Developments to discuss this matter and I explained to him the same thing as I have put in this email. He has told me that he will speak to his client to enquire if any healthcare professionals will be on site and if this will reduce the impact on the GP provision in the area.

Regards

**Chris Crisell**  
Estates Project Manager  
Ipswich & East Suffolk CCG & West Suffolk CCG  
Endeavour House, 8 Russell Road, Ipswich, IP1 2BX  
[chris.crisell@suffolk.nhs.uk](mailto:chris.crisell@suffolk.nhs.uk)  
01473 770284

07984612282

[www.westsuffolkccg.nhs.uk](http://www.westsuffolkccg.nhs.uk)

[www.ipswichandeastsuffolkccg.nhs.uk](http://www.ipswichandeastsuffolkccg.nhs.uk)





**Ipswich and East Suffolk  
Clinical Commissioning Group**

Endeavour House  
8 Russell Road  
Ipswich  
Suffolk  
IP1 2BX

Email address: [planning.apps@suffolk.nhs.uk](mailto:planning.apps@suffolk.nhs.uk)  
Telephone Number – 01473 770000

Your Ref: DC/20/01110

Our Ref: IESCCG/000420/ONE

Planning Services  
Babergh and Mid Suffolk District Councils  
Endeavour House  
8 Russell Road  
Ipswich  
Suffolk, IP1 2BX

06/07/2020

Dear Sirs,

**Proposal:** Outline Planning Application. (Access to be considered) for two alternative proposals. EITHER Scheme A: Erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure; Or Scheme B: Erection of up to 129 dwellings and a residential care home (up to 66 beds) (Use Class C2), vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure

**Location:** Land To The South Of, Union Road, Onehouse, Suffolk

1. I refer to your consultation letter on the above planning application and advise that, following a review of the applicants' submission the following comments are with regard to the primary healthcare provision on behalf of Ipswich & East Suffolk Clinical Commissioning Group (CCG).

### **Background**

2. The proposal comprises a development of two options one for 146 residential dwellings and a second option for 129 residential dwellings and 66 bed care home. Both are likely to have an impact of the NHS funding programme for the delivery of primary healthcare provision within this area and specifically within the health catchment of the development. The CCG would like to reserve the right to object to planning proposal (option B) due to the unsustainable effect this option would have on primary care in this area. Should option A be the preferred option the CCG expect these impacts to be fully assessed and mitigated by way of a developer contribution secured through Section 106 because this site is classified as strategic and non CIL collecting.

## **Review of Planning Application**

3. There is 1 GP practice within a 2km radius of the proposed development, there is 1 GP practice closest not within 2km of the proposed development but it is within circa 6km. These practices do not have sufficient capacity for the additional growth resulting from this development and cumulative development growth in the area. Therefore a developer contribution, via S106 processes, towards the capital funding to increase capacity within the GP Catchment Area would be sought to mitigate the impact.

## **Healthcare Needs Arising From the Proposed Development**

4. At the earliest stage in the planning process it is recommended that work is undertaken with Ipswich and East Suffolk CCG and Public Health England to understand the current and future dental needs of the development and surrounding areas giving consideration to the current dental provision, current oral health status of the area and predicted population growth to ensure that there is sufficient and appropriate dental services that are accessible to meet the needs of the development but also address existing gaps and inequalities.

Encourage oral health preventative advice at every opportunity when planning a development, ensuring that oral health is everybody's business, integrating this into the community and including this in the health hubs to encourage and enable residents to invest in their own oral healthcare at every stage of their life.

## **Health & Wellbeing Statement**

As an Integrated Care System it is our ambition that every one of the one million people living in Suffolk and North East Essex is able to live as healthy a life as possible and has access to the help and treatment that they need in the right place, with good outcomes and experience of the care they receive.

Suffolk and North East Essex Integrated Care System, recognises and supports the role of planning to create healthy, inclusive communities and reduce health inequalities whilst supporting local strategies to improve health, social and cultural wellbeing for all aligned to the guidance in the NPPF section 91. The way health and care is being delivered is evolving, partly due to advances in digital technology and workforce challenges. Infrastructure changes and funds received as a result of this development may incorporate not only extensions, refurbishments, reconfigurations or new buildings but will also look to address workforce issues, allow for future digital innovations and support initiatives that prevent poor health or improve health and wellbeing.

The NHS Long term plan requires a move to increase investment in the wider health and care system and support reducing health inequalities in the population. This includes investment in primary medical, community health services, the voluntary and community sector and services provided by local authorities so to boost out of hospital care and dissolve the historic divide between primary and community health services. As such, a move to health hubs incorporating health and wellbeing teams delivering a number of primary and secondary care services including mental health professionals, are being developed. The Acute hospitals will be focussing on providing specialist treatments and will need to expand these services to cope with additional growth. Any services which do not need to be delivered in an acute setting will look to be delivered in the community, closer to people's homes.

The health impact assessment (HIA) submitted with the planning application will be used to assess the application. This HIA will be cross-referenced with local health evidence/needs assessments and commissioners/providers own strategies so to ensure that the proposal impacts positively on health and wellbeing whilst any unintended consequences arising are suitably mitigated against.

5. This development is not of a size and nature that would attract a specific Section 106 planning obligation. Therefore, a proportion of the required funding for the provision of increased capacity by way of extension, refurbishment or reconfiguration at Stowhealth or Combs Ford Surgery, servicing the residents of this development, would normally be sought from the CIL contributions collected by the District Council. This site is classified as a strategic site by Babergh and Mid Suffolk District Council and CIL is not available so any developer contribution will be requested via S106.
6. Option A would result in Section 106 request of **£84,000.00** based on 336-person increase in population and the required additional floorspace of 23m<sup>2</sup>. Calculated by the BCIS public sector Q1 2020 price & cost index, adjusted for professional fees, contingencies and fit out budget, £3,652m<sup>2</sup>. This money will be used to increase capacity at either or both of these surgeries dependent on the CCG's strategic direction. Should the level of growth in this area prove this to be unviable, the relocation of services would be considered and funds would contribute towards the cost of new premises, thereby increasing the capacity and service provisions for the local community.

**Developer Contribution required to meet the Cost of Additional Capital Funding for Health Service Provision Arising**

7. In line with the Government's presumption for the planning system to deliver sustainable development and specific advice within the National Planning Policy Framework and the S106 Regulations, which provide for development contributions to be secured to mitigate a development's impact, a financial contribution is sought.
8. Assuming the above is considered in conjunction with the current application process, Ipswich and East Suffolk CCG would not wish to raise an objection to the proposed development (option A) but should the second option be preferred then the CCG will be raising an objection.
9. Ipswich and East Suffolk CCG is satisfied that the basis of a request for CIL contributions is consistent with the Position Statement produced by Babergh and Mid Suffolk District Councils

Ipswich and East Suffolk CCG look forward to working with the applicant and the Council to satisfactorily address the issues raised in this consultation response and would appreciate acknowledgement of the safe receipt of this letter.

Yours faithfully

**Chris Crisell**

Estates Project Manager

Ipswich and East Suffolk Clinical Commissioning Group



**Suffolk Wildlife Trust**

Brooke House  
Ashbocking  
Ipswich  
IP6 9JY

01473 890089  
info@suffolkwildlifetrust.org  
suffolkwildlifetrust.org



Bron Curtis  
Planning Department  
Babergh and Mid Suffolk District Council  
Endeavour House  
8 Russell Road  
Ipswich, IP1 2BX

24<sup>th</sup> September 2020

Dear Bron,

**RE: DC/20/01110 - Outline Planning Application. (Access to be considered) for two alternative proposals. EITHER Scheme A: Erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure; Or Scheme B: Erection of up to 129 dwellings and a residential care home (up to 66 beds) (Use Class C2), vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure. Land To The South Of Union Road, Onehouse**

Thank you for re-consulting us on this application, we wish to make the following comments:

We note that otter and water vole surveys have now been completed (Applied Ecology, September 2020) and we are satisfied with the findings of the consultant. We request that the recommendations made within the Preliminary Ecological Appraisal (Applied Ecology Ltd, February 2020) are implemented in full, via a condition of planning consent, should permission be granted.

We still also agree with the comments and recommendations made by Place Services (May 2020) with regards to the need for a Construction Environmental Management Plan, Skylark Mitigation Strategy, a Landscape and Ecological Management Plan, Biodiversity Enhancement Strategy and Wildlife Sensitive Lighting Scheme.

Therefore, we wish to withdraw our holding objection from our previous response (August 2020).

Please do not hesitate to contact us should you require anything further.

Yours sincerely

Jacob Devenney  
Planning and Biodiversity Adviser



**Suffolk Wildlife Trust**

Brooke House  
Ashbocking  
Ipswich  
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01473 890089  
info@suffolkwildlifetrust.org  
suffolkwildlifetrust.org



Bron Curtis  
Planning Department  
Babergh and Mid Suffolk District Council  
Endeavour House  
8 Russell Road  
Ipswich, IP1 2BX

6<sup>th</sup> August 2020

Dear Bron,

**RE: DC/20/01110 - Outline Planning Application. (Access to be considered) for two alternative proposals. EITHER Scheme A: Erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure; Or Scheme B: Erection of up to 129 dwellings and a residential care home (up to 66 beds) (Use Class C2), vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure. Land To The South Of Union Road, Onehouse**

Thank you for sending us details of this application, we wish to make a **holding objection** based on the following reasons:

We note that the Sustainable Drainage System relies upon a controlled discharge into the River Rat. However, this does not appear to have been considered during the Preliminary Ecological Appraisal (Applied Ecology Ltd, February 2020). The effects of this drainage system on the river, its banks and surrounding habitat have not been assessed within the ecological report. Consequently, a survey should be undertaken in accordance with standard methodology with particular regard to the likely presence of otter. The presence of water voles should also be assessed, although we note that the area appears to be within woodland, which would limit the habitat suitability for this species.

We also agree with the comments and recommendations made by Place Services (May 2020) with regards to the need for a Construction Environmental Management Plan, Skylark Mitigation Strategy, a Landscape and Ecological Management Plan, Biodiversity Enhancement Strategy and Wildlife Sensitive Lighting Scheme.

Therefore, we wish to make a **holding objection** due to a lack of sufficient ecological information.

Please do not hesitate to contact us should you require anything further.

Yours sincerely

Jacob Devenney  
Planning and Biodiversity Adviser

**From:** Gemma Stewart  
**Sent:** 05 November 2020 11:16  
**To:** Bron Curtis  
**Cc:** BMSDC Planning Area Team Yellow  
**Subject:** RE: MSDC Planning Re-consultation Request - DC/20/01110

Dear Bron,

Thank you for the re-consultation.

It does not affect our previous advice (attached).

Regards,

Gemma

**Gemma Stewart**  
Senior Archaeological Officer

Suffolk County Council Archaeological Service

**From:** Gemma Stewart <Gemma.Stewart@suffolk.gov.uk>  
**Sent:** 27 October 2020 08:33  
**To:** Bron Curtis <Bron.Curtis@baberghmidsuffolk.gov.uk>  
**Cc:** BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>  
**Subject:** RE: MSDC Planning Re-consultation Request - DC/20/01110

Dear Bron,

Thank you for the re-consultation. It does not affect our previous advice.

Regards,

Gemma

**Gemma Stewart**  
Senior Archaeological Officer

Suffolk County Council Archaeological Service  
Bury Resource Centre  
Hollow Road  
Bury St Edmunds  
Suffolk IP32 7AY

## **BMSDC Planning Area Team Yellow**

---

**From:** Gemma Stewart  
**Sent:** 21 July 2020 15:50  
**To:** Bron Curtis  
**Cc:** BMSDC Planning Mailbox  
**Subject:** Planning Application DC/20/01110(re-consultation) - Land to the South of Union Road, Onehouse: Archaeology  
**Attachments:** Planning Application DC\_20\_01110 - Land to the South of Union Road\_ Onehouse\_ Archaeology.msg

Dear Bron,

Thank you for the re-consultation. It does not affect our previous advice (attached).

Regards,

Gemma

**Gemma Stewart**  
Senior Archaeological Officer

Suffolk County Council Archaeological Service  
Bury Resource Centre  
Hollow Road  
Bury St Edmunds  
Suffolk IP32 7AY

Telephone: 01284 741242  
Mobile: 07734978011  
Email: [gemma.stewart@suffolk.gov.uk](mailto:gemma.stewart@suffolk.gov.uk)

Website: <http://www.suffolk.gov.uk/archaeology>  
Search the Suffolk HER online at: <http://heritage.suffolk.gov.uk>  
Follow us on Twitter at: <https://twitter.com/SCCArchaeology>



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

Philip Isbell  
Corporate Manager - Development Manager  
Planning Services  
Mid Suffolk District Council  
Endeavour House  
8 Russell Road  
Ipswich  
Suffolk IP1 2BX

Enquiries to: Gemma Stewart  
Direct Line: 01284 741242  
Email: [Gemma.Stewart@suffolk.gov.uk](mailto:Gemma.Stewart@suffolk.gov.uk)  
Web: <http://www.suffolk.gov.uk>

Our Ref: 2016\_01110  
Date: 30<sup>th</sup> April 2020

For the Attention of Bronwen Curtis

Dear Mr Isbell

**Planning Application DC/20/01110 - Land to the South of Union Road, Onehouse: Archaeology**

This site lies in an area of archaeological potential recorded on the County Historic Environment Record (HER). An archaeological trial trench evaluation conducted within the application area identified Later Prehistoric ditches adjacent to the River Rattlesden. These ditches probably formed stock enclosures and field boundaries on the well-drained gravels along the north bank of the river. Other features associated with these ditches included a small number of pits and postholes and a buried soil horizon.

On the higher ground within the application area residual sherds of Late Bronze Age-Early Iron Age pottery were also found in the area of the Late Iron Age/early Roman settlement. The Late Iron Age/Early Roman settlement, probably a small farmstead, was located on the south/southwest facing slope in the centre of the site. This consisted of a ditch system forming settlement and stock enclosures, parts of a field system and evidence for habitation, in the form of pits and postholes, probable waterholes and finds of pottery sherds, animal bone and burnt clay. The latter may be the remains of kilns or ovens, although none were identified by the evaluation. An un-urned cremation was recovered from the northern edge of the application area, suggesting that there may be a small burial ground in this area (SKT 093).

There are no grounds to consider refusal of permission in order to achieve preservation *in situ* of any important heritage assets. However, in accordance with the *National Planning Policy Framework* (Paragraph 199), any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

In this case the following two conditions would be appropriate:

1. No development shall take place within the area indicated [the whole site] 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.

2. 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 1 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, in accordance with Core Strategy Objective SO 4 of Mid Suffolk District Council Core Strategy Development Plan Document (2008) and the National Planning Policy Framework (2018).*

**INFORMATIVE:**

*The submitted scheme of archaeological investigation shall be in accordance with a brief procured beforehand by the developer from Suffolk County Council Archaeological Service, Conservation Team.*

I would be pleased to offer guidance on the archaeological work required and, in our role as advisor to Mid Suffolk District Council, the Conservation Team of SCC Archaeological Service will, on request of the applicant, provide a specification for the archaeological mitigation. In this case, an archaeological evaluation will be required to establish the potential of the site and decisions on the need for any further investigation (excavation before any groundworks commence and/or monitoring during groundworks) will be made on the basis of the results of the evaluation.

Further details on our advisory services and charges can be found on our website: <http://www.suffolk.gov.uk/archaeology/>

Please do get in touch if there is anything that you would like to discuss or you require any further information.

Yours sincerely,

Gemma Stewart

Senior Archaeological Officer  
Conservation Team

Your ref: DC/20/01110  
Our ref: Stowmarket – land to the south of  
Union Road 59968  
Date: 06 November 2020  
Enquiries: Neil McManus  
Tel: 07973 640625  
Email: [neil.mcmanus@suffolk.gov.uk](mailto:neil.mcmanus@suffolk.gov.uk)

Bron Curtis,  
Growth & Sustainable Planning,  
Babergh and Mid Suffolk District Councils,  
Endeavour House,  
8 Russell Road,  
Ipswich,  
Suffolk,  
IP1 2BX

Dear Bron,

### **Stowmarket: land to the south of Union Road – developer contributions**

I refer to the proposal: outline planning application (access to be considered) for the erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure.

Reason(s) for re-consultation: detail of pedestrian access to Finborough Road submitted 02/11/2020 (for information only).

The NPPF reinforces the importance of providing excellent pedestrian infrastructure to encourage walking – some relevant paragraphs are highlighted. Paragraph 102 of the NPPF says, *c) opportunities to promote walking, cycling and public transport use are identified and pursued.* Paragraph 104 says, *d) provide for high quality walking and cycling networks and supporting facilities such as cycle parking (drawing on Local Cycling and Walking Infrastructure Plans).* Paragraph 110 says, *a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use and, c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards.* Paragraph 127 says, *f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

Yours sincerely,

Neil McManus BSc (Hons) MRICS  
Development Contributions Manager  
Growth, Highways & Infrastructure

cc Sam Harvey, SCC (highways)

Your ref: DC/20/01110  
 Our ref: Stowmarket – land to the south of  
 Union Road 59968  
 Date: 24 October 2020  
 Enquiries: Neil McManus  
 Tel: 07973 640625  
 Email: [neil.mcmanus@suffolk.gov.uk](mailto:neil.mcmanus@suffolk.gov.uk)

Bron Curtis,  
 Growth & Sustainable Planning,  
 Babergh and Mid Suffolk District Councils,  
 Endeavour House,  
 8 Russell Road,  
 Ipswich,  
 Suffolk,  
 IP1 2BX

Dear Bron,

**Stowmarket: land to the south of Union Road – developer contributions**

I refer to the proposal: outline planning application (access to be considered) for the erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure.

Reason(s) for re-consultation: please note amended description for this application following the withdrawal of Scheme B by the applicant.

I previously submitted consultation responses by way of letters dated 27 April 2020, 04 May 2020, and 21 July 2020.

Summary of infrastructure requirements:

S106	Education	
	- Primary school new build	£758,796
	- Secondary school expansion	£618,150
	- Sixth form expansion	£142,650
S106	Early years new build	£451,176
S106	Libraries improvements & books etc.	£33,872
S106	Waste improvements	£16,060
S106	Highways	tbc

The above information is time-limited for 6 months only from the date of this letter.

Yours sincerely,

Neil McManus BSc (Hons) MRICS  
Development Contributions Manager  
Growth, Highways & Infrastructure

cc Carol Barber, SCC (education)  
Sam Harvey, SCC (highways)  
Jason Skilton, SCC (LLFA)

Your ref: DC/20/01110  
 Our ref: Stowmarket – land to the south of  
 Union Road 59968  
 Date: 27 July 2020  
 Enquiries: Neil McManus  
 Tel: 07973 640625  
 Email: [neil.mcmanus@suffolk.gov.uk](mailto:neil.mcmanus@suffolk.gov.uk)

Bron Curtis,  
 Growth & Sustainable Planning,  
 Babergh and Mid Suffolk District Councils,  
 Endeavour House,  
 8 Russell Road,  
 Ipswich,  
 Suffolk,  
 IP1 2BX

Dear Bron,

**Stowmarket: land to the south of Union Road – developer contributions**

I refer to the proposal: outline planning application (access to be considered) for two alternative proposals. EITHER Scheme A: Erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure; Or Scheme B: Erection of up to 129 dwellings and a residential care home (up to 66 beds) (Use Class C2), vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure.

This letter updates and replaces the summary of infrastructure requirements for scheme A and scheme B as there was an arithmetical error with the early years calculations set out in the letter dated 21 July 2020.

Updated summary of infrastructure requirements for scheme A:

S106	Education	
	- Primary school new build	£758,796
	- Secondary school expansion	£618,150
	- Sixth form expansion	£142,650
S106	Early years new build	£266,604
S106	Libraries improvements & books etc.	£33,872
S106	Waste improvements	£16,060
S106	Highways	tbc



Updated summary of infrastructure requirements for scheme B:

S106	Education	
	- Primary school new build	£656,256
	- Secondary school expansion	£546,825
	- Sixth form expansion	£118,875
S106	Early years new build	£225,588
S106	Libraries improvements & books etc.	£45,240
S106	Waste improvements	£14,190
S106	Highways	tbc

## 1. Education.

The most recent scorecard is 2019 and the national average school new build cost per pupil for primary schools is £20,508 (March 2020). The regional weighting for the East of England based on BCIS indices, which includes Suffolk, is 1. When applied to the national new build cost (£20,508/1.00) produces a total of £20,508 per pupil for new build of primary schools.

The most recent scorecard is 2019 and the national average school expansion build cost per pupil for secondary schools is £23,775 (March 2020). The regional weighting for the East of England based on BCIS indices, which includes Suffolk, is 1. When applied to the national expansion build cost (£23,775/1.00) produces a total of £23,775 per pupil for permanent expansion of secondary schools. The DfE guidance in paragraph 16 says, “*further education places provided within secondary school sixth forms will cost broadly the same as a secondary school place*”.

### Scheme A

- Primary is 37 pupils x £20,508 = £758,796
- Secondary is 26 pupils x £23,775 = £618,150
- Sixth form is 6 pupils x £23,775 = £142,650

### Scheme B

- Primary is 32 pupils x £20,508 = £656,256
- Secondary is 23 pupils x £23,775 = £546,825
- Sixth form is 5 pupils x £23,775 = £118,875

## 2. Pre-school provision.

In paragraph 16 of the DfE guidance it says, “*Developer contributions for early years provision will usually be used to fund places at existing or new school sites, incorporated within primary or all-through schools. Therefore, we recommend that the per pupil cost of early years provision is assumed to be the same as for a primary school*”.

### Scheme A

- 13 children x £20,508 = £266,604

## Scheme B

- 11 children x £20,508 = £225,588

3. The above information is time-limited for 6 months only from the date of this letter.

Yours sincerely,

Neil McManus BSc (Hons) MRICS  
Development Contributions Manager  
Growth, Highways & Infrastructure – Strategic Development

Your ref: DC/20/01110  
 Our ref: Stowmarket – land to the south of  
 Union Road 59968  
 Date: 21 July 2020  
 Enquiries: Neil McManus  
 Tel: 07973 640625  
 Email: [neil.mcmanus@suffolk.gov.uk](mailto:neil.mcmanus@suffolk.gov.uk)

Bron Curtis,  
 Growth & Sustainable Planning,  
 Babergh and Mid Suffolk District Councils,  
 Endeavour House,  
 8 Russell Road,  
 Ipswich,  
 Suffolk,  
 IP1 2BX

Dear Bron,

**Stowmarket: land to the south of Union Road – developer contributions**

I refer to the proposal: outline planning application (access to be considered) for two alternative proposals. EITHER Scheme A: Erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure; Or Scheme B: Erection of up to 129 dwellings and a residential care home (up to 66 beds) (Use Class C2), vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure.

Reason(s) for re-consultation: revised site location plan and drawings submitted 09/07/2020.

I previously submitted consultation responses by way of letters dated 27 April 2020 and 04 May 2020. I have no further comments to make in respect of the re-consultation. However, this letter updates the education and early years costs in light of the Department for Education publishing new scorecard costs.

Updated summary of infrastructure requirements for scheme A:

S106	Education	
	- Primary school new build	£758,796
	- Secondary school expansion	£618,150
	- Sixth form expansion	£142,650
S106	Early years new build	£451,176
S106	Libraries improvements & books etc.	£33,872
S106	Waste improvements	£16,060
S106	Highways	tbc

Updated summary of infrastructure requirements for scheme B:

S106	Education	
	- Primary school new build	£656,256
	- Secondary school expansion	£546,825
	- Sixth form expansion	£118,875
S106	Early years new build	£389,652
S106	Libraries improvements & books etc.	£45,240
S106	Waste improvements	£14,190
S106	Highways	tbc

### 1. Education.

The most recent scorecard is 2019 and the national average school new build cost per pupil for primary schools is £20,508 (March 2020). The regional weighting for the East of England based on BCIS indices, which includes Suffolk, is 1. When applied to the national new build cost (£20,508/1.00) produces a total of £20,508 per pupil for new build of primary schools.

The most recent scorecard is 2019 and the national average school expansion build cost per pupil for secondary schools is £23,775 (March 2020). The regional weighting for the East of England based on BCIS indices, which includes Suffolk, is 1. When applied to the national expansion build cost (£23,775/1.00) produces a total of £23,775 per pupil for permanent expansion of secondary schools. The DfE guidance in paragraph 16 says, *“further education places provided within secondary school sixth forms will cost broadly the same as a secondary school place”*.

### 2. Pre-school provision.

In paragraph 16 of the DfE guidance it says, *“Developer contributions for early years provision will usually be used to fund places at existing or new school sites, incorporated within primary or all-through schools. Therefore, we recommend that the per pupil cost of early years provision is assumed to be the same as for a primary school”*.

3. The above information is time-limited for 6 months only from the date of this letter.

Yours sincerely,

Neil McManus BSc (Hons) MRICS  
Development Contributions Manager  
Growth, Highways & Infrastructure – Strategic Development

Your ref: DC/20/01110  
Our ref: Stowmarket – land to the south of  
Union Road 59968  
Date: 04 May 2020  
Enquiries: Neil McManus  
Tel: 07973 640625  
Email: [neil.mcmanus@suffolk.gov.uk](mailto:neil.mcmanus@suffolk.gov.uk)

Bron Curtis,  
Growth & Sustainable Planning,  
Babergh and Mid Suffolk District Councils,  
Endeavour House,  
8 Russell Road,  
Ipswich,  
Suffolk,  
IP1 2BX

Dear Bron,

### **Stowmarket: land to the south of Union Road – developer contributions**

I refer to the proposal: outline planning application (access to be considered) for two alternative proposals. EITHER Scheme A: Erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure; Or Scheme B: Erection of up to 129 dwellings and a residential care home (up to 66 beds) (Use Class C2), vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure.

Further to my letter dated 27 April 2020 there are relevant planning policy considerations to highlight in respect of this proposed development. The Stowmarket Area Action Plan (SAAP) was adopted on 21st February 2013 and is a formal planning policy document and sets out relevant planning policies to guide future development in Stowmarket and its immediate surrounding villages. It includes policies for retail in the town centre, requirements for design, and policies for the town's river valleys and the historic environment. It also allocates specific sites to ensure that there is sufficient land for future growth in employment, housing, retail, and recreation.

This site is included under the housing allocation in the SAAP referred to as '*Stowmarket north and north-west – development around Chilton Leys*'. The large area identified on Map 6.2 is in several land ownerships, but for the purposes of the SAAP and for future planning it has been identified as a single area and is collectively known as 'land around Chilton Leys'. It is located to the west of Stowmarket, and encompasses land from Finborough Road, Union Road and up to the A14.

This proposed development is covered by SAAP Policies 6.5 – 6.11.

SAAP Policy 6.6 Development Briefs says, '*A development brief will be produced before an application for planning permission is submitted. This development brief should follow*

*the principles set out in paragraphs 4.4 – 4.8 and take into account the Stowmarket Masterplan (where it is pertinent), the objectives and policies of the SAAP and other policies of the development plan’. To note that the adjacent site (part of Union Road), which has been granted planning permission under reference 4455/16, was required to produce a Development Brief. Refer to ‘Land South of Union Road (Draft) Development Brief (April 2016)’ which formed part of the planning statement submission.*

SAAP Policy 6.9 Transport – buses/cycle/walking. This reinforces the importance of encouraging and promoting modal shift. Paragraph 6.64 of the SAAP says, *‘As part of any road improvements associated with the development of this area of Stowmarket, Starhouse Lane offers the opportunity to be upgraded and made safer for pedestrians and cyclists, while maintaining its essential rural and visually attractive ‘sunken lane’ character. This will be a matter for review’.*

SAAP Policy 6.11 Other site issues. This includes reference to the *‘provision of a primary school’.*

SAAP Policy 6.12 Infrastructure Delivery Programme (IDP) says, *‘All development within this area will be expected to contribute to the appropriate specific on-site and/or general requirements of the IDP (set out in Appendix A) as necessary’.*

In respect of the Community Infrastructure Levy (CIL) this site is identified as a ‘Strategic Site’. This site has a nil rate for CIL, as mitigation will be secured by way of section 106 and section 278.

Yours sincerely,

Neil McManus BSc (Hons) MRICS  
Development Contributions Manager  
Growth, Highways & Infrastructure – Strategic Development

cc Sam Harvey, Suffolk County Council (highways)

Your ref: DC/20/01110  
 Our ref: Stowmarket – land to the south of  
 Union Road 59968  
 Date: 27 April 2020  
 Enquiries: Neil McManus  
 Tel: 07973 640625  
 Email: [neil.mcmanus@suffolk.gov.uk](mailto:neil.mcmanus@suffolk.gov.uk)

Bron Curtis,  
 Growth & Sustainable Planning,  
 Babergh and Mid Suffolk District Councils,  
 Endeavour House,  
 8 Russell Road,  
 Ipswich,  
 Suffolk,  
 IP1 2BX

Dear Bron,

**Stowmarket: land to the south of Union Road – developer contributions**

I refer to the proposal: outline planning application (access to be considered) for two alternative proposals. EITHER Scheme A: Erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure; Or Scheme B: Erection of up to 129 dwellings and a residential care home (up to 66 beds) (Use Class C2), vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure.

Summary of infrastructure requirements for scheme A:

S106	Education	
	- Primary school new build	£725,607
	- Secondary school expansion	£591,188
	- Sixth form expansion	£136,428
S106	Early years new build	£254,943
S106	Libraries improvements & books etc.	£33,872
S106	Waste improvements	£16,060
S106	Highways	tbc

## Summary of infrastructure requirements for scheme B:

S106	Education	
	- Primary school new build	£627,552
	- Secondary school expansion	£522,974
	- Sixth form expansion	£113,690
S106	Early years new build	£215,721
S106	Libraries improvements & books etc.	£45,240
S106	Waste improvements	£14,190
S106	Highways	tbc

Previous infrastructure advice for the site was sent to the Pegasus Group in September 2019.

This proposed development must be considered and planned comprehensively with the adjacent land which was granted planning permission under reference 4455/16 and is currently being built out. This is to secure a better plan-led outcome for the locality – ensuring excellent pedestrian/cycling connectivity.

I set out below Suffolk County Council's infrastructure requirements associated with this development proposal which will need to be considered by the local planning authority. The county council will need to be a party to any sealed Section 106 legal agreement if it includes obligations which are its responsibility as service provider. Without the following contributions being agreed between the applicant and the local authority, the development cannot be considered to accord with relevant policies.

The development falls within the Stowmarket Area Action Plan (SAAP) which was adopted in February 2013 and it therefore needs to be considered in relation to SAAP Policy 11.1 and Core Strategy Policy CS6 which requires all development to provide for the supporting infrastructure they necessitate.

This proposal must take into account the cumulative impacts on infrastructure for the 'whole' area of land to the south of Union Road and be planned, designed & delivered in a comprehensive manner so as to achieve a well-designed place as set out in Chapter 12 of the NPPF, the Core Strategy, and the SAAP.

It is considered that the requirements of Suffolk County Council meet the legal tests set out in paragraph 56 of the National Planning Policy Framework and Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended). The National Planning Policy Framework (NPPF) paragraph 56 sets out the requirements of planning obligations, which are that they must be:

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



The county council and district councils have a shared approach to calculating infrastructure needs, in the adopted Section 106 Developers Guide to Infrastructure Contributions in Suffolk.

## **Community Infrastructure Levy**

Mid Suffolk District Council adopted a CIL Charging Schedule on 21 January 2016 and charges CIL on planning permissions granted after 11 April 2016.

However, this site in Stowmarket will provide all the necessary infrastructure through planning obligations (and not the Community Infrastructure Levy) relating specifically to the development.

New CIL Regulations were laid before Parliament on 4 June 2019. These Regulations (Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019) came into force on 1 September 2019 (“the commencement date”). Regulation 11 removes regulation 123 (pooling restriction and the CIL 123 List in respect of ‘relevant infrastructure’).

- 1. Education.** Paragraph 94 of the NPPF states: *‘It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:*
  - a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and*
  - b) work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.’*

Furthermore, the NPPF at paragraph 104 states: *‘Planning policies should:*

- a) support an appropriate mix of uses across an area, and within larger scale sites, to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities;’*

The Department for Education (DfE) publications *‘Education provision in garden communities’* [April 2019] and *‘Securing developer contributions for education’* [November 2019], which should be read in conjunction with the Planning Practice Guidance (PPG) advice on planning obligations [revised September 2019]. Paragraph 19 of the DfE guidance about securing developer contributions states, *“We advise local authorities with education responsibilities to work jointly with relevant local planning authorities as plans are prepared and planning applications determined, to ensure that all education needs are properly addressed, including both temporary and permanent education needs where relevant, such as school transport costs and temporary school provision before a permanent new school opens within a development site”.*

In paragraph 15 of the DfE guidance it says, *“We advise that you base the assumed cost of mainstream school places on national average costs published annually in the DfE school place scorecards. This allows you to differentiate between the average per pupil costs of a new school, permanent expansion or temporary expansion, ensuring developer contributions are fairly and reasonably related in scale and kind to the development. You should adjust the national average to reflect the costs in your region, using BCIS location factors”*.

The most recent scorecard is 2018 and the national average new build cost per pupil for primary schools is £19,611. The most recent (March 2019) BCIS location factor for the East of England, which includes Suffolk, is 100. When applied to the national new build cost (£19,611 x 1.00) produces a total of £19,611 per pupil for new build primary schools.

The most recent scorecard is 2018 and the national average expansion build cost per pupil for secondary schools is £22,738. The most recent (March 2019) BCIS location factor for the East of England, which includes Suffolk, is 100. When applied to the national expansion build cost (£22,738 x 1.00) produces a total of £22,738 per pupil for permanent expansion of secondary schools. The DfE guidance in paragraph 16 says, *“further education places provided within secondary school sixth forms will cost broadly the same as a secondary school place”*.

### Pupil yields

SCC would anticipate the following **minimum** pupil yields from a development of 146 dwellings, namely:

- a) Primary school age range, 5-11: 37 pupils. Cost per place is £19,611 (2020/21 costs). A financial contribution towards the delivery of new primary school provision at the Chilton Leys strategic allocation.
- b) Secondary school age range, 11-16: 26 pupils. Cost per place is £22,738 (2020/21 costs). A financial contribution towards the expansion, improvement and enhancement of secondary schools serving the development.
- c) Secondary school age range, 16+: 6 pupils. Costs per place is £22,738 (2020/21 costs). A financial contribution towards the expansion, improvement and enhancement of sixth form provision serving the development.

SCC would anticipate the following **minimum** pupil yields from a development of 129 dwellings, namely:

- d) Primary school age range, 5-11: 32 pupils. Cost per place is £19,611 (2020/21 costs). A financial contribution towards the delivery of new primary school provision at the Chilton Leys strategic allocation.
- e) Secondary school age range, 11-16: 23 pupils. Cost per place is £22,738 (2020/21 costs). A financial contribution towards the expansion, improvement and enhancement of secondary schools serving the development.

- f) Secondary school age range, 16+: 5 pupils. Costs per place is £22,738 (2020/21 costs). A financial contribution towards the expansion, improvement and enhancement of sixth form provision serving the development.

#### Primary education build costs for scheme A

- £19,611 per pupil for new build primary schools.
- It is anticipated that scheme A that 37 primary age-pupils will arise. Total contribution sought is 37 pupils x £19,611 per pupil place = £725,607 (2020/21 costs).
- Building Bulletin 103 published by the Department for Education and the Education Funding Agency in June 2014 – this document aims to assist architects, sponsors and those involved in creating a design brief for new school buildings.
- All contributions increased in line with the BCIS index.
- Contributions held for a minimum period of 10 years from the date of first occupation of the final dwelling.
- Payment trigger points: 50% prior to the 1<sup>st</sup> dwelling occupation & 50% prior to the 70<sup>th</sup> dwelling occupation.

#### Primary education build costs for scheme B

- £19,611 per pupil for new build primary schools.
- It is anticipated that scheme B that 32 primary age-pupils will arise. Total contribution sought is 32 pupils x £19,611 per pupil place = £627,552 (2020/21 costs).
- Building Bulletin 103 published by the Department for Education and the Education Funding Agency in June 2014 – this document aims to assist architects, sponsors and those involved in creating a design brief for new school buildings.
- All contributions increased in line with the BCIS index.
- Contributions held for a minimum period of 10 years from the date of first occupation of the final dwelling.
- Payment trigger points: 50% prior to the 1<sup>st</sup> dwelling occupation & 50% prior to the 60<sup>th</sup> dwelling occupation.

#### School transport costs

- An assessment of safe walking and cycling routes must be carried out by the applicant. The presumption is that all pupils arising from this proposed development will be able to access schools within safe walking distance which will minimise the length and number of journeys.
- Transport cost per pupil per annum is currently estimated at £960.

#### Secondary education and sixth form build costs for scheme A

- £22,738 per pupil for permanent expansion of secondary schools.
- It is anticipated that 26 secondary age-pupils and 6 sixth form pupils will arise. Total contribution sought is 32 pupils x £22,738 per pupil place = £727,616 (2020/21 costs).

- Building Bulletin 103 published by the Department for Education and the Education Funding Agency in June 2014 – this document aims to assist architects, sponsors and those involved in creating a design brief for new school buildings.
- All contributions increased in line with the BCIS index.
- Contributions held for a minimum period of 15 years from the date of first occupation of the final dwelling.
- Payment trigger points: 50% prior to the 1<sup>st</sup> dwelling occupation & 50% prior to the 70<sup>th</sup> dwelling occupation.

### Secondary education and sixth form build costs for scheme B

- £22,738 per pupil for permanent expansion of secondary schools.
- It is anticipated that 23 secondary age-pupils and 5 sixth form pupils will arise. Total contribution sought is 28 pupils x £22,738 per pupil place = £636,664 (2020/21 costs).
- Building Bulletin 103 published by the Department for Education and the Education Funding Agency in June 2014 – this document aims to assist architects, sponsors and those involved in creating a design brief for new school buildings.
- All contributions increased in line with the BCIS index.
- Contributions held for a minimum period of 15 years from the date of first occupation of the final dwelling.
- Payment trigger points: 50% prior to the 1<sup>st</sup> dwelling occupation & 50% prior to the 60<sup>th</sup> dwelling occupation.

### **2. Pre-school provision.** Education for early years should be considered as part of addressing the requirements of the NPPF Section 8: *'Promoting healthy and safe communities'*

The Childcare Act 2006 places a range of duties on local authorities regarding the provision of sufficient, sustainable and flexible childcare that is responsive to parents' needs. Local authorities are required to take a lead role in facilitating the childcare market within the broader framework of shaping children's services in partnership with the private, voluntary and independent sector. Section 7 of the Act sets out a duty to secure funded early years provision of the equivalent of 15 hours funded education per week for 38 weeks of the year for children from the term after their third birthday until they are of compulsory school age. The Education Act 2011 places a statutory duty on local authorities to ensure the provision of early education for every disadvantaged 2-year-old the equivalent of 15 hours funded education per week for 38 weeks. The Childcare Act 2016 places a duty on local authorities to secure the equivalent of 30 hours funded childcare for 38 weeks of the year for qualifying children from September 2017 – this entitlement only applies to 3 and 4 years old of working parents.

From proposed scheme A, SCC would anticipate up to 22 pre-school children arising, which is equivalent to 13 FTE pre-school children (one FTE is based on a place used for 30 hours per week).

From proposed scheme B, SCC would anticipate up to 19 pre-school children arising, which is equivalent to 11 FTE pre-school children (one FTE is based on a place used for 30 hours per week).

In respect of early years requirements, the county council refers to the DfE publication '*Statutory framework for the early years foundation stage: Setting the standards for learning, development and care for children from birth to five*' (3 March 2017). This framework is mandatory for all early years providers in England (from 3 April 2017): maintained schools; non-maintained schools; independent schools; all providers on the Early Years Register; and all providers registered with an early years childminder agency.

In paragraph 16 of the DfE guidance it says, "*Developer contributions for early years provision will usually be used to fund places at existing or new school sites, incorporated within primary or all-through schools. Therefore, we recommend that the per pupil cost of early years provision is assumed to be the same as for a primary school*".

The strategy for early years' provision would be to provide new provision serving the proposed development.

#### Early years settings build costs for scheme A

- £19,611 per child for new build early years setting.
- It is anticipated that 13 early years children will arise. Total contribution sought is 13 pupils x £19,611 per pupil place = £254,943 (2020/21 costs).
- All contributions increased in line with the BCIS index.
- Contributions held for a minimum period of 10 years from the date of first occupation of the final dwelling.
- Payment trigger points: 50% prior to the 1<sup>st</sup> dwelling occupation & 50% prior to the 70<sup>th</sup> dwelling occupation.

#### Early years settings build costs for scheme B

- £19,611 per child for new build early years setting.
- It is anticipated that 11 early years children will arise. Total contribution sought is 11 pupils x £19,611 per pupil place = £215,721 (2020/21 costs).
- All contributions increased in line with the BCIS index.
- Contributions held for a minimum period of 10 years from the date of first occupation of the final dwelling.
- Payment trigger points: 50% prior to the 1<sup>st</sup> dwelling occupation & 50% prior to the 60<sup>th</sup> dwelling occupation.

- 3. Play space provision.** This should be considered as part of addressing the requirements of the NPPF Section 8: '*Promoting healthy and safe communities.*' A key document is the '*Quality in Play*' document fifth edition published in 2016 by Play England.

**4. Transport issues.** Refer to the NPPF Section 9 '*Promoting sustainable transport*'.

An assessment of highways and transport issues will be required as part of the planning application. This will include travel plan, pedestrian & cycle provision, public transport, rights of way, air quality and highway provision (both on-site and off-site). Requirements will be dealt with via planning conditions and Section 106 as appropriate, and infrastructure delivered to adoptable standards via Section 38 and Section 278. This is being coordinated by Suffolk County Council FAO Luke Barber and Samantha Harvey, and a separate consultation response will be sent.

Starhouse Lane is a narrow road with no footway or cycleway – consideration must be given to providing safe pedestrian/cycling connectivity between Union Road and the B1115 Finborough Road as destinations such as the Shepherd & Dog Public House and the Lakeside Café will no doubt prove popular to the new residents. Consideration must also be given to improving the safety of Starhouse Lane.

Suffolk County Council, in its role as local Highway Authority, has worked with the local planning authorities to develop county-wide technical guidance on parking which replaces the preceding Suffolk Advisory Parking Standards (2002) in light of new national policy and local research. It has been subject to public consultation and was adopted by Suffolk County Council in November 2014 (updated 2019).

**5. Libraries.** Refer to the NPPF Chapter 8 '*Promoting healthy and safe communities*'.

The libraries and archive infrastructure provision topic paper sets out the detailed approach to how contributions are calculated. A contribution of £216 per dwelling is sought. A minimum standard of 30 square metres of new library space per 1,000 populations is required. Construction and initial fit out cost of £3,000 per square metre for libraries (based on RICS Building Cost Information Service data but excluding land costs). This gives a cost of (30 x £3,000) = £90,000 per 1,000 people or £90 per person for library space. Assumes average of 2.4 persons per dwelling.

There is a project identified to improvement the Stowmarket Library. This development will place additional demands on the library service, so a contribution of £216 per dwelling is sought to help fund this project.

For scheme A = 146 x £216 = £31,536

For scheme B = 195 x £216 = £42,120.

In addition, each house is expected to generate the need for 2.8 library items per annum (Suffolk standard level of stock per 1000 population is 1,174, CIPFA Library Survey 2015). The average cost of library stock in Suffolk is £5.66 per item. This includes books and physical non-book items, like spoken word and music CDs, and DVDs, as well as daily newspapers and periodicals. This gives a cost per dwelling of 2.8 items x £5.66 = £16 per dwelling.

For scheme A = 146 x £16 = £2,336.

For scheme B = 195 x £16 = £3,120.

**6. Waste.** All local planning authorities should have regard to both the Waste Management Plan for England and the National Planning Policy for Waste when discharging their responsibilities to the extent that they are appropriate to waste

management. The Waste Management Plan for England sets out the Government's ambition to work towards a more sustainable and efficient approach to resource use and management.

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

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

The Developers Guide sets out the approach to securing developer contributions for waste. The County Council, as Waste Disposal Authority, is pursuing a strategy of reducing reliance on landfill and moving towards alternative methods of disposal, but with the emphasis on waste minimisation and recycling. In terms of the disposal of municipal residual waste the county council has Energy from Waste (EfW) facility serving Suffolk. To meet targets for reducing the land filling of biodegradable municipal waste under Article 5(2) of the EC Landfill Directive, the EfW facility is the main means of disposal. However, an important part of this overall strategy is encouraging residents to minimise and recycle waste arisings to reduce the need for collection and disposal.

Household Waste and Recycling Centre – Old Bury Road, Stowmarket IP14 1JQ: Already at capacity and significantly challenged. Current issues are:

- Footprint (m<sup>2</sup>) is small for number of visitors and tonnages received
  - Restricted parking space for visitors to utilise and access all recyclables containers
  - Restricted number of containers on site
  - No available space to add material streams to recycle or add reuse facility
- Traffic queuing at busy times due to challenging access arrangements
  - Access off the highway is from one way only
- Complaints regarding queues and noise
- No available land around current site to expand
- Site closes for safety reasons when containers are exchanged

SCC has a project underway to identify a new HWRC site for the Stowmarket catchment area. Likely cost of a new HWRC is between £3m and £5m. This is a priority site in the Waste Infrastructure Strategy and it is hoped that budget will be identified for this purpose. However, the Waste Service would expect a s106 contribution of £110 per household from any significant development in this area. For scheme A = £16,060.  
For scheme B = £14,190.

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

- 7. Supported Housing.** Section 5 of the NPPF seeks to deliver a wide choice of high-quality homes. Supported Housing provision, including Extra Care/Very Sheltered Housing providing accommodation for those in need of care, including the elderly and people with learning disabilities, needs to be considered in accordance with paragraphs 61 to 64 of the NPPF.

Following the replacement of the Lifetime Homes standard, designing homes to Building Regulations Part M 'Category M4(2)' standard offers a useful way of meeting this requirement, with a proportion of dwellings being built to 'Category M4(3)' standard. In addition, we would expect a proportion of the housing and/or land use to be allocated for housing with care for older people e.g. Care Home and/or specialised housing needs, based on further discussion with the LPAs housing team to identify local housing needs.

- 8. Sustainable Drainage Systems.** Section 14 of the NPPF seeks to meet the challenges of climate change, flooding and coastal change. Paragraphs 155 – 165 refer to planning and flood risk and paragraph 165 states: *'Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:*

- a) take account of advice from the lead local flood authority;*
- b) have appropriate proposed minimum operational standards;*
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and*
- d) where possible, provide multifunctional benefits.'*

In accordance with the NPPF, when considering a major development (of 10 dwellings or more), sustainable drainage systems should be provided unless demonstrated to be inappropriate

Suffolk County Council FAO Jason Skilton will coordinate a consultation response.

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

- 10. Ecology, landscape & heritage.** These are matters for the Council to consider and address. In terms of good design, it is suggested that consideration should be given to incorporating suitable roosting and nesting boxes within dwellings for birds and



bats, as well as providing suitable biodiversity features including native plants to attract & support insects, reptiles, birds & mammals. Refer to the MHCLG guidance on the Natural environment [updated 21 July 2019].

**11. Health impact assessment.** An assessment of the likely impact of the development proposals on local health infrastructure, facilities and funding will need to be undertaken, in conjunction with a methodology to be agreed with NHS England.

**12. Superfast broadband.** This should be considered as part of the requirements of the NPPF Section 10 '*Supporting high quality communication*'. SCC would recommend that all development is equipped with high speed broadband (fibre optic). This facilitates home working which has associated benefits for the transport network and contributes to social inclusion; it also impacts educational attainment and social wellbeing, as well as improving property prices and saleability.

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

**13. Legal costs.** SCC will require an undertaking for the reimbursement of its own legal costs associated with work on a S106A, whether or not the matter proceeds to completion.

**14. Monitoring fee.** The new CIL Regs allow for the charging of monitoring fees. In this respect the county council charges £412 for each trigger point in a planning obligation, payable upon commencement.

**15.** The above information is time-limited for 6 months only from the date of this letter.

Yours sincerely,

Neil McManus BSc (Hons) MRICS  
Development Contributions Manager  
Growth, Highways & Infrastructure – Strategic Development

cc Carol Barber, Suffolk County Council  
Luke Barber/Samantha Harvey, Suffolk County Council  
Floods Planning, Suffolk County Council

**From:** Water Hydrants <Water.Hydrants@suffolk.gov.uk>  
**Sent:** 18 November 2020 16:40  
**To:** BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>  
**Cc:** Andrea Stordy <Andrea.Stordy@suffolk.gov.uk>  
**Subject:** FW: DC/20/01110 - Land To The South Of Union Road, Onehouse

Good afternoon

Comment was made on this application on the 24/04/2020 fire hydrants required.

If you require a copy of our letter please email us quoting the Refence F221484

Angie Kempen  
Water Officer  
Suffolk Fire and Rescue Service  
Endeavour House  
Russell Road  
Ipswich  
IP1 2BX  
Suffolk.

Thank you

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

From: Water Hydrants <Water.Hydrants@suffolk.gov.uk>  
Sent: 21 July 2020 06:57  
To: BMSDC Planning Mailbox <planning@babberghmidsuffolk.gov.uk>  
Subject: MSDC Planning Re-consultation Request - DC/20/01110

FAO: Bron Curtis

Good Morning,

Thank you for your email informing us of the re-consultation for:

Land to the South of Union Road, Onehouse.

The Suffolk Fire and Rescue Service have made comment on the original planning application, which we note has been published. This shall Remain in Place for the re-consultation. Whichever scheme is picked, we will require a Condition for the installation of Fire Hydrants.

If you have any queries regarding this planning application, please email them to [water.hydrants@suffolk.gov.uk](mailto:water.hydrants@suffolk.gov.uk), quoting Fire Ref.: F221484.

Kind regards,  
Andrea Stordy  
BSC  
Admin to Water Officer  
Engineering  
Fire and Public Safety Directorate  
Suffolk County Council  
3rd Floor, Lime Block  
Endeavour House  
Russell Road  
IP1 2BX

Tel.: 01473 260564  
Team Mailbox: [water.hydrants@suffolk.gov.uk](mailto:water.hydrants@suffolk.gov.uk)

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

From: Fire Business Support Team <[Fire.BusinessSupport@suffolk.gov.uk](mailto:Fire.BusinessSupport@suffolk.gov.uk)>  
Sent: 20 July 2020 13:48  
To: Water Hydrants <[Water.Hydrants@suffolk.gov.uk](mailto:Water.Hydrants@suffolk.gov.uk)>

Subject: FW: MSDC Planning Re-consultation Request - DC/20/01110

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

From: [planning@baberghmidsuffolk.gov.uk](mailto:planning@baberghmidsuffolk.gov.uk) <[planning@baberghmidsuffolk.gov.uk](mailto:planning@baberghmidsuffolk.gov.uk)>

Sent: 20 July 2020 13:38

To: Fire Business Support Team <[Fire.BusinessSupport@suffolk.gov.uk](mailto:Fire.BusinessSupport@suffolk.gov.uk)>

Subject: MSDC Planning Re-consultation Request - DC/20/01110

Please find attached planning re-consultation request letter relating to planning application - DC/20/01110 - Land To The South Of, Union Road, Onehouse, Suffolk

Kind Regards

Planning Support Team

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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.

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: DC/20/01110/OUT  
Our Ref: FS/F221484  
Enquiries to: Water Officer  
Direct Line: 01473 260588  
E-mail: Fire.BusinessSupport@suffolk.gov.uk  
Web Address: <http://www.suffolk.gov.uk>

Date: 28/04/2020

Dear Sirs

**Land to south of Union Road, Onehouse IP14 1UR**  
**Planning Application No: DC/20/01110/OUT**  
**Hydrants are required for this development**  
**(see our required conditions)**

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 recommends that fire hydrants be installed within this development on a suitable route for laying hose, i.e. avoiding obstructions. However, it is not possible, at this time, to determine the number of fire hydrants required for fire fighting purposes. The requirement will be determined at the water planning stage when site plans have been submitted by the water companies.

/continued

OFFICIAL

There will be a need for dry risers to be installed for any building that is over 18m in height.

**Sprinklers Advised**

Suffolk Fire and Rescue Service recommends that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the provision of an automatic fire sprinkler system. (Please see sprinkler information enclosed with this letter).

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

Enc: Hydrant requirement letter

Copy: [robert.barber@pegasusgroup.co.uk](mailto:robert.barber@pegasusgroup.co.uk)

Enc: Sprinkler information

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: ENG/AK  
Enquiries to: Mrs A Kempen  
Direct Line: 01473 260486  
E-mail: Angela.Kempen@suffolk.gov.uk  
Web Address: www.suffolk.gov.uk

Date: 28 April 2020

**Planning Ref: DC/20/01110/OUT**

Dear Sirs

**RE: PROVISION OF WATER FOR FIRE FIGHTING**  
**ADDRESS: Land to south of Union Road, Onehouse IP14 1UR**  
**DESCRIPTION:**  
**HYDRANTS REQUIRED**

**If the Planning Authority is minded to grant approval, the Fire Authority require adequate provision is made for fire hydrants, by the imposition of a suitable planning condition at the planning application stage.**

**If the Fire Authority is not consulted at the planning stage, or consulted and the conditions not applied, the Fire Authority will require that fire hydrants be installed retrospectively by the developer if the Planning Authority has not submitted a reason for the non-implementation of the required condition in the first instance.**

The planning condition will carry a life term for the said development and the initiating agent/developer applying for planning approval and must be transferred to new ownership through land transfer or sale should this take place.

Fire hydrant provision will be agreed upon when the water authorities submit water plans to the Water Officer for Suffolk Fire and Rescue Service.

Where a planning condition has been imposed, the provision of fire hydrants will be fully funded by the developer and invoiced accordingly by Suffolk County Council.

**Until Suffolk Fire and Rescue Service receive confirmation from the water authority that the installation of the fire hydrant has taken place, the planning condition will not be discharged.**

Continued/

OFFICIAL

Should you require any further information or assistance I will be pleased to help.

Yours faithfully

*Water Officer*

Suffolk Fire and Rescue Service



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: DC/20/01110/OUT  
Our Ref: FS/F221484  
Enquiries to: Water Officer  
Direct Line: 01473 260588  
E-mail: Fire.BusinessSupport@suffolk.gov.uk  
Web Address: <http://www.suffolk.gov.uk>

Date: 28/04/2020

Dear Sirs

**Land to south of Union Road, Onehouse IP14 1UR**  
**Planning Application No: DC/20/01110/OUT**  
**Hydrants are required for this development**  
**(see our required conditions)**

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 recommends that fire hydrants be installed within this development on a suitable route for laying hose, i.e. avoiding obstructions. However, it is not possible, at this time, to determine the number of fire hydrants required for fire fighting purposes. The requirement will be determined at the water planning stage when site plans have been submitted by the water companies.

/continued

There will be a need for dry risers to be installed for any building that is over 18m in height.

**Sprinklers Advised**

Suffolk Fire and Rescue Service recommends that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the provision of an automatic fire sprinkler system. (Please see sprinkler information enclosed with this letter).

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

Enc: Hydrant requirement letter

Copy: [robert.barber@pegasusgroup.co.uk](mailto:robert.barber@pegasusgroup.co.uk)

Enc: Sprinkler information

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  
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Your Ref:  
Our Ref: ENG/AK  
Enquiries to: Mrs A Kempen  
Direct Line: 01473 260486  
E-mail: Angela.Kempen@suffolk.gov.uk  
Web Address: www.suffolk.gov.uk

Date: 28 April 2020

**Planning Ref: DC/20/01110/OUT**

Dear Sirs

**RE: PROVISION OF WATER FOR FIRE FIGHTING**  
**ADDRESS: Land to south of Union Road, Onehouse IP14 1UR**  
**DESCRIPTION:**  
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**If the Fire Authority is not consulted at the planning stage, or consulted and the conditions not applied, the Fire Authority will require that fire hydrants be installed retrospectively by the developer if the Planning Authority has not submitted a reason for the non-implementation of the required condition in the first instance.**

The planning condition will carry a life term for the said development and the initiating agent/developer applying for planning approval and must be transferred to new ownership through land transfer or sale should this take place.

Fire hydrant provision will be agreed upon when the water authorities submit water plans to the Water Officer for Suffolk Fire and Rescue Service.

Where a planning condition has been imposed, the provision of fire hydrants will be fully funded by the developer and invoiced accordingly by Suffolk County Council.

**Until Suffolk Fire and Rescue Service receive confirmation from the water authority that the installation of the fire hydrant has taken place, the planning condition will not be discharged.**

Continued/

OFFICIAL

Should you require any further information or assistance I will be pleased to help.

Yours faithfully

*Water Officer*

Suffolk Fire and Rescue Service

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

From: GHI Floods Planning <floods.planning@suffolk.gov.uk>

Sent: 05 November 2020 08:48

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

Cc: Bron Curtis <Bron.Curtis@baberghmidsuffolk.gov.uk>

Subject: 2020-11-05 JS Reply Land To The South Of, Union Road, Onehouse, Ref DC/20/01110

Dear Bron Curtis

Subject: Land To The South Of, Union Road, Onehouse, Ref DC/20/01110

The LLFA has no further comment to make.

Kind Regards

Jason Skilton

Flood & Water Engineer

Suffolk County Council

Growth, Highway & Infrastructure

Endeavour House, 8 Russell Rd, Ipswich , Suffolk IP1 2BX

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

From: GHI Floods Planning <floods.planning@suffolk.gov.uk>

Sent: 26 October 2020 12:54

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

Cc: Bron Curtis <Bron.Curtis@baberghmidsuffolk.gov.uk>

Subject: 2020-10-26 JS Reply Land To The South Of, Union Road, Onehouse, Suffolk Ref DC/20/01110

Dear Bron Curtis,

We have no further comment to add.

Kind Regards

Jason Skilton

Flood & Water Engineer

Suffolk County Council

Growth, Highway & Infrastructure

Endeavour House, 8 Russell Rd, Ipswich , Suffolk IP1 2BX Tel 01473 260411

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

From: GHI Floods Planning <floods.planning@suffolk.gov.uk>

Sent: 21 July 2020 08:05

To: BMSDC Planning Mailbox <planning@baberghmidsuffolk.gov.uk>

Cc: Bron Curtis <Bron.Curtis@baberghmidsuffolk.gov.uk>

Subject: 2020-07-21 JS Reply Land To The South Of, Union Road, Onehouse Ref DC/20/01110

Dear Bron Curtis,

Subject: Land To The South Of, Union Road, Onehouse Ref DC/20/01110

We have no further comments to add.

Kind Regards

Jason Skilton

Flood & Water Engineer

Suffolk County Council

Growth, Highway & Infrastructure

Endeavour House, 8 Russell Rd, Ipswich , Suffolk IP1 2BX

**\*\*Note I am remote working for the time being\*\***

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

From: [planning@baberghmidsuffolk.gov.uk](mailto:planning@baberghmidsuffolk.gov.uk) <[planning@baberghmidsuffolk.gov.uk](mailto:planning@baberghmidsuffolk.gov.uk)>

Sent: 20 July 2020 13:37

To: GHI Floods Planning <[floods.planning@suffolk.gov.uk](mailto:floods.planning@suffolk.gov.uk)>

Subject: MSDC Planning Re-consultation Request - DC/20/01110

Please find attached planning re-consultation request letter relating to planning application - DC/20/01110 - Land To The South Of, Union Road, Onehouse, 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.



Dear Bron Curtis,

Subject: Land To The South Of, Union Road, Onehouse Ref DC/20/01110

Suffolk County Council, is a statutory consultee for flood risk and surface water drainage proposals for major developments. This is part of our responsibility as the Lead Local Flood Authority (LLFA) under the [Town and Country Planning Order 2015](#).

### Flood Risk

Application for development are required to undertake a flood risk assessment for most developments if they meet any of the following

- Development is within flood zone 2 or 3 including [minor development](#) and [change of use](#)
- more than 1 hectare (ha) in flood zone 1
- less than 1 ha in flood zone 1, including a change of use in development type to a more vulnerable class (for example from commercial to residential), where they could be affected by sources of flooding other than rivers and the sea (for example surface water drains, reservoirs)
- in an area within flood zone 1 which has critical drainage problems as notified by the Environment Agency

The National Planning Policy Framework, February 2019 (NPPF), section 163 also say. When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment<sup>50</sup>. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that: a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location; b) the development is appropriately flood resistant and resilient; c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate; d) any residual risk can be safely managed; and e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

Footnote 20, A site-specific flood risk assessment should be provided for all development in Flood Zones 2 and 3. In Flood Zone 1, an assessment should accompany all proposals involving: sites of 1 hectare or more; land which has been identified by the Environment Agency as having critical drainage problems; land identified in a strategic flood risk assessment as being at increased flood risk in future; or land that may be subject to other sources of flooding, where its development would introduce a more vulnerable use.

The LLFA has reviewed the submitted a Flood Risk Assessment (Ref CCE/X511/FRA-02), which has been found to meet the above criteria for development in that it is within flood zone 1, has a low risk of surface water flooding, is not at risk of flooding from a reservoir, is not known to have ground water flooding and has no reports of foul water flooding. There is however reports of surface water flooding outside of the proposed development redline at the junction of Starhouse Lane/Finborough Rd.

As part of any reserved matter application, the proposed layout will have to incorporate the existing surface water flow routes.

## Surface Water Drainage & SuDs

NPPF, Section 165, requires that all major development incorporates Sustainable Drainage Systems (SuDs) unless there is clear evidence that this would be inappropriate.

The definition of major development is:

- the number of dwellings to be provided is 10 or more, or the development is to be carried out on a site having an area of 0.5 hectares or more (and it is not known if 10 or more dwellings are to be provided)
- the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more.
- Development carried out on a site having an area of 1 hectare or more.
- any minor applications in areas at risk of surface water flooding. You can determine whether a site may be at risk of surface water flooding [using these maps](#) created by the Environment Agency

The applicant has submitted an outline planning application ref DC/20/0110 (Access to be considered) for two alternative proposals;

- Scheme A: Erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure;
- Scheme B: Erection of up to 129 dwellings and a residential care home (up to 66 beds) (Use Class C2), vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure

The LLFA has reviewed the submitted information regarding the proposal on surface water drainage and the use of SuDS for the proposed development. As this in a outline planning application, the applicant is to provided evidence that they have a viable strategy for the disposal of surface water and that it meets the following requirement as a minimum the development shall;

1. Not increase flood risk off site (in all events up to 100 year return period);
2. Provide adequate standards of flood protection on site - in most cases no flooding inside buildings in events up to a 100 year return period and no flooding in other areas (apart from designated flood paths /storage areas) in events up to 30 year return period
3. Take account of the construction, operation and maintenance requirements of both surface and subsurface components, allowing for any personnel, vehicle or machinery access required to undertake this work.
4. Make allowances for climate change for all return periods.

The applicant has looked to utilise infiltration on site in line with national guidance, however the soil type precludes the used of infiltration as the soakage rate is not within the acceptable parameters as required by the LLFA. This was determined by carrying out infiltration testing to BRE Digest 365. Therefore the applicant has proposed to discharge surface water via a piped connection to the Rattlesden River at a controlled rate .

Due to the topography of the site the applicant has proposed a hybrid SuDS solution utilising above ground open SuDs features and underground pipes.

## LLFA Recommendation

Suffolk County Council, Flood and Water Management have reviewed the application and have concluded that it meets national and local policy on flood risk and surface water drainage.

The following submitted documents have been reviewed and we recommend **approval subject to conditions**:

- Flood Risk Assessment Ref CCE/X511/FRA-02
- Site Location Plan Ref P18-2635\_01
- Option 1 Catchment Plan Ref X511 - PL - SK – 302
- Option 2 Catchment Plan Ref X511 - PL - SK – 303
- Email from IDB dated 6th May 2020
- Indicative Sections Ref X511 - PL - SK – 301 P01
- Email from Cannon Consulting to Bron Curtis (MSDC) & Jason Skilton (SCC) (no date)

We propose the following condition in relation to surface water drainage for this application.

1. Concurrent with the first reserved matters application(s) a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority. The scheme shall be in accordance with the approved FRA and include:

- a. Dimensioned plans and drawings of the surface water drainage scheme;
- b. modelling shall be submitted to demonstrate that the surface water runoff will be restricted to  $Q_{bar}$  or 2l/s/ha for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA;
- c. Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;
- d. Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year climate change rainfall event, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
- e. Topographical plans depicting all exceedance flow paths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;
- f. Details of the implementation, maintenance and management of the strategy for the disposal of surface water on the site;
- g. Details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:
  - i. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-
    1. Temporary drainage systems
    2. Measures for managing pollution / water quality and protecting controlled waters and watercourses
    3. Measures for managing any on or offsite flood risk associated with construction
  - h. Details of the maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority.

The scheme shall be fully implemented as approved.

Reasons: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development. To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater. To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage.

<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-on-developmentand-flood-risk/construction-surface-water-management-plan/>

2. The development hereby permitted shall not be occupied until details of all Sustainable Urban Drainage System components and piped networks have been submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as per s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk <https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-asset-register/>

Informative

- Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991 • Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017
- Any discharge of surface water to a watercourse that drains into an Internal Drainage Board catchment district may be is subject to payment of a surface water developer contribution
- Any works to lay new surface water drainage pipes underneath the public highway will need a section 50 license under the New Roads and Street Works Act 1991
- Any works to a main river may require an environmental permit

Kind Regards

Jason Skilton  
Flood & Water Engineer  
Suffolk County Council  
Growth, Highway & Infrastructure  
Endeavour House, 8 Russell Rd, Ipswich , Suffolk IP1 2BX

**From:** GHI Floods Planning <floods.planning@suffolk.gov.uk>  
**Sent:** 26 May 2020 09:01  
**To:** BMSDC Planning Mailbox <planning@baberghmidsuffolk.gov.uk>  
**Cc:** Bron Curtis <Bron.Curtis@baberghmidsuffolk.gov.uk>  
**Subject:** 2020-05-26 JS reply Land To The South Of, Union Road, Onehouse Ref DC/20/01110

Dear Bron Curtis,

Subject: Land To The South Of, Union Road, Onehouse Ref DC/20/01110

Suffolk County Council, Flood and Water Management have reviewed application ref DC/20/01110

The following submitted documents have been reviewed and we recommend **approval subject to conditions:**

- Flood Risk Assessment Ref CCE/X511/FRA-02
- Site Location Plan Ref P18-2635\_01
- Option 1 Catchment Plan Ref X511 - PL - SK - 302
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- Email from IDB dated 6<sup>th</sup> May 2020
- Indicative Sections Ref X511 - PL - SK – 301 P01
- Email from Cannon Consulting to Bron Curtis (MSDC) & Jason Skilton (SCC) (no date)

We propose the following condition in relation to surface water drainage for this application.

1. Concurrent with the first reserved matters application(s) a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority. The scheme shall be in accordance with the approved FRA and include:
  - a. Dimensioned plans and drawings of the surface water drainage scheme;
  - b. modelling shall be submitted to demonstrate that the surface water runoff will be restricted to  $Q_{bar}$  or 2l/s/ha for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA;
  - c. Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;
  - d. Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year climate change rainfall event, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
  - e. Topographical plans depicting all exceedance flow paths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;
  - f. Details of the implementation, maintenance and management of the strategy for the disposal of surface water on the site;
  - g. Details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in

writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:

- i. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-
  1. Temporary drainage systems
  2. Measures for managing pollution / water quality and protecting controlled waters and watercourses
  3. Measures for managing any on or offsite flood risk associated with construction
- h. Details of the maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority.

The scheme shall be fully implemented as approved.

*Reasons: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development. To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater. To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage.*

<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-on-development-and-flood-risk/construction-surface-water-management-plan/>

2. The development hereby permitted shall not be occupied until details of all Sustainable Urban Drainage System components and piped networks have been submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

*Reason: To ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as per s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk*

<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-asset-register/>

#### Informatives

- Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991
- Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017
- Any discharge of surface water to a watercourse that drains into an Internal Drainage Board catchment district may be is subject to payment of a surface water developer contribution
- Any works to lay new surface water drainage pipes underneath the public highway will need a section 50 license under the New Roads and Street Works Act 1991
- Any works to a main river may require an environmental permit

Kind Regards

Jason Skilton  
Flood & Water Engineer  
Suffolk County Council  
Growth, Highway & Infrastructure  
Endeavour House, 8 Russell Rd, Ipswich , Suffolk IP1 2BX

**\*\*Note I am remote working for the time being\*\***

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

From: [planning@baberghmidsuffolk.gov.uk](mailto:planning@baberghmidsuffolk.gov.uk) <[planning@baberghmidsuffolk.gov.uk](mailto:planning@baberghmidsuffolk.gov.uk)>

Sent: 20 May 2020 11:25

To: GHI Floods Planning <[floods.planning@suffolk.gov.uk](mailto:floods.planning@suffolk.gov.uk)>

Subject: MSDC Planning Re-consultation Request - DC/20/01110

Please find attached planning re-consultation request letter relating to planning application - DC/20/01110 - Land To The South Of, Union Road, Onehouse, 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.

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**From:** RM Floods Planning <floods.planning@suffolk.gov.uk>  
**Sent:** 27 April 2020 11:28  
**To:** BMSDC Planning Mailbox <planning@baberghmidsuffolk.gov.uk>  
**Cc:** Bron Curtis <Bron.Curtis@baberghmidsuffolk.gov.uk>  
**Subject:** 2020-04-27 JS Reply Land To The South Of, Union Road, Onehouse, Suffolk Ref DC/20/01110

Dear Bron Curtis,

**Subject: Land To The South Of, Union Road, Onehouse, Suffolk Ref DC/20/01110**

Suffolk County Council, Flood and Water Management have reviewed application ref DC/20/01110

The following submitted documents have been reviewed and we recommend a **holding objection** at this time:

- Flood Risk Assessment Ref CCE/X511/FRA-02
- Site Location Plan Ref P18-2635\_01

The reason why we are recommending a holding objection is because whilst the assessment of flood risk is sufficient, there need to be further information supplied regarding the strategy for the disposal of surface water to ensure that sufficient space has been allowed for SuDs

Note: Attached is the LLFA SUDs interim guidance.

The points below detail the action required in order to overcome our current objection:-

#### General comments

1. Resubmit the FRA utilising a above ground SuDS system for conveyance, collection and discharge or
  - a. Demonstrate to the LPA's stratification why this would not be appropriate for this site
2. Applicant should demonstrate that they have agreed a discharge rate with the East Suffolk Internal Drainage Board as the site is proposing to discharge to the Rattlesden River catchment 189.
3. Amend cross sectional drawing of basin to illustrate proposed depths of water 1:1, 1:30 & 1:100+CC, include wet/dry benches every 0.6m depth of water and allowance for freeboard

#### Scheme A –

1. Submit an impermeable area plan of the proposed site

Scheme B - Erection of up to 129 dwellings and a residential care home (up to 66 beds) (Use Class C2), vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure

1. Submit an impermeable area plan of the proposed site



2. If the car parking area for the care homes is 50 spaces or more, then a petrol/oil interceptor is to be included in the proposals
  - a. <https://www.gov.uk/guidance/pollution-prevention-for-businesses>

#### Informative

- Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991
- Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017
- Any discharge of surface water to a watercourse that drains into an Internal Drainage Board catchment is subject to payment of a surface water developer contribution
- Any works to lay new surface water drainage pipes underneath the public highway will need a section 50 license under the New Roads and Street Works Act 1991
- Any works to a main river may require an environmental permit

Note further information may be required.

Kind Regards

Jason Skilton  
Flood & Water Engineer  
Suffolk County Council  
Growth, Highway & Infrastructure  
Endeavour House, 8 Russell Rd, Ipswich, Suffolk IP1 2BX

**\*\*Note I am remote working for the time being\*\***



SCC SuDs Interim  
Guidance Final.pdf

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

From: [planning@babberghmidsuffolk.gov.uk](mailto:planning@babberghmidsuffolk.gov.uk) <[planning@babberghmidsuffolk.gov.uk](mailto:planning@babberghmidsuffolk.gov.uk)>

Sent: 23 April 2020 17:03

To: RM Floods Planning <[floods.planning@suffolk.gov.uk](mailto:floods.planning@suffolk.gov.uk)>

Subject: MSDC Planning Consultation Request - DC/20/01110

Please find attached planning consultation request letter relating to planning application - DC/20/01110 - Land To The South Of, Union Road, Onehouse, Suffolk

Kind Regards

Planning Support Team

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Your Ref:DC/20/01110  
Our Ref: SCC/CON/4438/20  
Date: 6 November 2020



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Email: [planning@babberghmidsuffolk.gov.uk](mailto: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: Bron Curtis

Dear Bron,

**TOWN AND COUNTRY PLANNING ACT 1990**

**CONSULTATION RETURN: DC/20/01110**

**PROPOSAL:** Detail of pedestrian access to Finborough Road submitted 03/11/20, ref:

Outline Planning Application. (Access to be considered) for the erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure.

**LOCATION:** Land To The South Of, Union Road Onehouse Suffolk

**ROAD CLASS:**

Notice is hereby given that the County Council as Highway Authority recommends that any permission which that Planning Authority may give should include the revised condition shown below:

Footway Condition: Before any dwelling is first occupied, the developer shall construct a footway link to existing footway network on Starhouse Lane/Union Road junction (including footway to development to the north) and Finborough Road/Starhouse Lane junction as outlined in Drawing No X511\_200 P07. Design and Construction details shall first be submitted to and approved by the Local Planning Authority. Reason: To ensure that suitable footways are provided to access the application site and to connect the sites with adjacent footways and bus stops.

Yours sincerely,

**Samantha Harvey**  
**Senior Development Management Engineer**  
Growth, Highways and Infrastructure

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Email: [planning@babberghmidsuffolk.gov.uk](mailto: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: Bronwen Curtis

Dear Bronwen,

**TOWN AND COUNTRY PLANNING ACT 1990**

**CONSULTATION RETURN: DC/20/01110**

**PROPOSAL:** Outline Planning Application. (Access to be considered) for two alternative proposals.

EITHER Scheme A: Erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure; Or Scheme B: Erection of up to 129 dwellings and a residential care home (up to 66 beds) (Use Class C2), vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure

Reason(s) for re-consultation: Revised site location plan and drawings submitted 09/07/20

**LOCATION:** Land To The South Of, Union Road, Onehouse, Suffolk

**ROAD CLASS:**

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:

**COMMENTS**

We have reviewed the data supplied with this application, the summary of our findings are as follows:

- The proposed visibility splays for the access are sufficient for the 85th%ile speeds.
- Plans to create pedestrian links to the footways within the neighbouring developments, PROW and existing footways linking Stowmarket, Onehouse Great Finborough create a safe route for the vulnerable user.
- The catchment primary school is 1.2 miles from the site. The planning application on the neighbouring site is providing a footway along Union Road linking to the footway network.
- there are bus stops approx 500m from the centre of the site which is considered an acceptable distance to walk to catch public transport
- the transport assessment indicates the following junctions all operate within capacity when adding this ddevelopmenttod committed ddevelopment and background growth for future year 2:

- Union Road/ Chilton Way/ Onehouse Road junction
- Bury Road / Chilton Way( signalise)n
- Bury Road / A1308 / Tot Hill Roundabout
- Finborough Road / Onehouse Road
- Starhouse Lane / Union Road
- There are records of 4 slight injury accidents in the area however, there is no pattern to suggest that highway layout or design were a contributory factor.

Taking all the above into account, it is our opinion that this development achieve safe and suitable access to the site for all users and would not have a severe impact on the road network (NPPF para 108 and 109) therefore we do not object to the proposal.

## CONDITIONS

Should the Planning Authority be minded to grant planning approval the Highway Authority in Suffolk would recommend they include the following conditions and obligations:

**Visibility Condition:** Before the access into the site is first used, visibility splays shall be provided as shown on Drawing No. X511\_200 P05 with an X dimension of 2.4 and a Y dimension of 80m and 120m 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.

**Footway Condition:** Before any dwelling is first occupied, the developer shall construct a footway link to existing footway network on Starhouse Lane/Union Road junction (including footway to development to the north) and Finborough Road/Starhouse Lane junction as outlined in Drawing No X511\_200 P05. Design and Construction details shall first be submitted to and approved by the Local Planning Authority.  
Reason: To ensure that suitable footways are provided to access the application site and to connect the sites with adjacent footways and bus stops.

**Access Condition:** Before the development is commenced, details of the access and associated works, (including layout, levels, gradients, surfacing and means of surface water drainage), as outlined on Drawing No. X511\_200 P05 shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that roads/footways are constructed to an acceptable standard.

**Estate Road Condition:** Prior to commencement of any works, (save for site clearance and technical investigations) details of the estate roads and footpaths, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that roads/footways are constructed to an acceptable standard.

**Estate Road Construction Condition:** No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least Binder course level or better in accordance with the approved details except with the written agreement of the Local Planning Authority in consultation with Local Highway Authority.

Reason: To ensure that satisfactory access is provided for the safety of residents and the public.

**Parking Condition:** Before the development is commenced details of the areas to be provided for the manoeuvring and parking of vehicles including electric vehicle charging points and secure cycle storage 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 and used for no other purpose.

Reason: To enable vehicles to enter and exit the public highway in forward gear in the interests of highway safety.

**Travel Plan Condition:** Prior to the occupation of any dwelling details of the travel arrangements to and from the site for residents of the dwellings, in the form of a Travel Plan in accordance with the mitigation measures identified in the submitted Framework Travel Plan (dated June 2019) shall be submitted for

the approval in writing by the local planning authority in consultation with the highway authority. Reason: In the interest of sustainable development as set out in the NPPF

Travel Pack Condition: Within one month of the first occupation of any dwelling, the occupiers of each of the dwellings shall be provided with a Residents Travel Pack (RTP). Not less than 3 months prior to the first occupation of any dwelling, the contents of the RTP shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Reason: In the interest of sustainable development as set out in the NPPF

Care Home Travel Plan Condition: Before the commercial development is commenced details of the areas to be provided for secure covered cycle storage for both customers and employees and details of changing facilities including storage lockers and showers 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 and used for no other purpose.

Reason: In the interests of sustainable development as set out in the NPPF and Strategic Objectives SO3 and SO6 of the Mid-Suffolk Core Strategy Focused Review (2012).

Bin Condition: Before the development is commenced details of the areas to be provided for presentation and storage 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.

HGV CONSTRUCTION - Condition: Before the development hereby permitted is commenced a Construction Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. Construction of the development shall not be carried out other than in accordance with the approved plan. The Construction Management Plan shall include the following matters:

- Means of access for construction traffic
- haul routes for construction traffic on the highway network and monitoring and review mechanisms.
- provision of boundary hoarding and lighting
- details of proposed means of dust suppression
- details of measures to prevent mud from vehicles leaving the site during construction
- details of deliveries times to the site during construction phase
- details of provision to ensure pedestrian and cycle safety
- programme of works (including measures for traffic management and operating hours)
- parking and turning for vehicles of site personnel, operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials
- maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase.

#### NOTES

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. These works will need to be applied for and agreed with Suffolk County Council as the Local Highway Authority. Application form for minor works licence under Section 278 of the Highways Act 1980 can be found at the following webpage: [www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/](http://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/).

The Local Planning Authority recommends that developers of housing estates should enter into formal agreement with the Highway Authority under Section 38 of the Highways Act 1980 relating to the construction and subsequent adoption of Estate Roads.

S106 Contributions

In regards to the implementation of the Residential Travel Plan, Suffolk County Council would require that a Travel Plan Contribution of £67,470 (£462.12 per dwelling) is paid for the County Council to implement the Travel Plan on behalf of the Developer. This will ensure the Travel Plan is fully implemented and is consistent of the other Travel Plan's the County Council is implementing for other sites in Suffolk using the Local Links branding. Alternatively, a Travel Plan Evaluation and Support Contribution of £1,000 per annum for a minimum of five years from occupation of the 100th dwelling and a Travel Plan Implementation Bond/Cash Deposit to the value of the Travel Plan Contribution would be required to ensure the Travel Plan is fully implemented in accordance of the monitoring requirements in the Suffolk Travel Plan Guidance.

Yours sincerely,

**Samantha Harvey**  
**Senior Development Management Engineer**  
Growth, Highways and Infrastructure

Your Ref:DC/20/01110  
Our Ref: SCC/CON/1648/20  
Date: 12 May 2020



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

Email: [planning@baberghmidsuffolk.gov.uk](mailto:planning@baberghmidsuffolk.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: Bronwen Curtis

Dear Bronwen

**TOWN AND COUNTRY PLANNING ACT 1990**

**CONSULTATION RETURN:** DC/20/01110

**PROPOSAL:** Outline Planning Application. (Access to be considered) for two alternative proposals.

EITHER Scheme A: Erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure;  
Or Scheme B: Erection of up to 129 dwellings and a residential care home (up to 66 beds) (Use Class C2), vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure.

**LOCATION:** Land To The South Of, Union Road, Onehouse, Suffolk

**ROAD CLASS:**

Notice is hereby given that the County Council as Highway Authority make the following comments:

The development is approximately 1.2 miles from the centre of the site to Chilton Primary school and 0.6 miles to the High School. These distances acceptable for children to walk to school. The proposal is to link this development with the neighbouring site which in turn, links to the existing footway network. There is also a proposal to link the site to the footway network on Finborough Road and to the Public Footpath 24 near Union Road/Starhouse Lane junction. However, we would like to see further improvements to the proposed footway network in Union Road to link to the Chilton Leys Development to enable residents to use the sports and recreational facilities.

We recommend the developer investigates the above requirement and look forward to receiving further information.

Yours sincerely,

**Samantha Harvey**

**Senior Development Management Engineer**

Growth, Highways and Infrastructure



**From:** Chris Ward <Chris.Ward@suffolk.gov.uk>  
**Sent:** 06 November 2020 12:35  
**To:** Bron Curtis <Bron.Curtis@babberghmidsuffolk.gov.uk>  
**Cc:** BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>; Sam Harvey <Sam.Harvey@suffolk.gov.uk>  
**Subject:** RE: MSDC Planning Re-consultation Request - DC/20/01110

Dear Bron,

Thank you for notifying me about the re-consultation. Having reviewed the additional documents submitted I have no further comment to make at this stage.

Kind regards

**Chris Ward**  
Travel Plan Officer  
Transport Strategy  
Strategic Development - Growth, Highways and Infrastructure  
Suffolk County Council  
Endeavour House, 8 Russell Road, Ipswich, IP1 2BX  
web : <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/travel-plans/>

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

From: [planningyellow@babberghmidsuffolk.gov.uk](mailto:planningyellow@babberghmidsuffolk.gov.uk) <[planningyellow@babberghmidsuffolk.gov.uk](mailto:planningyellow@babberghmidsuffolk.gov.uk)>  
Sent: 04 November 2020 13:28  
To: Chris Ward  
Subject: MSDC Planning Re-consultation Request - DC/20/01110

Please find attached planning re-consultation request letter relating to planning application - DC/20/01110 - Land To The South Of, Union Road, Onehouse, Suffolk

Kind Regards

Planning Support Team

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**From:** Chris Ward  
**Sent:** 23 October 2020 11:13  
**To:** Bron Curtis  
**Cc:** BMSDC Planning Area Team Yellow  
**Subject:** RE: MSDC Planning Re-consultation Request - DC/20/01110

Dear Bron,

Thank you for notifying me about the re-consultation. Having reviewed the additional document submitted I have no further comment to add from my previous response on the 11<sup>th</sup> September 2020.

Kind regards

**Chris Ward**  
Travel Plan Officer  
Transport Strategy  
Strategic Development - Growth, Highways and Infrastructure  
Suffolk County Council

**From:** Chris Ward

**Sent:** 11 September 2020 11:52

**Subject:** DC/20/01110 Land To The South Of Union Road Onehouse - Travel Plan Delivery

Dear Bron,

Following on from the Suffolk Highways response dated 4<sup>th</sup> August 2020. I would like to provide some further clarification on Suffolk County Councils preference on how the Travel Plan would be implemented following on from this response to provide some further steer on the Section 106 requirements for this site. I would like to confirm that the preference for Suffolk County Council (as Highway Authority) is for Travel Plan Contribution of £67,470 (£462.12 per dwelling) to be paid to ensure Suffolk County Council can implement the Travel Plan in a way that is consistent with other sites across the county using a dedicated Travel Plan/Smarter Choices brand (currently Suffolk Local Links – [www.suffolk.gov.uk/locallinks](http://www.suffolk.gov.uk/locallinks)). This approach to Travel Plan delivery is very similar to the AtoBetter Travel Plan delivery (<https://www.norfolk.gov.uk/roads-and-transport/atobetter>) that has been successful for residential sites in Norfolk. This approach also provides some certainty to both the Local Planning and Highway Authorities that the Travel Plan will be delivered, without the risk of an unsuitable Travel Plan being submitted, or not being delivered at all, which has occurred on some occasions from experience. This results in unnecessary costs to the Developer, Local Planning and Highway Authorities related to the enforcement action needed to rectify the planning breaches. Please also note that this approach has recently been brought to the attention of all Suffolk Local Planning Authority Heads of Planning, where I am yet to receive an objection from them.

In addition to the above there is a very strong push from Central Government recently for new development to have strong sustainable transport measures to improve public health through encouraging active travel, as well as reducing carbon emissions generated by transport. Providing some certainty that an effective Travel Plan will be delivered will help meet these objectives.

A breakdown of the cost of this Travel Plan Contribution has previously been provided to the Applicant's Transport Consultants to show the elements of the Travel Plan that Suffolk County Council will spend the contribution on. I would be happy to provide you or the Applicant any further clarification if needed.

If there is any objection to this approach please let me know at the earliest possible opportunity, so further discussions can be arranged to avoid delays to the determination of this planning application.

Kind regards

**Chris Ward**

Travel Plan Officer

Transport Strategy

Strategic Development - Growth, Highways and Infrastructure

Suffolk County Council

## BMSDC Planning Area Team Yellow

---

**Subject:** MSDC Planning Re-consultation Request - DC/20/01110

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**From:** Chris Ward <Chris.Ward@suffolk.gov.uk>

**Sent:** 22 July 2020 08:40

**To:** Bron Curtis <Bron.Curtis@baberghmidsuffolk.gov.uk>

**Cc:** BMSDC Planning Mailbox <planning@baberghmidsuffolk.gov.uk>; Sam Harvey <Sam.Harvey@suffolk.gov.uk>

**Subject:** RE: MSDC Planning Re-consultation Request - DC/20/01110

Dear Bron,

Thank you for notifying me about the re-consultation. I can confirm that my response from the 1<sup>st</sup> May 2020 still applies, as any formal comments from me will be incorporated in the formal Suffolk County Council Highways response.

Kind regards

**Chris Ward**

Travel Plan Officer

Transport Strategy

Strategic Development - Growth, Highways and Infrastructure

Suffolk County Council

Endeavour House, 8 Russell Road, Ipswich, IP1 2BX

web : <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/travel-plans/>

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

**From:** [planning@baberghmidsuffolk.gov.uk](mailto:planning@baberghmidsuffolk.gov.uk) <[planning@baberghmidsuffolk.gov.uk](mailto:planning@baberghmidsuffolk.gov.uk)>

**Sent:** 20 July 2020 13:37

**To:** Chris Ward

**Subject:** MSDC Planning Re-consultation Request - DC/20/01110

Please find attached planning re-consultation request letter relating to planning application - DC/20/01110 - Land To The South Of, Union Road, Onehouse, Suffolk

Kind Regards

Planning Support Team

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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:** Chris Ward <Chris.Ward@suffolk.gov.uk>  
**Sent:** 01 May 2020 11:30  
**To:** Bron Curtis <Bron.Curtis@babberghmidsuffolk.gov.uk>  
**Cc:** BMSDC Planning Mailbox <planning@babberghmidsuffolk.gov.uk>; Sam Harvey <Sam.Harvey@suffolk.gov.uk>  
**Subject:** RE: MSDC Planning Consultation Request - DC/20/01110

Dear Bron,

Thank you for consulting me about the proposed residential (and possible care home) development at Land to the South of Union Road in Onehouse. I will be providing a response to the Travel Plan and other sustainable transport measures that was submitted as part of the planning application. However, it will be included as part of the formal Suffolk County Council Highway response that Sam Harvey is leading on to comply with internal protocol.

Kind regards

**Chris Ward**  
Travel Plan Officer  
Transport Strategy  
Strategic Development - Growth, Highways and Infrastructure  
Suffolk County Council

Endeavour House, 8 Russell Road, Ipswich, IP1 2BX

web : <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/travel-plans/>

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

**From:** [planning@babberghmidsuffolk.gov.uk](mailto:planning@babberghmidsuffolk.gov.uk) <[planning@babberghmidsuffolk.gov.uk](mailto:planning@babberghmidsuffolk.gov.uk)>  
**Sent:** 23 April 2020 17:02  
**To:** Chris Ward  
**Subject:** MSDC Planning Consultation Request - DC/20/01110

Please find attached planning consultation request letter relating to planning application - DC/20/01110 - Land To The South Of, Union Road, Onehouse, Suffolk

Kind Regards

Planning Support Team

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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.





01 December 2020

Bron Curtis  
Mid Suffolk District Council  
Endeavour House  
8 Russell Road  
Ipswich IP1 2BX

By email only

---

*Thank you for requesting advice on this application from Place Services' ecological advice service. This service provides advice to planning officers to inform Mid Suffolk District Council planning decisions with regard to potential ecological impacts from development. Any additional information, queries or comments on this advice that the applicant or other interested parties may have, must be directed to the Planning Officer who will seek further advice from us where appropriate and necessary.*

---

**Application:** DC/20/01110  
**Location:** Land To The South Of Union Road Onehouse Suffolk  
**Proposal:** Outline Planning Application. (Access to be considered) for two alternative proposals. EITHER Scheme A: Erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure; Or Scheme B: Erection of up to 129 dwellings and a residential care home (up to 66 beds) (Use Class C2), vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure

Dear Bron,

Thank you for consulting Place Services on the above application.

**No objection subject to securing biodiversity mitigation and enhancement measures**

**Summary**

We have reassessed the Ecological Report and the Confidential Badger Report (Applied Ecology Ltd, February 2020), provided by the applicant, relating to the likely impacts of development on designated sites, protected species and Priority Species / Habitats.

In addition, we have reviewed the Proposed access p06 x511\_200 & p07 x511\_200 (Cannon Consulting Engineering Ltd October 2020).

We are still satisfied that there is sufficient ecological information available for determination and indicate that Place Services – Ecology comments (13 May 2020) are still applicable for this application. Therefore, the recommendation contained within in our initial consultation response should be secured and implemented.



This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

Please contact us with any queries.

Yours sincerely,

**Hamish Jackson** ACIEEM BSc (Hons)  
Ecological Consultant  
[Placeservicesecology@essex.gov.uk](mailto:Placeservicesecology@essex.gov.uk)

**Place Services provide ecological advice on behalf of Mid Suffolk District Council**

Please note: This letter is advisory and should only be considered as the opinion formed by specialist staff in relation to this particular matter.



2 November 2020

Bron Curtis  
Mid Suffolk District Council  
Endeavour House  
8 Russell Road  
Ipswich IP1 2BX

By email only

---

*Thank you for requesting advice on this application from Place Services' ecological advice service. This service provides advice to planning officers to inform Mid Suffolk District Council planning decisions with regard to potential ecological impacts from development. Any additional information, queries or comments on this advice that the applicant or other interested parties may have, must be directed to the Planning Officer who will seek further advice from us where appropriate and necessary.*

---

**Application:** DC/20/01110  
**Location:** Land To The South Of Union Road Onehouse Suffolk  
**Proposal:** Outline Planning Application. (Access to be considered) for the erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure.

Dear Bron,

Thank you for re-consulting Place Services on the above application.

**No objection subject to securing biodiversity mitigation and enhancement measures**

**Summary**

We note that otter and water vole surveys have now been completed (Applied Ecology, September 2020) and the agent's email of 12 October seeking removal of scheme B from the application.

We have reviewed the letter relating to otter and water vole surveys provided by the applicant and satisfied that the LPA has certainty of likely impacts from the development on these protected species.

We still indicate that Place Services – Ecology comments (13 May 2020) are still applicable for this application. Therefore, the recommendations contained within in this initial consultation response should be secured and implemented. However following discussion relating to offsite mitigation for skylark, we support the amended condition wording suggested by the LPA to secure this compensation for this Priority species.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.



Please contact us with any queries.

Yours sincerely,

**Sue Hooton CEnv MCIEEM BSc (Hons)**

Principal Ecological Consultant

[Placeservicesecology@essex.gov.uk](mailto:Placeservicesecology@essex.gov.uk)

**Place Services provide ecological advice on behalf of Mid Suffolk District Council**

Please note: This letter is advisory and should only be considered as the opinion formed by specialist staff in relation to this particular matter.



2 November 2020

Bron Curtis  
Mid Suffolk District Council  
Endeavour House  
8 Russell Road  
Ipswich IP1 2BX

By email only

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*Thank you for requesting advice on this application from Place Services' ecological advice service. This service provides advice to planning officers to inform Mid Suffolk District Council planning decisions with regard to potential ecological impacts from development. Any additional information, queries or comments on this advice that the applicant or other interested parties may have, must be directed to the Planning Officer who will seek further advice from us where appropriate and necessary.*

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**Application:** DC/20/01110  
**Location:** Land To The South Of Union Road Onehouse Suffolk  
**Proposal:** Outline Planning Application. (Access to be considered) for the erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure.

Dear Bron,

Thank you for re-consulting Place Services on the above application.

**No objection subject to securing biodiversity mitigation and enhancement measures**

**Summary**

We note that otter and water vole surveys have now been completed (Applied Ecology, September 2020) and the agent's email of 12 October seeking removal of scheme B from the application.

We have reviewed the letter relating to otter and water vole surveys provided by the applicant and satisfied that the LPA has certainty of likely impacts from the development on these protected species.

We still indicate that Place Services – Ecology comments (13 May 2020) are still applicable for this application. Therefore, the recommendations contained within in this initial consultation response should be secured and implemented. However following discussion relating to offsite mitigation for skylark, we support the amended condition wording suggested by the LPA to secure this compensation for this Priority species.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.



Please contact us with any queries.

Yours sincerely,

**Sue Hooton CEnv MCIEEM BSc (Hons)**

Principal Ecological Consultant

[Placeservicesecology@essex.gov.uk](mailto:Placeservicesecology@essex.gov.uk)

**Place Services provide ecological advice on behalf of Mid Suffolk District Council**

Please note: This letter is advisory and should only be considered as the opinion formed by specialist staff in relation to this particular matter.



07 August 2020

Bron Curtis  
Mid Suffolk District Council  
Endeavour House  
8 Russell Road  
Ipswich IP1 2BX

By email only

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*Thank you for requesting advice on this application from Place Services' ecological advice service. This service provides advice to planning officers to inform Mid Suffolk District Council planning decisions with regard to potential ecological impacts from development. Any additional information, queries or comments on this advice that the applicant or other interested parties may have, must be directed to the Planning Officer who will seek further advice from us where appropriate and necessary.*

---

**Application:** DC/20/01110  
**Location:** Land To The South Of Union Road Onehouse Suffolk  
**Proposal:** Outline Planning Application. (Access to be considered) for two alternative proposals. EITHER Scheme A: Erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure; Or Scheme B: Erection of up to 129 dwellings and a residential care home (up to 66 beds) (Use Class C2), vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure

Dear Bron,

Thank you for consulting Place Services on the above application.

**No objection subject to securing biodiversity mitigation and enhancement measures**

**Summary**

We have reassessed the Ecological Report and the Confidential Badger Report (Applied Ecology Ltd, February 2020), provided by the applicant, relating to the likely impacts of development on designated sites, protected species and Priority Species / Habitats.

In addition, we have reviewed the further Revised site location plan (p18-2635\_01f), Revised scheme a development framework plan (p18-2635\_20b) and Revised scheme b development framework p18-2635\_21b.

We are still satisfied that there is sufficient ecological information available for determination and indicate that Place Services – Ecology comments (13 May 2020) are still applicable for this application. Therefore, the recommendation contained within in our initial consultation response should be secured and implemented.



This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

Please contact us with any queries.

Yours sincerely,

**Hamish Jackson ACIEEM BSc (Hons)**  
Ecological Consultant  
[Placeservicesecology@essex.gov.uk](mailto:Placeservicesecology@essex.gov.uk)

**Place Services provide ecological advice on behalf of Mid Suffolk District Council**

Please note: This letter is advisory and should only be considered as the opinion formed by specialist staff in relation to this particular matter.





13 May 2020

Bron Curtis  
Mid Suffolk District Council  
Endeavour House  
8 Russell Road  
Ipswich IP1 2BX

By email only

---

*Thank you for requesting advice on this application from Place Services' ecological advice service. This service provides advice to planning officers to inform Mid Suffolk District Council planning decisions with regard to potential ecological impacts from development. Any additional information, queries or comments on this advice that the applicant or other interested parties may have, must be directed to the Planning Officer who will seek further advice from us where appropriate and necessary.*

---

**Application:** DC/20/01110  
**Location:** Land To The South Of Union Road Onehouse Suffolk  
**Proposal:** Outline Planning Application. (Access to be considered) for two alternative proposals. EITHER Scheme A: Erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure; Or Scheme B: Erection of up to 129 dwellings and a residential care home (up to 66 beds) (Use Class C2), vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure

Dear Bron,

Thank you for consulting Place Services on the above application.

**No objection subject to securing biodiversity mitigation and enhancement measures**

**Summary**

We have reviewed the Ecological Report and the Confidential Badger Report (Applied Ecology Ltd, February 2020), provided by the applicant, relating to the likely impacts of development on designated sites, protected species and Priority Species / Habitats.

We are satisfied that there is sufficient ecological information available for determination. This provides certainty for the LPA of the likely impacts on designated sites, protected species and Priority Species/Habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

Therefore, the measures identified in the Ecological Report and the Confidential Badger Report (Applied Ecology Ltd, February 2020) should be secured and implemented. However, we recommend



that a Construction Environmental Management Plan (CEMP: Biodiversity) should be implemented for this application, to ensure general precautionary measures are implemented to avoid any potential impacts to Protected and Priority Species during the construction phase. This should include mitigation measures for nesting birds, Badgers (including a pre-commencement survey) and Hedgehogs.

We also have the following comments regarding the proposed development:

#### **Protected Species – Bats:**

A wildlife friendly lighting scheme will need to be provided for this application as recommended by the Ecological Report (Applied Ecology Ltd, February 2020). This will need to be secured as a condition of any consent at reserved matters stage to ensure finalised designs avoid impacts to foraging and commuting bat species. The lighting scheme must follow [Guidance Note 8 Bats and artificial lighting](#) (The Institute of Lighting Professionals & Bat Conservation Trust, 2018). Therefore, the professional ecologist must be consulted to advise on the reserved matters landscape scheme and inform the lighting strategy for this scheme. As a result, the following measures should be demonstrated to avoid impacts to bats for this application:

- Light levels should be as low as possible as required to fulfil the lighting need.
- Environmentally Sensitive Zones should be established within the development, where lighting could potentially impact important foraging and commuting routes for bats.
- Warm White lights should be used near Environmentally Sensitive Zones, preferably at <3000k. This is necessary as lighting which emit an ultraviolet component or that have a blue spectral content have a high attraction effects on insects. This may lead in a reduction in prey availability for some light sensitive bat species.
- Light columns should be as short as possible, as light at a low level reduces the ecological impact. However, if taller columns (>8m) are required, the use of cowls, hoods, reflector skirts or shields should be used to prevent horizontal spill.
- Lux levels should be directed away from boundary edges and Environmentally Sensitive Zones. This should preferably demonstrate that the boundary features and Environmentally Sensitive Zones are not exposed to lighting levels of approximately 1 lux. This is necessary to ensure that light sensitive bat species, will not be affected by the development.

#### **Priority Species – Skylarks:**

The Ecological Report (Applied Ecology Ltd, February 2020) indicates that at least one Skylark territory will be lost by the proposed development. Therefore, two Skylark plots per breeding territory lost should be secured on nearby agricultural land via a Skylark Mitigation Strategy. This should secure Skylark Plots for a minimum of 10 years under a legal agreement. Alternatively, the implementation of the skylark plots could be secured via a condition of any consent, if the identification of appropriate nearby agricultural land in the applicant's control can be provided for the Skylarks plots.

It is indicated that an Appeal was partially dismissed due to appropriate mitigation not being provided for Skylarks. This determined that evidence must be delivered to demonstrate that on-site biodiversity interests, including species protected by s41 of NERC, should be conserved or adequately mitigated / compensated (*Gladman Developments Ltd and the Trustees of the Pattle Will Trust (Appellant) v Tendring District Council [2019] - APP/P1560/W/18/3201067*).



### **Biodiversity Enhancements:**

We note that the Ecological Report (Applied Ecology Ltd, February 2020) has used The DEFRA Biodiversity Metric 2.0 Calculation Tool confirms an overall biodiversity net gain for both a development proposal (Scheme A: 39.93 % increase) (Scheme B 34.55 % increase). We agree with these calculations and are satisfied that measurable net gains will be delivered for this application, as outlined under Paragraph 170[d] / 175[d] of the National Planning Policy Framework 2019.

In addition, we also approve of the outlined reasonable ecological enhancement measures proposed. The biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Strategy to be secured at reserved matters stage.

### **Recommended conditions**

The following conditions will enable the LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

Impacts will be minimised such that the proposal is acceptable subject to the conditions below based on BS42020:2013.

Submission for approval and implementation of the details below should be a condition of any planning consent.

#### **1. PRIOR TO COMMENCEMENT: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN**

*"A construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority.*

*The CEMP (Biodiversity) shall include the following.*

- a) Risk assessment of potentially damaging construction activities.*
- b) Identification of "biodiversity protection zones".*
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).*
- d) The location and timing of sensitive works to avoid harm to biodiversity features.*
- e) The times during construction when specialist ecologists need to be present on site to oversee works.*
- f) Responsible persons and lines of communication.*
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.*
- h) Use of protective fences, exclusion barriers and warning signs.*

*The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority"*



**Reason:** To conserve Protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended), the Badger Protection Act 1992 and s40 of the NERC Act 2006 (Priority habitats & species).

## **2. CONCURRENT WITH RESERVED MATTERS: SKYLARK MITIGATION STRATEGY**

*“A Skylark Mitigation Strategy shall be submitted to and approved by the local planning authority to compensate the loss of any Skylark territories. This shall include provision of the evidenced number of Skylark nest plots, to be secured by legal agreement or a condition of any consent, in nearby agricultural land, prior to commencement.*

*The content of the Skylark Mitigation Strategy shall include the following:*

- a) *Purpose and conservation objectives for the proposed Skylark nest plots;*
- b) *detailed methodology for the Skylark nest plots following Agri-Environment Scheme option: ‘AB4 Skylark Plots’;*
- c) *locations of the Skylark plots by appropriate maps and/or plans;*
- d) *persons responsible for implementing the compensation measure.*

*The Skylark Mitigation Strategy shall be implemented in accordance with the approved details and all features shall be retained for a minimum period of 10 years.”*

**Reason:** To allow the LPA to discharge its duties under the NERC Act 2006 (Priority habitats & species)

## **3. CONCURRENT WITH RESERVED MATTERS: LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN**

*“A Landscape and Ecological Management Plan (LEMP) shall be submitted to and be approved in writing by the local planning authority.*

*The content of the LEMP shall include the following:*

- a) *Description and evaluation of features to be managed.*
- b) *Ecological trends and constraints on site that might influence management.*
- c) *Aims and objectives of management.*
- d) *Appropriate management options for achieving aims and objectives.*
- e) *Prescriptions for management actions.*
- f) *Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).*
- g) *Details of the body or organization responsible for implementation of the plan.*
- h) *Ongoing monitoring and remedial measures.*

*The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the*



*development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.”*

**Reason:** To allow the LPA to discharge its duties under the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species)

**4. CONCURRENT WITH RESERVED MATTERS: BIODIVERSITY ENHANCEMENT STRATEGY**

*“A Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the local planning authority.*

*The content of the Biodiversity Enhancement Strategy shall include the following:*

- a) Purpose and conservation objectives for the proposed enhancement measures;*
- b) detailed designs to achieve stated objectives;*
- c) locations of proposed enhancement measures by appropriate maps and plans;*
- d) persons responsible for implementing the enhancement measures;*
- e) details of initial aftercare and long-term maintenance (where relevant).*

*The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.”*

**Reason:** To enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

**5. CONCURRENT WITH RESERVED MATTERS: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME**

*“A lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.*

*All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.”*

**Reason:** To allow the LPA to discharge its duties under the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species)



Please contact us with any queries.

Yours sincerely,

**Hamish Jackson** GradCIEEM BSc (Hons)  
Ecological Consultant  
[Hamish.Jackson@essex.gov.uk](mailto:Hamish.Jackson@essex.gov.uk)

**Place Services provide ecological advice on behalf of Mid Suffolk District Council**

Please note: This letter is advisory and should only be considered as the opinion formed by specialist staff in relation to this particular matter

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

From: BMSDC Economic Development <BMSDCEconomicDevelopment@babberghmidsuffolk.gov.uk>  
Sent: 01 December 2020 12:04  
To: BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>  
Cc: Bron Curtis <Bron.Curtis@babberghmidsuffolk.gov.uk>  
Subject: RE: MSDC Planning Re-consultation Request - DC/20/01110 - 06/11/2020

Whilst we regret the loss of employment that would have been provided if a new care home was established, we have no other comment to make.

Many thanks

Beccy Coombs

Tel no: 01473 296324

Inward Investment and Business Engagement Cordinator Economy and Business Economic Development & Regeneration Team Babergh & Mid Suffolk District Councils – Working Together  
Office/postal: Endeavour House (First Floor/Gold Block), Russell Road, Ipswich, IP1 2BX  
e: [beccy.coombs@babberghmidsuffolk.gov.uk](mailto:beccy.coombs@babberghmidsuffolk.gov.uk)  
[www.babergh.gov.uk](http://www.babergh.gov.uk) | [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)

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

From: [planningyellow@babberghmidsuffolk.gov.uk](mailto:planningyellow@babberghmidsuffolk.gov.uk) <[planningyellow@babberghmidsuffolk.gov.uk](mailto:planningyellow@babberghmidsuffolk.gov.uk)>  
Sent: 23 October 2020 10:16  
To: BMSDC Economic Development <[BMSDCEconomicDevelopment@babberghmidsuffolk.gov.uk](mailto:BMSDCEconomicDevelopment@babberghmidsuffolk.gov.uk)>  
Subject: MSDC Planning Re-consultation Request - DC/20/01110 - 06/11/2020

Please find attached planning re-consultation request letter relating to planning application - DC/20/01110 - Land To The South Of, Union Road, Onehouse, 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.



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

From: BMSDC Economic Development <BMSDCEconomicDevelopment@baberghmidsuffolk.gov.uk>  
Sent: 30 July 2020 16:27  
To: BMSDC Planning Mailbox <planning@baberghmidsuffolk.gov.uk>  
Subject: RE: MSDC Planning Re-consultation Request - DC/20/01110

Economic Development have no further comment to make on the revised schemes

Dawn Easter  
Economic Development Officer  
Babergh and Mid Suffolk District Councils – Working Together tel 01449 724635 Mobile 07860  
827004  
[www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk) [www.babergh.gov.uk](http://www.babergh.gov.uk)

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

From: [planning@baberghmidsuffolk.gov.uk](mailto:planning@baberghmidsuffolk.gov.uk) <[planning@baberghmidsuffolk.gov.uk](mailto:planning@baberghmidsuffolk.gov.uk)>  
Sent: 20 July 2020 13:27  
To: BMSDC Economic Development <[BMSDCEconomicDevelopment@baberghmidsuffolk.gov.uk](mailto:BMSDCEconomicDevelopment@baberghmidsuffolk.gov.uk)>  
Subject: MSDC Planning Re-consultation Request - DC/20/01110

Please find attached planning re-consultation request letter relating to planning application -  
DC/20/01110 - Land To The South Of, Union Road, Onehouse, Suffolk

Kind Regards

Planning Support Team

## Consultation Response Pro forma

<b>1</b>	<b>Application Number</b>	DC/20/ 01110 Onehouse	
<b>2</b>	<b>Date of Response</b>	30 April 2020	
<b>3</b>	<b>Responding Officer</b>	Name:	Dawn Easter
		Job Title:	Economic Development Officer
		Responding on behalf of...	Economic Development Team
<b>4</b>	<b>Recommendation</b> Note: This section must be completed before the response is sent. The recommendation should be based on the information submitted with the application.	<p>The Economic Development Team</p> <p>No Objection</p>	
<b>5</b>	<b>Discussion</b> Please outline the reasons/rationale behind how you have formed the recommendation. Please refer to any guidance, policy or material considerations that have informed your recommendation.	<p>My comments relate to Scheme B on the application, I have no comment to make on scheme A.</p> <p>The Care Home will aid the sustainability of the area by providing new job opportunities within the development.</p>	
<b>6</b>	<b>Amendments, Clarification or Additional Information Required</b> (if holding objection)  If concerns are raised, can they be overcome with changes? Please ensure any requests are proportionate		
<b>7</b>	<b>Recommended conditions</b>		

Please note that this form can be submitted electronically on the Councils website. Comments submitted on the website will not be acknowledged but you can check whether they have been received by reviewing comments on the website under the application reference number. Please note that the completed form will be posted on the Councils website and available to view by the public.

**From:** Nathan Pittam <Nathan.Pittam@babberghmidsuffolk.gov.uk>  
**Sent:** 03 November 2020 10:33  
**To:** Bron Curtis <Bron.Curtis@babberghmidsuffolk.gov.uk>  
**Cc:** BMSDC Planning Mailbox <planning@babberghmidsuffolk.gov.uk>  
**Subject:** DC/20/01110. Air Quality

Dear Bron

**EP Reference : 282943**  
**DC/20/01110. Air Quality**  
**Land To The South Of, Union Road, Onehouse, STOWMARKET, Suffolk.**  
**Outline Planning Application. (Access to be considered) for the erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, playspace, landscaping, associated highways, drainage & utilities.**

Many thanks for your request for comments in relation to the above application. I can confirm that I have no comments to make in addition to those made previously during the consultation period.

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](mailto:Nathan.pittam@babberghmidsuffolk.gov.uk)  
Work: 01449 724715  
websites: [www.babergh.gov.uk](http://www.babergh.gov.uk) [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)

**From:** Nathan Pittam <Nathan.Pittam@babberghmidsuffolk.gov.uk>  
**Sent:** 04 August 2020 09:40  
**To:** Bron Curtis <Bron.Curtis@babberghmidsuffolk.gov.uk>  
**Cc:** BMSDC Planning Area Team Blue <planningblue@babberghmidsuffolk.gov.uk>  
**Subject:** DC/20/01110. Air Quality

Dear Bron

**EP Reference : 279185  
DC/20/01110. Air Quality  
Land To The South Of, Union Road, Onehouse, STOWMARKET, Suffolk.  
Outline Planning Application. (Access to be considered) for two alternative  
proposals. EITHER Scheme A: Erection of up to 146no dwellings including  
vehicular and pedestrian accesses, etc**

Many thanks for your request for comments in relation to the above reconsultation. I can confirm that nothing submitted would cause me to amend my previous comments with respect to this application.

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](mailto:Nathan.pittam@babberghmidsuffolk.gov.uk)  
Work: 07769 566988 / 01449 724715

**From:** Nathan Pittam  
**Sent:** 18 May 2020 08:13  
**To:** Bron Curtis **Subject:** DC/20/01110. Air Quality

Dear Bron

EP Reference : 275538  
DC/20/01110. Air Quality  
Land To The South Of, Union Road, Onehouse, STOWMARKET, Suffolk.  
Outline Planning Application. (Access to be considered) for two alternative proposals. EITHER Scheme A: Erection of up to 146no dwellings including vehicular and pedestrian accesses, etc (see remarks).

Many thanks for your request for comments on the above application from the perspective of Local Air Quality Management. Having reviewed the application in light of current government guidance it is unlikely, given the low background air quality coupled with the limited scale of development, that this application would result in an unacceptable deterioration in air quality and as such I have no objection to either of the two proposed schemes.

Kind regards

Nathan

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

**Babergh and Mid Suffolk District Councils – Working Together**

**From:** Nathan Pittam <Nathan.Pittam@babberghmidsuffolk.gov.uk>  
**Sent:** 13 November 2020 09:14  
**To:** Bron Curtis <Bron.Curtis@babberghmidsuffolk.gov.uk>  
**Cc:** BMSDC Planning Mailbox <planning@babberghmidsuffolk.gov.uk>  
**Subject:** DC/20/01110. Land Contamination

Dear Bron

**EP Reference : 283410**  
**DC/20/01110. Land Contamination**  
**Land To The South Of, Union Road, Onehouse, STOWMARKET, Suffolk.**  
**Outline Planning Application. (Access to be considered) for the erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space,**

Many thanks for your request for comments in relation to the above application. I can confirm that I have no comments to make in addition to those made previously during the consultation period and that unless circumstances change with respect to land contamination we do not require any further involvement in the planning process.

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](mailto:Nathan.pittam@babberghmidsuffolk.gov.uk)  
Work: 01449 724715  
websites: [www.babergh.gov.uk](http://www.babergh.gov.uk) [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)

**From:** Nathan Pittam <Nathan.Pittam@baberghmidsuffolk.gov.uk>  
**Sent:** 29 October 2020 12:50  
**To:** Bron Curtis <Bron.Curtis@baberghmidsuffolk.gov.uk>  
**Cc:** BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>  
**Subject:** DC/20/01110. Land Contamination

Dear Bron

**EP Reference : 282944**  
**DC/20/01110. Land Contamination**  
**Land To The South Of, Union Road, Onehouse, STOWMARKET, Suffolk.**  
**Outline Planning Application. (Access to be considered) for the erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space,**

Many thanks for your request for comments in relation to the above application. I can confirm that I have no comments to make in addition to those made previously during the consultation period.

Kind regards

Nathan

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

**Babergh and Mid Suffolk District Councils – Working Together**

Email: [Nathan.pittam@baberghmidsuffolk.gov.uk](mailto:Nathan.pittam@baberghmidsuffolk.gov.uk)  
Work: 01449 724715  
websites: [www.babergh.gov.uk](http://www.babergh.gov.uk) [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)

**From:** Nathan Pittam <Nathan.Pittam@babberghmidsuffolk.gov.uk>  
**Sent:** 04 August 2020 09:46  
**To:** Bron Curtis <Bron.Curtis@babberghmidsuffolk.gov.uk>  
**Cc:** BMSDC Planning Area Team Blue <planningblue@babberghmidsuffolk.gov.uk>  
**Subject:** DC/20/01110. Land Contamination

Dear Bron

**EP Reference : 279186**  
**DC/20/01110. Land Contamination**  
**Land To The South Of, Union Road, Onehouse, STOWMARKET, Suffolk.**  
**Outline Planning Application. (Access to be considered) for two alternative proposals. EITHER Scheme A: Erection of up to 146no dwellings including vehicular and pedestrian accesses, etc**

Many thanks for your request for comments in relation to the above reconsultation. I can confirm that nothing submitted would cause me to amend my previous comments with respect to this application.

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](mailto:Nathan.pittam@babberghmidsuffolk.gov.uk)  
Work: 07769 566988 / 01449 724715



**From:** Nathan Pittam <[Nathan.Pittam@babberghmidsuffolk.gov.uk](mailto:Nathan.Pittam@babberghmidsuffolk.gov.uk)>  
**Sent:** 06 May 2020 09:54  
**To:** Bron Curtis <[Bron.Curtis@babberghmidsuffolk.gov.uk](mailto:Bron.Curtis@babberghmidsuffolk.gov.uk)>  
**Subject:** DC/20/01110. Land Contamination

Dear Bron

**EP Reference : 275534**  
**DC/20/01110. Land Contamination**  
**Land To The South Of, Union Road, Onehouse, STOWMARKET, Suffolk.**  
**Outline Planning Application. (Access to be considered) for two alternative proposals. EITHER Scheme A: Erection of up to 146no dwellings including vehicular and pedestrian accesses, etc**

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

**From:** Andy Rutson-Edwards <Andy.Rutson-Edwards@baberghmidsuffolk.gov.uk>  
**Sent:** 10 November 2020 14:15  
**To:** Bron Curtis <Bron.Curtis@baberghmidsuffolk.gov.uk>; BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>; BMSDC Planning Mailbox <planning@baberghmidsuffolk.gov.uk>  
**Subject:** DC/20/01110

Environmental Health -  
Noise/Odour/Light/Smoke

**APPLICATION FOR OUTLINE PLANNING PERMISSION - DC/20/01110**

**Proposal:** Outline Planning Application. (Access to be considered) for the erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure

**Location:** Land To The South Of, Union Road, Onehouse, Suffolk

**Reason(s) for re-consultation:** Detail of pedestrian access to Finborough Road submitted 02/11/20 (for information only)

Thank you for re consulting me on this application.

I have no further comments to add to those I have already submitted.

Regards

*Andy*

**Andy Rutson-Edwards, MCIEH AMIOA**

Senior Environmental Protection Officer

**Babergh and Mid Suffolk District Council - Working Together**

Tel: 01449 724727

Email [andy.rutson-edwards@baberghmidsuffolk.gov.uk](mailto:andy.rutson-edwards@baberghmidsuffolk.gov.uk)

[www.babergh.gov.uk](http://www.babergh.gov.uk) [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)

**From:** Andy Rutson-Edwards <Andy.Rutson-Edwards@babberghmidsuffolk.gov.uk>

**Sent:** 27 October 2020 10:48

**To:** Bron Curtis <Bron.Curtis@babberghmidsuffolk.gov.uk>; BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>; BMSDC Planning Mailbox <planning@babberghmidsuffolk.gov.uk>

**Subject:** DC/20/01110 re consult scheme a only

Environmental Health -  
Noise/Odour/Light/Smoke

**APPLICATION FOR OUTLINE PLANNING PERMISSION - DC/20/01110**

**Proposal:** Outline Planning Application. (Access to be considered) for the erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure

**Location:** Land To The South Of, Union Road, Onehouse, Suffolk

**Reason(s) for re-consultation:** Please note amended description for this application following the withdrawal of scheme B by the applicant

Thank you for consulting me on this application.

I have no objections in principle. However, the site is close to existing and previously approved residential premises. As such there is a risk to the existing amenity during the construction phase of this development.

• I would therefore recommend a construction management plan is required by way of the following condition:

**Construction Management**

Prior to the commencement of development details of a Construction Management Plan shall

be submitted to and approved in writing by the Local Planning Authority and shall incorporate the following information:

- a) Details of the storage of construction materials on site, including details of their siting and maximum storage height.
- b) Details of how construction and worker traffic and parking shall be managed.
- c) Details of any protection measures for footpaths surrounding the site.
- d) Details of any means of access to the site during construction.
- e) Details of the scheduled timing/phasing of development for the overall construction period.
- f) Details of any wheel washing to be undertaken, management and location it is intended to take place.
- g) Details of any lighting, including position and luminance/direction.
- h) Details of the siting of any on site compounds and portaloo's.
- i) Haul routes for construction traffic on the highway network.
- j) Noise control, Monitoring and review mechanisms.
- k) Details of dust management and mitigation to be used on site

The construction shall at all times be undertaken in accordance with the agreed methodology approved in writing by the Local Planning Authority.

Reason - to protect the amenity of the nearby residential premises.

I would also suggest that the hours of construction are also controlled by way of condition and restricted as below:

- All noise intrusive works audible beyond the boundary of the site shall be limited to 0800-1800 Monday to Friday, 0900-1800 Saturday. No work to be undertaken on Sunday, Bank or Public Holidays. This condition shall apply to all deliveries to, or waste removal from site.

Reason - to protect the amenity of the nearby residential premises.

*Andy*

**Andy Rutson-Edwards, MCIEH AMIOA**

Senior Environmental Protection Officer

**Babergh and Mid Suffolk District Council - Working Together**

Tel: 01449 724727

Email [andy.rutson-edwards@baberghmidsuffolk.gov.uk](mailto:andy.rutson-edwards@baberghmidsuffolk.gov.uk)

[www.babergh.gov.uk](http://www.babergh.gov.uk) [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)

**From:** Andy Rutson-Edwards <Andy.Rutson-Edwards@baberghmidsuffolk.gov.uk>  
**Sent:** 05 August 2020 11:33  
**To:** Bron Curtis <Bron.Curtis@baberghmidsuffolk.gov.uk>; BMSDC Planning Mailbox <planning@baberghmidsuffolk.gov.uk>  
**Subject:** DC/20/01110 re consultation

Environmental Health -  
Noise/Odour/Light/Smoke

**APPLICATION FOR OUTLINE PLANNING PERMISSION - DC/20/01110**

**Proposal:** Outline Planning Application. (Access to be considered) for two alternative proposals.

EITHER Scheme A: Erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure; Or Scheme B: Erection of up to 129 dwellings and a residential care home (up to 66 beds) (Use Class C2), vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure

**Location:** Land To The South Of, Union Road, Onehouse, Suffolk

**Reason(s) for re-consultation:** Revised site location plan and drawings submitted 09/07/20  
We recently sent you a consultation in respect of the above application. We have received further  
Information.

Thank you for the re consultation on this revised application. Having reviewed the schemes and the previous plans I have no further comments to add to those I have already submitted on 30 April 2020

Regards

*Andy*

**Andy Rutson-Edwards, MCIEH AMIOA**

Senior Environmental Protection Officer

**Babergh and Mid Suffolk District Council - Working Together**

From: Andy Rutson-Edwards <Andy.Rutson-Edwards@babberghmidsuffolk.gov.uk>

Sent: 30 April 2020 14:52

To: Bron Curtis <Bron.Curtis@babberghmidsuffolk.gov.uk>; BMSDC Planning Mailbox <planning@babberghmidsuffolk.gov.uk>

Subject: DC/20/01110

Environmental Health -

Noise/Odour/Light/Smoke

APPLICATION FOR OUTLINE PLANNING PERMISSION - DC/20/01110

Proposal: Outline Planning Application. (Access to be considered) for two alternative proposals.

EITHER Scheme A: Erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure; Or Scheme B: Erection of up to 129 dwellings and a residential care home (up to 66 beds) (Use Class C2), vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure

Location: Land To The South Of, Union Road, Onehouse, Suffolk

Thank you for consulting me on this application.

I have looked at both potential schemes and I have no objections in principle at this time. However, the site is close to existing and previously approved residential premises. As such there is a risk to the existing amenity during the construction phase of this development.

- I would therefore recommend a construction management plan is required by way of condition. The plan should address the management of noise, dust and any lighting proposed onsite.

Reason - to protect the amenity of the nearby residential premises.

I would also suggest that the hours of construction are also controlled by way of condition and restricted as below:

- All noise intrusive works audible beyond the boundary of the site shall be limited to 0800-1800 Monday to Friday, 0900-1800 Saturday. No work to be undertaken on Sunday, Bank or Public Holidays. This condition shall apply to all deliveries to, or waste removal from site.

Reason - to protect the amenity of the nearby residential premises.

There may also be a requirement for an acoustic survey depending on the heating type proposed in the final layout and specification for both, If air source heat pumps are to be installed on the care home or individual premises then this will be a requirement.

Andy

Andy Rutson-Edwards, MCIEH AMIOA

Senior Environmental Protection Officer

Babergh and Mid Suffolk District Council - Working Together

Tel: 01449 724727

Email [andy.rutson-edwards@baberghmidsuffolk.gov.uk](mailto:andy.rutson-edwards@baberghmidsuffolk.gov.uk)

[www.babergh.gov.uk](http://www.babergh.gov.uk) [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)



**From:** Peter Chisnall **Sent:** 17 November 2020 16:57  
**To:** BMSDC Planning Area Team Yellow **Subject:** DC/20/01110

Dear Bron,

**APPLICATION FOR OUTLINE PLANNING PERMISSION - DC/20/01110**

**Proposal:** Outline Planning Application. (Access to be considered) for the erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure

**Location:** Land To The South Of, Union Road, Onehouse, Suffolk

**Reason(s) for re-consultation:** Detail of pedestrian access to Finborough Road submitted 02/11/20 (for information only)

Many thanks for your request to comment on the sustainability/climate change aspects of this application.

I would like to add the following and amend my initial response published 9th June.

It is acknowledged that the application is for outline permission but considering the size of the development some consideration of this topic area is expected. There is mention of a sustainability statement at the reserved matters stage but the expectation is for some detail now.

Babergh Mid Suffolk Councils declared a Climate Emergency in 2019 and have an aspiration to be Carbon Neutral by 2030, this will include encouraging activities, developments and organisations in the district to adopt a similar policy. This council is keen to encourage consideration of sustainability issues at an early stage so that the most environmentally friendly buildings are constructed and the inclusion of sustainable techniques, materials, technology etc can be incorporated into the scheme without compromising the overall viability, taking into account the requirements to mitigate and adapt to future climate change.

On that basis my recommendation is refusal. If the planning department decided to set conditions on the application, I would recommend the following.

Prior to the commencement of development a scheme for the provision and implementation of water, energy and resource efficiency measures, during the construction and operational phases of the development shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include a clear timetable for the implementation of the measures in relation to the construction and occupancy of the development. The scheme shall be constructed and the measures provided and made available for use in accordance with such timetable as may be agreed.

The Sustainability & Energy Strategy must be provided detailing how the development will minimise the environmental impact during construction and occupation (as per policy CS3, and NPPF) including details on environmentally friendly materials, construction techniques minimisation of carbon emissions and running costs and reduced use of potable water ( suggested maximum of 105ltr per person per day).

The Sustainability and Energy Strategy requires the applicant to indicate the retrofit measures and to include an estimate of the retrofit costs for the properties on the development to achieve net Zero Carbon emissions by 2050. It is also to include the percentage uplift to building cost if those measures are included now at the initial building stage.

Details as to the provision for electric vehicles should also be included please see the Suffolk Guidance for Parking, published on the SCC website on the link below:

<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-anddevelopmentadvice/parking-guidance/>

The document should clearly set out the unqualified commitments the applicant is willing to undertake on the topics of energy and water conservation, CO2 reduction, resource conservation, use of sustainable materials and provision for electric vehicles.

Clear commitments and minimum standards should be declared and phrases such as 'where possible, subject to, where feasible' must not be used.

Evidence should be included where appropriate demonstrating the applicants previous good work and standards achieved in areas such as site waste management, eg what recycling rate has the applicant achieved in recent projects to show that their % recycling rate commitment is likely.

Reason – To enhance the sustainability of the development through better use of water, energy and resources. This condition is required to be agreed prior to the commencement of any development as any construction process, including site preparation, has the potential to include energy and resource efficiency measures that may improve or reduce harm to the environment and result in wider public benefit in accordance with the NPPF.

Guidance can be found at the following locations:

<https://www.midsuffolk.gov.uk/environment/environmentalmanagement/planningrequirements/>

Regards,

Peter

**Peter Chisnall**, CEnv, MIEMA, CEnvH, MCIEH  
Environmental Management Officer

**Babergh and Mid Suffolk District Council - Working**

**From:** Peter Chisnall <Peter.Chisnall@babberghmidsuffolk.gov.uk>  
**Sent:** 02 November 2020 10:53  
**To:** BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>  
**Subject:** DC/20/01110

Dear Bron,

**APPLICATION FOR OUTLINE PLANNING PERMISSION - DC/20/01110**

**Proposal:** Outline Planning Application. (Access to be considered) for the erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure

**Location:** Land To The South Of, Union Road, Onehouse, Suffolk

**Reason(s) for re-consultation:** Please note amended description for this application following the withdrawal of scheme B by the applicant

Many thanks for your request to comment on the sustainability and Climate Change Impacts of this application.

I would like to add the following and amend my initial response published 9<sup>th</sup> June.

It is acknowledged that the application is for outline permission but considering the size of the development some consideration of this topic area is expected. There is mention of a sustainability statement at the reserved matters stage but the expectation is for some detail now.

Babergh Mid Suffolk Councils declared a Climate Emergency in 2019 and have an aspiration to be Carbon Neutral by 2030, this will include encouraging activities, developments and organisations in the district to adopt a similar policy. This council is keen to encourage consideration of sustainability issues at an early stage so that the most environmentally friendly buildings are constructed and the inclusion of sustainable techniques, materials, technology etc can be incorporated into the scheme without compromising the overall viability, taking into account the requirements to mitigate and adapt to future climate change.

On that basis my recommendation is refusal. If the planning department decided to set conditions on the application, I would recommend the following.

Prior to the commencement of development a scheme for the provision and implementation of water, energy and resource efficiency measures, during the construction and operational phases of the development shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include a clear timetable for the implementation of the measures in relation to the construction and occupancy of the development. The scheme shall be constructed and the measures provided and made available for use in accordance with such timetable as may be agreed.

The Sustainability & Energy Strategy must be provided detailing how the development will minimise the environmental impact during construction and occupation (as per policy CS3, and NPPF) including details on environmentally friendly materials, construction techniques minimisation of carbon emissions and running costs and reduced use of potable water ( suggested maximum of 105ltr per person per day).

The Sustainability and Energy Strategy requires the applicant to indicate the retrofit measures and to include an estimate of the retrofit costs for the properties on the development to achieve net Zero Carbon emissions by 2050. It is also to include the percentage uplift to building cost if those measures are included now at the initial building stage.

Details as to the provision for electric vehicles should also be included please see the Suffolk Guidance for Parking, published on the SCC website on the link below:

<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-anddevelopment-advice/parking-guidance/>

The document should clearly set out the unqualified commitments the applicant is willing to undertake on the topics of energy and water conservation, CO2 reduction, resource conservation, use of sustainable materials and provision for electric vehicles.

Clear commitments and minimum standards should be declared and phrases such as 'where possible, subject to, where feasible' must not be used.

Evidence should be included where appropriate demonstrating the applicants previous good work and standards achieved in areas such as site waste management, eg what recycling rate has the applicant achieved in recent projects to show that their % recycling rate commitment is likely.

Reason – To enhance the sustainability of the development through better use of water, energy and resources. This condition is required to be agreed prior to the commencement of any development as any construction process, including site preparation, has the potential to include energy and resource efficiency measures that may improve or reduce harm to the environment and result in wider public benefit in accordance with the NPPF.

Guidance can be found at the following locations:

<https://www.midsuffolk.gov.uk/environment/environmental-management/planningrequirements/>

Regards,

Peter

**Peter Chisnall**, CEnv, MIEMA, CEnvH, MCIEH  
Environmental Management Officer  
**Babergh and Mid Suffolk District Council - Working Together**  
Tel: 01449 724611  
Email: [peter.chisnall@baberghmidsuffolk.gov.uk](mailto:peter.chisnall@baberghmidsuffolk.gov.uk)  
[www.babergh.gov.uk](http://www.babergh.gov.uk) [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)

**From:** Peter Chisnall <Peter.Chisnall@baberghmidsuffolk.gov.uk>  
**Sent:** 07 August 2020 17:37  
**To:** BMSDC Planning Mailbox <planning@baberghmidsuffolk.gov.uk>  
**Subject:** DC/20/01110

Dear Bron,

**APPLICATION FOR OUTLINE PLANNING PERMISSION - DC/20/01110**

**Proposal:** Outline Planning Application. (Access to be considered) for two alternative proposals.

EITHER Scheme A: Erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure; Or Scheme B: Erection of up to 129 dwellings and a residential care home (up to 66 beds) (Use Class C2), vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure

**Location:** Land To The South Of, Union Road, Onehouse, Suffolk

**Reason(s) for re-consultation:** Revised site location plan and drawings submitted 09/07/20

Many thanks for your request to comment on the sustainability aspects of this application.

I have viewed the new documents submitted and I have nothing to add to my previous response of 12th May, published 9th June 2020.

Regards,

Peter

**Peter Chisnall**, CEnv, MIEMA, CEnvH, MCIEH  
Environmental Management Officer  
**Babergh and Mid Suffolk District Council - Working Together**  
Tel: 01449 724611  
Email: [peter.chisnall@baberghmidsuffolk.gov.uk](mailto:peter.chisnall@baberghmidsuffolk.gov.uk)  
[www.babergh.gov.uk](http://www.babergh.gov.uk) [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)

**From:** Peter Chisnall  
**Sent:** 12 May 2020 16:55  
**To:** BMSDC Planning Mailbox <[planning@babberghmidsuffolk.gov.uk](mailto:planning@babberghmidsuffolk.gov.uk)>  
**Subject:** DC/20/01110

Dear Bron,

## APPLICATION FOR OUTLINE PLANNING PERMISSION - DC/20/01110

Proposal: Outline Planning Application. (Access to be considered) for two alternative proposals. EITHER Scheme A: Erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure; Or Scheme B: Erection of up to 129 dwellings and a residential care home (up to 66 beds) (Use Class C2), vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure

Location: Land To The South Of, Union Road, Onehouse, Suffolk

Many thanks for your request to comment on the sustainability aspects of this application.

It is acknowledged that the application is for outline permission but considering the size of the development some consideration of this topic area is expected. There is mention of a sustainability statement at the reserved matters stage but the expectation is for some detail now. Babergh Mid Suffolk Council declared a Climate Emergency in 2019 and have an aspiration to be Carbon Neutral by 2030, this will include encouraging organisations in the district to adopt a similar policy. This council is keen to encourage consideration of sustainability issues at an early stage so that the most environmentally friendly buildings are constructed and the inclusion of sustainable techniques, materials, technology etc can be incorporated into the scheme without compromising the overall viability.

On that basis my recommendation is refusal. If the planning department decided to set conditions on the application, I would recommend the following.

Prior to the commencement of development a scheme for the provision and implementation of water, energy and resource efficiency measures, during the construction and operational phases of the development shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include a clear timetable for the implementation of the measures in relation to the construction and occupancy of the development. The scheme shall be constructed and the measures provided and made available for use in accordance with such timetable as may be agreed.

The Sustainability & Energy Strategy must be provided detailing how the development will minimise the environmental impact during construction and occupation (as per policy CS3, and NPPF) including details on environmentally friendly materials, construction techniques minimisation of carbon emissions and

running costs and reduced use of potable water ( suggested maximum of 105ltr per person per day).

Details as to the provision for electric vehicles should also be included please see the Suffolk Guidance for Parking, published on the SCC website on the link below:

<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/parking-guidance/>

The document should clearly set out the unqualified commitments the applicant is willing to undertake on the topics of energy and water conservation, CO2 reduction, resource conservation, use of sustainable materials and provision for electric vehicles.

Clear commitments and minimum standards should be declared and phrases such as 'where possible, subject to, where feasible' must not be used.

Evidence should be included where appropriate demonstrating the applicants previous good work and standards achieved in areas such as site waste management, eg what recycling rate has the applicant achieved in recent projects to show that their % recycling rate commitment is likely.

Reason – To enhance the sustainability of the development through better use of water, energy and resources. This condition is required to be agreed prior to the commencement of any development as any construction process, including site preparation, has the potential to include energy and resource efficiency measures that may improve or reduce harm to the environment and result in wider public benefit in accordance with the NPPF.

Guidance can be found at the following locations:

<https://www.midsuffolk.gov.uk/environment/environmental-management/planning-requirements/>

Regards,

Peter

**Peter Chisnall**, CEnv, MIEMA, CEnvH, MCIEH  
Environmental Management Officer  
**Babergh and Mid Suffolk District Council - Working Together**  
Tel: 01449 724611  
Email: [peter.chisnall@baberghmidsuffolk.gov.uk](mailto:peter.chisnall@baberghmidsuffolk.gov.uk)  
[www.babergh.gov.uk](http://www.babergh.gov.uk) [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)



Hello Bron,

DC/20/01110 – Land to the south of Union Road, Onehouse

The Heritage Team has no additional comments to make on the above application. Please refer to my earlier comments dated 13.05.2020 which are still relevant.

**Tegan Chenery BA(Hons) MSt**

Heritage and Design Officer

**Babergh and Mid Suffolk District Councils - Working Together**

tel: 01449 724677 | 07860 827107

email: [tegan.chenery@babberghmidsuffolk.gov.uk](mailto:tegan.chenery@babberghmidsuffolk.gov.uk)

email: [heritage@babberghmidsuffolk.gov.uk](mailto:heritage@babberghmidsuffolk.gov.uk)

web: [www.babergh.gov.uk](http://www.babergh.gov.uk) [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)

**From:** Tegan Chenery <Tegan.Chenery@baberghmidsuffolk.gov.uk>  
**Sent:** 30 October 2020 15:37  
**To:** Bron Curtis <Bron.Curtis@baberghmidsuffolk.gov.uk>  
**Cc:** BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>  
**Subject:** DC/20/01110 - Heritage response

Hello Bron,

DC/20/01110 – Land to the south of Union Road, Onehouse

The Heritage Team has no additional comments to make on the above application. Please refer to my earlier comments dated 13.05.2020 which are still relevant.

**Tegan Chenery BA(Hons) MSt**

Heritage and Design Officer

**Babergh and Mid Suffolk District Councils - Working Together**

tel: 01449 724677 | 07860 827107

email: [tegan.chenery@baberghmidsuffolk.gov.uk](mailto:tegan.chenery@baberghmidsuffolk.gov.uk)

email: [heritage@baberghmidsuffolk.gov.uk](mailto:heritage@baberghmidsuffolk.gov.uk)

web: [www.babergh.gov.uk](http://www.babergh.gov.uk) [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)

**From:** Tegan Chenery  
**Sent:** 05 August 2020 12:10  
**To:** Bron Curtis  
**Cc:** BMSDC Planning Area Team Yellow  
**Subject:** DC/20/01110 - Heritage response

Hello Bron,

DC/20/01110 – Land to the south of Union Road, Onehouse

The Heritage Team has no additional comments to make on the above application. Please refer to my earlier comments dated 13.05.2020 which are still relevant.

**Tegan Chenery BA(Hons) MSt**  
Heritage and Design Officer  
**Babergh and Mid Suffolk District Councils - Working Together**

**From:** Tegan Chenery <Tegan.Chenery@babberghmidsuffolk.gov.uk>  
**Sent:** 13 May 2020 14:27  
**To:** Bron Curtis <Bron.Curtis@babberghmidsuffolk.gov.uk>  
**Cc:** BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>; Niall Mckay <Niall.Mckay@babberghmidsuffolk.gov.uk>  
**Subject:** DC/20/01110 - Heritage response

Hello Bron,

DC/20/01110 – Land to the south of Union Road, Onehouse

This is an outline application for two possible schemes with only 'access' to be considered. Scheme A: Erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure. Scheme B: Erection of up to 129 dwellings and a residential care home (up to 66 beds) (Use Class C2), vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure.

The issues of the Heritage Team's concern relate to the potential impact of the proposals on the setting and consequently the significance of nearby listed buildings. The designated heritage assets include the Grade II listed 'The Shepherd and Dog' to the south west, the Grade II 'Starhouse Farmhouse' and Grade II listed 'Barn 10 metres west of Starhouse Farmhouse' to the north west, and the Grade II listed 'Stow Lodge Hospital' to the north east.

Approvals for large housing developments have recently been granted both to the east and the north of the current proposal site. Inevitably, the development of this site would affect the setting of these designated heritage assets due to the continuation of the suburban sprawl seen to extend between Stowmarket to the east and Onehouse to the north west. This would fundamentally alter the rural setting of these buildings and draw them into the settlements. The Shepherd and Dog and Starhouse Farmhouse and Barn would appear as edge of settlement locations, whereas historically they were positioned in relative isolation in the countryside and Suffolk's rural landscape.

Nevertheless, this outline application is for access only and whilst there is an indicative site layout plan for both schemes provided in the submission, layout is not currently a consideration. The proposed access will certainly inform some of the layout of the proposed development, but the access alone cannot be considered harmful. The proposed development(s) has the potential to cause harm to the designated heritage assets because the site forms part of their settings. However, the effect is not currently clear and only a reserved matters application which addresses the layout, scale, massing and detailed design of the development would enable an assessment of the impact.

Therefore, this outline application for access is considered to cause **no harm** to the significance of the listed buildings in the vicinity but the principle of development has the potential to cause a level of harm within the 'less than substantial' range. Details to be provided in any future full or reserved matters application should demonstrate clear consideration of the designated heritage assets. The scheme must be sympathetically designed to mitigate the harm that development of agricultural land in a rural location and within the setting of listed buildings would be likely to cause to their significance.

Please consult the Heritage Team on future applications should the LPA be minded to grant permission of this outline application.

**Tegan Chenery BA(Hons) MSt**  
Heritage and Design Officer  
**Babergh and Mid Suffolk District Councils - Working Together**  
tel: 01449 724677 | 07860 827107  
email: [tegan.chenery@babberghmidsuffolk.gov.uk](mailto:tegan.chenery@babberghmidsuffolk.gov.uk)

email: [heritage@baberghmidsuffolk.gov.uk](mailto:heritage@baberghmidsuffolk.gov.uk)  
web: [www.babergh.gov.uk](http://www.babergh.gov.uk) [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)

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The Public Sector Transformation Awards

**From:** Tegan Chenery <[Tegan.Chenery@baberghmidsuffolk.gov.uk](mailto:Tegan.Chenery@baberghmidsuffolk.gov.uk)>  
**Sent:** 13 May 2020 15:57  
**To:** Bron Curtis <[Bron.Curtis@baberghmidsuffolk.gov.uk](mailto:Bron.Curtis@baberghmidsuffolk.gov.uk)>  
**Subject:** RE: DC/20/01110 - Heritage response

Hi Bron,

Thanks for emailing.

It's the latter. The principle of development (both options) is likely to cause some harm but the level is yet to be determined due to lack of detail on all the reserved matters. The access itself would cause no harm. The impact of the development would need to be considered when the reserved matters is submitted, but I don't feel that any more information at this stage for the outline application would be helpful in heritage terms. I am content for this to come later with the reserved matters, if you're considering approval of the outline.

I hope that makes sense!

Thanks,

**Tegan Chenery BA(Hons) MSt**  
Heritage and Design Officer  
**Babergh and Mid Suffolk District Councils - Working Together**  
tel: 01449 724677 | 07860 827107  
email: [tegan.chenery@baberghmidsuffolk.gov.uk](mailto:tegan.chenery@baberghmidsuffolk.gov.uk)  
email: [heritage@baberghmidsuffolk.gov.uk](mailto:heritage@baberghmidsuffolk.gov.uk)  
web: [www.babergh.gov.uk](http://www.babergh.gov.uk) [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)

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The Public Sector Transformation Awards

**From:** Bron Curtis <[Bron.Curtis@baberghmidsuffolk.gov.uk](mailto:Bron.Curtis@baberghmidsuffolk.gov.uk)>  
**Sent:** 13 May 2020 15:36  
**To:** Tegan Chenery <[Tegan.Chenery@baberghmidsuffolk.gov.uk](mailto:Tegan.Chenery@baberghmidsuffolk.gov.uk)>  
**Subject:** RE: DC/20/01110 - Heritage response

Hi Tegan, thanks for this.

Please can I just clarify if it is your position that the principle of both development options (in whatever form that comes forward at Reserved matters stage) would also result in no harm or that it is not possible to determine the degree of harm without other matters being considered?

I am able to direct for more matters to be submitted if necessary although there is a time frame for this which may have passed (I'd need to check).

I see you're in a meeting right now and wanted to get my thoughts to you as they occurred to me but wWe can chat on the phone if easier.

Thanks.

Kind regards,  
Bron

**Bron Curtis BA(Hons), MA, MRTPI**

Principal Planning Officer, Strategic Projects and Delivery - Development  
Management **\*\* Wednesdays and Thursdays only \*\***

Sustainable Communities

**Mid Suffolk and Babergh District Councils - Working Together**

Telephone: 07798522734

For general enquiries email: [planningadmin@midsuffolk.gov.uk](mailto:planningadmin@midsuffolk.gov.uk)

Websites: [www.babergh.gov.uk](http://www.babergh.gov.uk) or [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)

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**During this time, we may have to reduce or suspend services, but we aim to respond to your query as soon as possible. In some cases we may not be able to deal with your request until business as usual is resumed.**

**From:** Tegan Chenery <[Tegan.Chenery@baberghmidsuffolk.gov.uk](mailto:Tegan.Chenery@baberghmidsuffolk.gov.uk)>

**Sent:** 13 May 2020 14:27

**To:** Bron Curtis <[Bron.Curtis@baberghmidsuffolk.gov.uk](mailto:Bron.Curtis@baberghmidsuffolk.gov.uk)>

**Cc:** BMSDC Planning Area Team Yellow <[planningyellow@baberghmidsuffolk.gov.uk](mailto:planningyellow@baberghmidsuffolk.gov.uk)>; Niall Mckay <[Niall.Mckay@baberghmidsuffolk.gov.uk](mailto:Niall.Mckay@baberghmidsuffolk.gov.uk)>

**Subject:** DC/20/01110 - Heritage response

Hello Bron,

DC/20/01110 – Land to the south of Union Road, Onehouse

This is an outline application for two possible schemes with only 'access' to be considered. Scheme A: Erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure. Scheme B: Erection of up to 129 dwellings and a residential care home (up to 66 beds) (Use Class C2), vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure.

The issues of the Heritage Team's concern relate to the potential impact of the proposals on the setting and consequently the significance of nearby listed buildings. The designated heritage assets include the Grade II listed 'The Shepherd and Dog' to the south west, the Grade II 'Starhouse Farmhouse' and Grade II listed 'Barn 10 metres west of Starhouse Farmhouse' to the north west, and the Grade II listed 'Stow Lodge Hospital' to the north east.

Approvals for large housing developments have recently been granted both to the east and the north of the current proposal site. Inevitably, the development of this site would affect the setting of these designated heritage assets due to the continuation of the suburban sprawl seen to extend between Stowmarket to the east and Onehouse to the north west. This would fundamentally alter the rural setting of these buildings and draw them into the settlements. The Shepherd and Dog and Starhouse Farmhouse and Barn would appear as edge of settlement locations, whereas historically they were positioned in relative isolation in the countryside and Suffolk's rural landscape.

Nevertheless, this outline application is for access only and whilst there is an indicative site layout plan for both schemes provided in the submission, layout is not currently a consideration. The proposed access will certainly inform some of the layout of the proposed development, but the access alone cannot be considered harmful. The proposed development(s) has the potential to cause harm to the designated heritage assets because the site forms part of their settings. However, the effect is not currently clear and only a reserved matters application which addresses the layout, scale, massing and detailed design of the development would enable an assessment of the impact.

Therefore, this outline application for access is considered to cause **no harm** to the significance of the listed buildings in the vicinity but the principle of development has the potential to cause a level of harm within the 'less than substantial' range. Details to be provided in any future full or reserved matters application should demonstrate clear consideration of the designated heritage assets. The scheme must be sympathetically designed to mitigate the harm that development of agricultural land in a rural location and within the setting of listed buildings would be likely to cause to their significance.

Please consult the Heritage Team on future applications should the LPA be minded to grant permission of this outline application.

**Tegan Chenery BA(Hons) MSt**

Heritage and Design Officer

**Babergh and Mid Suffolk District Councils - Working Together**

tel: 01449 724677 | 07860 827107

email: [tegan.chenery@babberghmidsuffolk.gov.uk](mailto:tegan.chenery@babberghmidsuffolk.gov.uk)

email: [heritage@babberghmidsuffolk.gov.uk](mailto:heritage@babberghmidsuffolk.gov.uk)

web: [www.babergh.gov.uk](http://www.babergh.gov.uk) [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)

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**During this time, we may have to reduce or suspend services, but we aim to respond to your query as soon as possible. In some cases we may not be able to deal with your request until business as usual is resumed.**



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

From: Landscape <Landscape@essex.gov.uk>

Sent: 16 November 2020 13:00

To: Bron Curtis <Bron.Curtis@baberghmidsuffolk.gov.uk>

Cc: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>; Landscape <Landscape@essex.gov.uk>

Subject: RE: MSDC Planning Re-consultation Request - DC/20/01110

Hi Bron,

I have reviewed the revised pedestrian access plans and do not wish to add anything further to our original comments.

If you have any queries, please let me know.

Kind regards,

Ryan Mills BSc (Hons) MSc CMLI  
Senior Landscape Consultant at Place Services

telephone: 03330320591 | mobile: 07775008053

web: [www.placeservices.co.uk](http://www.placeservices.co.uk)

linkedin: [www.linkedin.com/in/ryanmills](http://www.linkedin.com/in/ryanmills)

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

From: Landscape <Landscape@essex.gov.uk>

Sent: 02 November 2020 19:44

To: Bron Curtis <Bron.Curtis@baberghmidsuffolk.gov.uk>

Cc: BMSDC Planning Mailbox <planning@baberghmidsuffolk.gov.uk>; Landscape <Landscape@essex.gov.uk>

Subject: RE: MSDC Planning Re-consultation Request - DC/20/01110

Hi Bron,

Thank you for the re-consultation information.

Landscape do not wish to add anything further to our original comments on this application.

If you have any queries, please let me know.

Kind regards,

Ryan Mills BSc (Hons) MSc CMLI  
Senior Landscape Consultant at Place Services

telephone: 03330320591 | mobile: 07775008053

web: [www.placeservices.co.uk](http://www.placeservices.co.uk)

linkedin: [www.linkedin.com/in/ryanmills](http://www.linkedin.com/in/ryanmills)

From: Landscape <Landscape@essex.gov.uk>  
Sent: 03 August 2020 13:42  
To: BMSDC Planning Mailbox <planning@babberghmidsuffolk.gov.uk>; Bron Curtis <Bron.Curtis@babberghmidsuffolk.gov.uk>  
Cc: Landscape <Landscape@essex.gov.uk>  
Subject: RE: MSDC Planning Re-consultation Request - DC/20/01110

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\*\*\*\*\*  
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\*\*\*\*\*  
\*\*\*\*\*  
\*\*\*\*\*

Good afternoon Bron,

Thank you for re-consulting us on this application. However, we can confirm that the revised documents do not affect our comments, and therefore our consultation comments dated 13/05/2020 should still be taken into consideration.

Any queries, please let me know.

Kind regards,

Ryan Mills BSc (Hons) MSc CMLI  
Senior Landscape Consultant at Place Services

telephone: 03330320591 | mobile: 07775008053  
web: [www.placeservices.co.uk](http://www.placeservices.co.uk)  
linkedin: [www.linkedin.com/in/ryanhmills](http://www.linkedin.com/in/ryanhmills)



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

13/05/2020

For the attention of: Bron Curtis

**Ref: DC/20/01110; Land To The South Of, Union Road, Onehouse, Suffolk**

Thank you for consulting us on the Outline Planning Application (Access to be considered) for two alternative proposals. EITHER Scheme A: Erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure; Or Scheme B: Erection of up to 129 dwellings and a residential care home (up to 66 beds) (Use Class C2), vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure

This letter sets out our consultation response on the landscape impact of the application and how the proposal relates and responds to the landscape setting and context of the site.

The application site forms part of one of the site allocations within the emerging Local Plan" LA036 – Allocation: Land south of Union Road, Stowmarket" and is also identified in the Stowmarket Area Action Plan (SAAP) as a reserve housing allocation.

**Recommendations**

The site sits to the south east of Onehouse and to the west of Stowmarket. The north, west and south boundaries are defined by established hedgerows that are interspersed with tree planting, that separates the site from Union Road to the north, Starhouse Lane to the west and the B1115 (Finborough Road) to the south. A residential development under construction (Planning Reference 4455/16) is also situated to the east of the site. The site is fairly well screened by established planting on most boundaries, however adjacent properties and nearby PRow will have views of the proposed development.

The submitted Landscape and Visual Impact Assessment (LVIA) has been prepared following the principles set out in the third edition of the "Guidelines for Landscape and Visual Impact Assessment"(GLVIA3) and includes a comprehensive assessment of the proposal including mitigation recommendations in order to reduce the landscape and visual effects of the proposal. Reference has also been made to the Landscape Institute Technical Guidance Note (TGN) 06/19: Visual Representation of Development Proposals (September 2019). However, no description of the visualisation approach that was undertaken has been provided and viewpoint photographs have not been provided as single images with baseline panoramic images.

The LVIA concludes that the "proposed development will result in limited impacts at a localised level." With the scale and form of the proposed development likely to "result in impacts which are limited to the site area and its immediate context." Given the mature vegetation framework that surrounds the development, we are generally in agreement with this conclusion. Therefore, we would expect localised mitigation measures such as enhancements to existing boundary treatment and replanting to be undertaken. Furthermore, its critical that the materiality and design of dwellings and external

features are sympathetic to the immediate landscape and local character of the area to ensure its success.

The land immediately to the south of the site falls within a Special Landscape Area (SLA). Policy CL2 of the Mid Suffolk Local Plan (1998) Saved Policies states that "development proposals in Special Landscape Areas will only be permitted where they maintain or enhance the special landscape qualities of the area and ensure that the proposal is designed and sited so as to harmonise with the landscape setting." Although, the site itself is not within a SLA, and albeit, they are not visually connected, we would still expect consideration to be given and therefore the scale, layout and design of the proposed development should not adversely impact on the setting of the SLA. Similarly, Policy 4.2 of the SAAP 'Providing a Landscape Setting for Stowmarket' states that the Council will require that "Where appropriate, development proposals extend and enhance the quality of the wider green infrastructure network to maximise the conservation and enhancement of its biodiversity and increase its accessibility and community value." Therefore, appropriate green infrastructure, landscape mitigation, public realm and layout design needs to be applied to ensure a good quality development that is sympathetic to its context is delivered. For this reason, though the application documents have highlighted that the site has potential to accommodate some development. we would recommend the following landscape and design aspects are considered if minded for approval:

- We would expect all residential plots to have appropriate private outdoor space and therefore this should be accounted for when designing the layout and plot arrangement:
  - i. If apartments are proposed, these should have private communal garden spaces or private amenity space such as balconies.
  - ii. Private outdoor space should be as far as possible usable rectangular garden shapes of sufficient size.
- Visual variation should be provided by incorporating a variety of building types, facing materials, features such as gables and bays and a varied skyline incorporating chimneys and dormers.
- Where the street crosses the north eastern – south western landscape corridor we would expect a different surface treatment / raised table to be proposed to support easy pedestrian movement along the corridor.
- Areas of lower density should have a looser grain with front gardens, varied alignment and mixed surface treatment.
- The use of parking courts should be avoided. If proposed they should be designed to provide adequate space for parking and access to properties whilst also providing suitable soft and hard landscaping that ensures the space is of high quality and in turn remains active.
- Proposed terrace arrangements normally lead to refuse/garden access being via long, convoluted routes. In these instances, it would be considered appropriate to provide refuse storage at the front of units in hidden or secluded arrangements such as projected porches on properties or internal passageways (ginnels) so the rear gardens are easily accessible.
- Proposed Tree placement should be carefully considered. The Tree Survey (TS) & Arboricultural Impact Assessment (AIA) Proposed Options A Sheet 2 (Drawing ref: 7172-D-AIA-A-1\_) shows a proposed tree group on the eastern boundary abutting a proposed dwelling. This would not be feasible in the detailed design.
- The TS and AIA highlights the removal of the tree group along the northern site boundary. There would be an expectation that replacement planting would be proposed with trees and shrubs that are characteristic of the local landscape character to reduce the visual impact of the development from this location. Proposed soft landscaping should include a mixed native hedgerow of hawthorn, blackthorn and dogwood, along with hedgerow trees such as oak and field maple.
- A predominance of one species or variety should be avoided in order to minimise the risk of widespread ecological disease throughout the area. Preference should be given to native trees and shrubs, but in certain urban and residential situations, better results might be achieved by the

use of naturalised trees and shrubs, which would add wildlife value.

- The Design and Access Statement refers to the scheme being 'landscape led'. We would use this term loosely, and if this is the vision for the development we would expect street trees to be located along all primary streets, not just the entrance gateway. Also, SuDs should be incorporated within the built envelope. The inclusion of bioretention areas/rain gardens and/or swales on streets would be welcomed, as this would reduce the reliance on 'pipe to pond' and engineered solutions.
- SuDS basins should have soft-engineered outlets and inlets, as well as no fencing to ensure they are sympathetic to the landscape context.
- In line with Policy 4.2 of the SAAP we would expect advanced planting to take place where possible. Details of these areas should be provided as part of the detailed landscape proposal.

If you have any queries regarding the matters raised above, please let me know.

Yours sincerely,

Ryan Mills BSc (Hons) MSc CMLI  
Senior Landscape Consultant  
Telephone: 03330320591  
Email: ryan.mills@essex.gov.uk

**Place Services provide landscape advice on behalf of Babergh and Mid Suffolk District Councils** Please note: This letter is advisory and should only be considered as the opinion formed by specialist staff in relation to this particular matter. *Due to the current COVID-19 restrictions all comments set out above are desk based only and offered without the benefit of a site visit.*

**From:** BMSDC Public Realm Consultation Mailbox <consultpublicrealm@baberghmidsuffolk.gov.uk>  
**Sent:** 18 November 2020 09:29  
**To:** BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>  
**Subject:** RE: DC/20/01110 - Land To The South Of Union Road, Onehouse

Public Realm do not wish to make any further comments

Regards

Dave Hughes  
Public Realm Officer



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

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

Sent: 30 October 2020 15:29

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

Subject: RE: MSDC Planning Re-consultation Request - DC/20/01110

Thank you for the re-consultation information.

Public Realm Officers do not wish to add anything further to our original comments on this application

Regards

Dave Hughes  
Public Realm Officer

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

From: BMSDC Public Realm Consultation Mailbox <[consultpublicrealm@baberghmidsuffolk.gov.uk](mailto:consultpublicrealm@baberghmidsuffolk.gov.uk)>

Sent: 24 July 2020 15:48

To: BMSDC Planning Mailbox <[planning@baberghmidsuffolk.gov.uk](mailto:planning@baberghmidsuffolk.gov.uk)>

Subject: RE: MSDC Planning Re-consultation Request - DC/20/01110

Thank you for the re-consultation letter.

The Public Realm team do not wish to add any further comments to our original. The open spaces within this development do not appear to have been affected by the layout revisions

Regards

Dave Hughes  
Public Realm Officer

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

From: [planning@baberghmidsuffolk.gov.uk](mailto:planning@baberghmidsuffolk.gov.uk) <[planning@baberghmidsuffolk.gov.uk](mailto:planning@baberghmidsuffolk.gov.uk)>

Sent: 20 July 2020 13:30

To: BMSDC Public Realm Consultation Mailbox <[consultpublicrealm@baberghmidsuffolk.gov.uk](mailto:consultpublicrealm@baberghmidsuffolk.gov.uk)>

Subject: MSDC Planning Re-consultation Request - DC/20/01110

Please find attached planning re-consultation request letter relating to planning application - DC/20/01110 - Land To The South Of, Union Road, Onehouse, Suffolk

Kind Regards

Planning Support Team

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

From: BMSDC Public Realm Consultation Mailbox <[consultpublicrealm@babberghmidsuffolk.gov.uk](mailto:consultpublicrealm@babberghmidsuffolk.gov.uk)>  
Sent: 27 April 2020 14:26  
To: BMSDC Planning Mailbox <[planning@babberghmidsuffolk.gov.uk](mailto:planning@babberghmidsuffolk.gov.uk)>  
Subject: RE: MSDC Planning Consultation Request - DC/20/01110

Public Realm have no objections to the two options presented for Outline Planning Permission. The extent of public open space is above the minimum required for this scale of development and the rationale for its distribution within the site seems logical. We note the provision of an equipped play area within the site, which is welcomed.

We would welcome the opportunity to make more detailed comments at an appropriate point in the planning process.

Regards

Dave Hughes  
Public Realm Officer

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

From: [planning@babberghmidsuffolk.gov.uk](mailto:planning@babberghmidsuffolk.gov.uk) <[planning@babberghmidsuffolk.gov.uk](mailto:planning@babberghmidsuffolk.gov.uk)>  
Sent: 23 April 2020 17:09  
To: BMSDC Public Realm Consultation Mailbox <[consultpublicrealm@babberghmidsuffolk.gov.uk](mailto:consultpublicrealm@babberghmidsuffolk.gov.uk)>  
Subject: MSDC Planning Consultation Request - DC/20/01110

Please find attached planning consultation request letter relating to planning application - DC/20/01110 - Land To The South Of, Union Road, Onehouse, Suffolk

Kind Regards

Planning Support Team

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

From: BMSDC Local Plan

Sent: 04 November 2020 15:01

To: BMSDC Planning Area Team Yellow

Subject: RE: MSDC Planning Re-consultation Request - DC/20/01110

Hello,

We will not be making any further comments.

Thank you

## Planning Application – Consultation Response

<b>Planning Reference:</b>	<b>Application</b>	DC/20/01110
<b>Site:</b>		Land to The South of Union Road Onehouse Suffolk
<b>Proposal:</b>		Outline Planning Application. (Access to be considered) for two alternative proposals. EITHER Scheme A: Erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure; Or Scheme B: Erection of up to 129 dwellings and a residential care home (up to 66 beds) (Use Class C2), vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure.
<b>Prepared by:</b>		BMSDC Strategic Planning Policy and Infrastructure
<b>Date:</b>		12/08/2020

### CLARIFICATION MADE ON THE 12/08/2020

Further to my response of the 02/07/2020, a clarification is made to the total number of dwellings proposed under Scheme A, being 146 dwellings, and Scheme B, being 129 dwellings.

However, when considering the proposal for the number of dwellings over what is identified in the emerging Joint Local Plan, the consideration takes account of the potential land allocation LA036 for a total of 400 dwellings, of which the eastern section of this site benefit from planning permission for 300 dwellings and is currently under construction. Therefore, the number of dwellings which has not been previously considered in terms of the impact on existing infrastructure is 46 dwellings (for Scheme A) and 29 dwellings, and care home (for Scheme B).

A further clarification is also provided in relation to the Stowmarket Area Action Plan (SAAP) which was adopted in 2013. This application site, although not formally allocated at the time in the SAAP, consists of the western section of the 'Union Road' site, which was identified for consideration at the first review of the SAAP, with an estimated capacity for 200 dwellings (as a whole for the 'Union Road' site). The emerging Joint Local Plan (Preferred Options document July 2019) provides the latest position going forward in relation to the potential number of dwellings which should be considered for the site allocation reference LA036, albeit for approximately a further 200 dwellings, which is taking into account the approved development at Union Road within the site area identified.

### PREVIOUS RESPONSE OF THE 02/07/2020

#### 1. Policy position

The site is currently allocated within the emerging Joint Local Plan, known as site reference LA036. However, this application has been submitted in part for the western section. The emerging policy suggests 400 dwellings (whole sites allocation of LA036) and the emerging policy sets out criteria for assessment.

The proposal must accord with the current evidence base of the emerging Joint Local Plan for Babergh and Mid Suffolk, the National Planning Policy Framework (2019), the saved policies of the Mid Suffolk District Local Plan (1998), the First Alteration to the Mid Suffolk Local Plan (2006), the Mid Suffolk District Core Strategy Development Plan Document (2008), the Mid Suffolk District Core Strategy Focused Review (2012), and the Stowmarket Area Action Plan (SAAP, 2013). This site is included under the housing allocation in the SAAP as Union Road, Stowmarket.

The additional growth proposed from the two alternative proposals are:  
46 dwellings for Scheme A (Erection of up to 146no dwellings), or  
29 dwellings for Scheme B (Erection of up to 129 dwellings and care home (up to 66 beds)).

## **2. Infrastructure Delivery Plan (IDP) position**

The IDP (July 2019) sets out both Babergh and Mid Suffolk's infrastructure requirements and priorities. It was published on the 22<sup>nd</sup> July 2019 as evidence which supports the Joint Local Plan and is an iterative document which will change over time dependent on changing infrastructure capacity, requirements and priorities.

The application site is part of the proposed site allocations of the emerging Joint Local Plan, policy reference LA036, (western section of). The development site is also part of the Stowmarket Area Action Plan (SAAP, February 2013). This proposal must consider the cumulative impacts on infrastructure for the entire allocation of LA036.

This strategic site is exempt from Community Infrastructure Levy (CIL); therefore all the necessary infrastructure must be secured through developer contributions under s106 planning obligations.

For the purpose of this response, and to understand the impact on infrastructure capacity, the content of the IDP has been considered together with the existing planning permissions and responses from infrastructure providers.

Set out below are the current major residential planning applications and recent permissions (over 10 dwellings), and emerging Joint Local Plan land allocations in the Stowmarket area, including Onehouse:

- 4455/16, Land to the South of Union Road, Onehouse – 300 dwellings, currently under construction. This site is adjacent to the application site and it is also part of the proposed Joint Local Plan allocation LA036 for 400 dwellings.
- DC/18/03111 and 5007/16, Land North of Chilton Leys, Chilton Leys – 600 dwellings, currently under construction. This site is to the north of the application site and it is also part of the proposed Joint Local Plan allocation LA034.
- DC/19/01482 (Previous PP:3668/13 granted 21/04/2015), Land between Gipping Road and Church Road ("Trinity Meadows") - Resolved to grant at Committee of 13/11/2019 - 93 dwellings.
- DC/19/02484, Stowmarket Middle School, Walnut Tree Walk – Resolved to grant at committee of 18/09/2019 - 38 dwellings. This site is also part of the proposed Joint Local Plan allocation LA037.
- DC/20/01036, Land north of Stowupland Road and east of Newton Road ('Ashes Farm') Outline planning application for 300 dwellings. This site is the eastern section of emerging allocation LA035.
- DC/18/01163, Land South Of, Gun Cotton Way, Stowmarket – Full planning permission for 68 dwellings. Emerging allocation LA033.

- Other emerging Joint Local Plan site allocations
- LA038 Land south of Creeting Road West, north of Navigation Approach – 25 dwellings.

There are essential infrastructure needs for Stowmarket that are identified in the IDP:

- Education

For Early Years provision, the IDP states that within Stowmarket a new pre-school setting for 60 places is to be provided at the site of the new Chilton Leys primary School, as well as a new setting on emerging JLP site allocation LA035 ('Ashes Farm'). The County Council response of the 27/04/2020 requires developer contributions towards a new setting for provision of this development.

In terms of primary school education, as per the County Council response of the 27/04/2020, a financial contribution towards the delivery of the new primary school at the Chilton Leys will be required. Provision for both schemes of the proposed development can be accommodated at the new planned Chilton Leys primary school. This is also reflected in the IDP, which refers to the new primary school planned for Chilton Leys (Stowmarket).

In terms of Secondary and Post 16 education, Stowmarket High School is currently planned to expand to provide for this development together with committed and planned growth of the Joint Local Plan. The IDP refers to CIL contributions which would be expected towards this expansion, however in the case of this strategic site allocation s106 contributions will be expected, as per the County Council response.

In terms of safe walking routes to school, it is understood from the County Council responses of the 27/04/2020 (Strategic Development) and 12/05/2020 (Highways) that the presumption is that all pupils arising from this proposed development will be able to access schools within safe walking distance which will minimise the length and number of journeys.

- Transport

The County Council Highways response of the 12/05/2020 refers to the need for further improvements to the proposed footway network in Union Road to link to the Chilton Leys development to enable residents to use the sports and recreational facilities, and further details are awaited for this.

The IDP states that within Stowmarket, contributions towards new footway links would be expected, and specifically that for this sites, as part of emerging allocation LA036, that footway links should be internal to the development, with access from Union Road. Further to the above, the IDP refers to the need to consider and mitigate any impact on level crossings. This would be assessed through the Transport Assessment and cumulative impact of development in the area.

- Health

In terms of health provision, the proposals from Scheme A and from Scheme B have a different outcome and it is essential to understand the capacity issues which would derive from either scheme.

The nearest practices are Stow Health and Combs Ford (Combs Ford Surgery), where the IDP states that increased capacity will be required for this locality in order to accommodate committed growth and planned growth of the emerging Joint Local Plan.



Therefore, developer contributions may be required to meet the cost of additional health provision arising, which would be Section 106 in this case.

It is understood from the West Suffolk Clinical Commissioning Group that:

- 46 additional dwellings for Scheme A (Erection of up to 146 dwellings): can be accommodated through additional provision made at the existing practices, and developer contribution through s106 would be expected.
- 29 additional dwellings for Scheme B (Erection of up to 129 dwellings and care home (up to 66 beds)): The inclusion of a 66 bed care home may create capacity issues for the existing practices, where mitigation may be required, however there is a risk that this additional pressure of the care home cannot be accommodated. If the proposal cannot be accommodated, then in line with the CCG, a holding objection may be required to enable further assessment to understand health impact.
- Waste  
During the preparation of the IDP, Suffolk County Council who is responsible for the provision of Household Waste Recycling Centres (HWRC), has highlighted the needs and priorities for the Stowmarket catchment area. The current HWRC for Stowmarket is at full capacity and is of concern to the local residents in terms of safety and queuing for access. A new site for Stowmarket is to be identified by the County Council, for which developer contributions will be required towards this new provision. The IDP also refers to the developer contributions which will be expected to fund this priority project (which will be Section 106 contributions in this case).
- Libraries  
The IDP refers to the need for libraries contributions from residential development as additional population will create additional demand for library services. Therefore, where capacity is not present at existing libraries, new development should make a contribution to the improvement and expansion of the existing library network. This is reflected in the County Council response and would need to be secured through s106 contributions.
- Police and emergency services  
A new police and fire station facility is planned for Stowmarket where developer contributions may be required towards the provision of this new facility, through CIL, or Section 106 in this case.

### **3. Summary**

It is essential that the above points are considered in conjunction with the current application process and infrastructure needs must be satisfactorily addressed in accordance with the respective infrastructure providers consultation replies, this response and the IDP.

As referred above, this proposal must consider the cumulative impacts on infrastructure for the entire allocation of LA036. The proposal must also accord with the current evidence base of the emerging Joint Local Plan for Babergh and Mid Suffolk, the National Planning Policy Framework (2019), the saved policies of the Mid Suffolk District Local Plan (1998), the First Alteration to the Mid Suffolk Local Plan (2006), the Mid Suffolk District Core

Strategy Development Plan Document (2008), the Mid Suffolk District Core Strategy Focused Review (2012), and the Stowmarket Area Action Plan (2013).

At present, due to the health matters referred above, we would support Scheme A, however, are not in a position to support Scheme B. If it is confirmed by our Health colleagues from the CCG that the provision of a Care Home is to impact negatively on health provision, and that mitigation is not possible, then we would recommend a holding objection until the health impact can be further assessed and mitigated.

Otherwise, the additional proposed growth is understood to be provided for in terms of infrastructure for Scheme A, as detailed above. It is also acknowledged that the site is within a sustainable location of Stowmarket, where access can be created to enable safe walking and cycling to facilities and services. The above-mentioned mitigation is essential in ensuring that this proposed development enables sustainable growth, as without this, the infrastructure required would not be mitigated.

Anik Bennett, Infrastructure Officer  
Strategic Planning Policy and Infrastructure  
Babergh and Mid Suffolk District Councils

## Planning Application – Consultation Response

<b>Planning Reference:</b>	<b>Application</b>	DC/20/01110
<b>Site:</b>		Land to The South of Union Road Onehouse Suffolk
<b>Proposal:</b>		Outline Planning Application. (Access to be considered) for two alternative proposals. EITHER Scheme A: Erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure; Or Scheme B: Erection of up to 129 dwellings and a residential care home (up to 66 beds) (Use Class C2), vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure.
<b>Prepared by:</b>		BMSDC Strategic Planning Policy and Infrastructure
<b>Date:</b>		02/07/2020

### 1. Policy position

The site is currently allocated within the emerging Joint Local Plan, known as site reference LA036. However, this application has been submitted in part for the western section. The emerging policy suggests 400 dwellings (whole sites allocation of LA036) and the emerging policy sets out criteria for assessment.

The proposal must accord with the current evidence base of the emerging Joint Local Plan for Babergh and Mid Suffolk, the National Planning Policy Framework (2019), the saved policies of the Mid Suffolk District Local Plan (1998), the First Alteration to the Mid Suffolk Local Plan (2006), the Mid Suffolk District Core Strategy Development Plan Document (2008), the Mid Suffolk District Core Strategy Focused Review (2012), and the Stowmarket Area Action Plan (SAAP, 2013). This site is included under the housing allocation in the SAAP as Union Road, Stowmarket.

The additional growth proposed from the two alternative proposals are: 46 dwellings for Scheme A (Erection of up to 146no dwellings), or 29 dwellings for Scheme B (Erection of up to 129 dwellings and care home (up to 66 beds)).

### 2. Infrastructure Delivery Plan (IDP) position

The IDP (July 2019) sets out both Babergh and Mid Suffolk's infrastructure requirements and priorities. It was published on the 22<sup>nd</sup> July 2019 as evidence which supports the Joint Local Plan and is an iterative document which will change over time dependent on changing infrastructure capacity, requirements and priorities.

The application site is part of the proposed site allocations of the emerging Joint Local Plan, policy reference LA036, (western section of). The development site is also part of the Stowmarket Area Action Plan (SAAP, February 2013). This proposal must consider the cumulative impacts on infrastructure for the entire allocation of LA036.

This strategic site is exempt from Community Infrastructure Levy (CIL), therefore all the necessary infrastructure must be secured through developer contributions under s106 planning obligations.

For the purpose of this response, and to understand the impact on infrastructure capacity, the content of the IDP has been considered together with the existing planning permissions and responses from infrastructure providers.

Set out below are the current major residential planning applications and recent permissions (over 10 dwellings), and emerging Joint Local Plan land allocations in the Stowmarket area, including Onehouse:

- 4455/16, Land to the South of Union Road, Onehouse – 300 dwellings, currently under construction. This site is adjacent to the application site and it is also part of the proposed Joint Local Plan allocation LA036 for 400 dwellings.
- DC/18/03111 and 5007/16, Land North of Chilton Leys, Chilton Leys – 600 dwellings, currently under construction. This site is to the north of the application site and it is also part of the proposed Joint Local Plan allocation LA034.
- DC/19/01482 (Previous PP:3668/13 granted 21/04/2015), Land between Gipping Road and Church Road ("Trinity Meadows") - Resolved to grant at Committee of 13/11/2019 - 93 dwellings.
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- DC/20/01036, Land north of Stowupland Road and east of Newton Road ('Ashes Farm') Outline planning application for 300 dwellings. This site is the eastern section of emerging allocation LA035.
- DC/18/01163, Land South Of, Gun Cotton Way, Stowmarket – Full planning permission for 68 dwellings. Emerging allocation LA033.

Other emerging Joint Local Plan site allocations

- LA038 Land south of Creeting Road West, north of Navigation Approach – 25 dwellings.

There are essential infrastructure needs for Stowmarket that are identified in the IDP:

- Education  
For Early Years provision, the IDP states that within Stowmarket a new pre-school setting for 60 places is to be provided at the site of the new Chilton Leys primary School, as well as a new setting on emerging JLP site allocation LA035 ('Ashes Farm'). The County Council response of the 27/04/2020 requires developer contributions towards a new setting for provision of this development.

In terms of primary school education, as per the County Council response of the 27/04/2020, a financial contribution towards the delivery of the new primary school at the Chilton Leys will be required. Provision for both schemes of the proposed development can be accommodated at the new planned Chilton Leys primary school. This is also reflected in the IDP, which refers to the new primary school planned for Chilton Leys (Stowmarket).

In terms of Secondary and Post 16 education, Stowmarket High School is currently planned to expand to provide for this development together with committed and planned growth of the Joint Local Plan. The IDP refers to CIL contributions which would be expected towards this expansion, however in the case of this strategic site allocation s106 contributions will be expected, as per the County Council response.

In terms of safe walking routes to school, it is understood from the County Council responses of the 27/04/2020 (Strategic Development) and 12/05/2020 (Highways) that the presumption is that all pupils arising from this proposed development will be able to access schools within safe walking distance which will minimise the length and number of journeys.

- Transport

The County Council Highways response of the 12/05/2020 refers to the need for further improvements to the proposed footway network in Union Road to link to the Chilton Leys development to enable residents to use the sports and recreational facilities, and further details are awaited for this.

The IDP states that within Stowmarket, contributions towards new footway links would be expected, and specifically that for this sites, as part of emerging allocation LA036, that footway links should be internal to the development, with access from Union Road. Further to the above, the IDP refers to the need to consider and mitigate any impact on level crossings. This would be assessed through the Transport Assessment and cumulative impact of development in the area.

- Health

In terms of health provision, the proposals from Scheme A and from Scheme B have a different outcome and it is essential to understand the capacity issues which would derive from either scheme.

The nearest practices are Stow Health and Combs Ford (Combs Ford Surgery), where the IDP states that increased capacity will be required for this locality in order to accommodate committed growth and planned growth of the emerging Joint Local Plan. Therefore, developer contributions may be required to meet the cost of additional health provision arising, which would be Section 106 in this case.

It is understood from the West Suffolk Clinical Commissioning Group that:

- 46 additional dwellings for Scheme A (Erection of up to 146 dwellings): can be accommodated through additional provision made at the existing practices, and developer contribution through s106 would be expected.
- 29 additional dwellings for Scheme B (Erection of up to 129 dwellings and care home (up to 66 beds)): The inclusion of a 66 bed care home may create capacity issues for the existing practices, where mitigation may be required, however there is a risk that this additional pressure of the care home cannot be accommodated. If the proposal cannot be accommodated, then in line with the CCG, a holding objection may be required to enable further assessment to understand health impact.

- Waste

During the preparation of the IDP, Suffolk County Council who is responsible for the provision of Household Waste Recycling Centres (HWRC), has highlighted the needs and priorities for the Stowmarket catchment area. The current HWRC for Stowmarket is at full capacity and is of concern to the local residents in terms of safety and queuing for access. A new site for Stowmarket is to be identified by the County Council, for which developer contributions will be required towards this new provision. The IDP also refers to the developer contributions which will be expected to fund this priority project (which will be Section 106 contributions in this case).

- Libraries  
The IDP refers to the need for libraries contributions from residential development as additional population will create additional demand for library services. Therefore, where capacity is not present at existing libraries, new development should make a contribution to the improvement and expansion of the existing library network. This is reflected in the County Council response and would need to be secured through s106 contributions.
- Police and emergency services  
A new police and fire station facility is planned for Stowmarket where developer contributions may be required towards the provision of this new facility, through CIL, or Section 106 in this case.

### **3. Summary**

It is essential that the above points are considered in conjunction with the current application process and infrastructure needs must be satisfactorily addressed in accordance with the respective infrastructure providers consultation replies, this response and the IDP.

As referred above, this proposal must consider the cumulative impacts on infrastructure for the entire allocation of LA036. The proposal must also accord with the current evidence base of the emerging Joint Local Plan for Babergh and Mid Suffolk, the National Planning Policy Framework (2019), the saved policies of the Mid Suffolk District Local Plan (1998), the First Alteration to the Mid Suffolk Local Plan (2006), the Mid Suffolk District Core Strategy Development Plan Document (2008), the Mid Suffolk District Core Strategy Focused Review (2012), and the Stowmarket Area Action Plan (2013).

At present, due to the health matters referred above, we would support Scheme A, however, are not in a position to support Scheme B. If it is confirmed by our Health colleagues from the CCG that the provision of a Care Home is to impact negatively on health provision, and that mitigation is not possible, then we would recommend a holding objection until the health impact can be further assessed and mitigated.

Otherwise, the additional proposed growth is understood to be provided for in terms of infrastructure for Scheme A, as detailed above. It is also acknowledged that the site is within a sustainable location of Stowmarket, where access can be created to enable safe walking and cycling to facilities and services. The above-mentioned mitigation is essential in ensuring that this proposed development enables sustainable growth, as without this, the infrastructure required would not be mitigated.

Anik Bennett, Infrastructure Officer  
Strategic Planning Policy and Infrastructure  
Babergh and Mid Suffolk District Councils

**MID SUFFOLK DISTRICT COUNCIL**

**MEMORANDUM**

TO: Bron Curtis – Principal Planning Officer

From: Louise Barker – Acting Strategic Housing Team Manager

Date: 18th November 2020

SUBJECT: Re-Consultation dated 4<sup>th</sup> November 2020 - **Application Reference: DC/20/01110**

Location: Land to The South Of, Union Road, Onehouse, Suffolk

Proposal - Erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure

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We refer to our consultation response dated 24<sup>th</sup> July. We have no further comments to add on this re-consultation.

**MID SUFFOLK DISTRICT COUNCIL**

**MEMORANDUM**

TO: Bron Curtis – Principal Planning Officer

From: Louise Barker – Acting Strategic Housing Team Manager

Date: 10<sup>th</sup> November 2020

SUBJECT: Re-Consultation 23<sup>rd</sup> Oct 2020 - **Application Reference: DC/20/01110**

Location: Land to The South Of, Union Road, Onehouse, Suffolk

Proposal - Erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure

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We refer to our consultation response dated 24<sup>th</sup> July. We have no further comments to add on this re-consultation.



**MID SUFFOLK DISTRICT COUNCIL**

**MEMORANDUM**

TO: Bron Curtis – Principal Planning Officer  
From: Julie Abbey-Taylor, Strategic Housing Team Manager  
Date: 24.07.2020

**SUBJECT: - Application Reference: DC/20/01110**

Proposal: - Land to The South Of, Union Road, Onehouse, Suffolk –

**Reconsultation on Outline Planning Application. (Access to be considered) for two alternative proposals.**

**EITHER Scheme A:** Erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure;

**Or Scheme B:** Erection of up to 129 dwellings and a residential care home (up to 66 beds) (Use Class C2), vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure.

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**Key Points**

**1. Background Information**

A choice of 2 development proposal options, A or B as detailed above on land south of Union Road, Stowmarket.
This is an open market development Option A of 146 dwellings should provide 35% for affordable housing = 51 dwellings. Option B of 129 dwellings and a care home with up to 66 beds, should provide 35% affordable housing on the residential dwellings only = 45 dwellings.

Strategic Housing were not consulted when the applicant sought pre-application advice from the Council in August 2019.

**2. Housing Need Information:**

2.1 The Ipswich Housing Market Area, Strategic Housing Market Assessment (SMHA) document, updated in 2019, confirms a continuing need for housing across all tenures and a growing need for affordable housing.

2.2 The 2019 SHMA indicates that in Mid Suffolk there is a need for **127 new affordable homes per annum.**

2.3 The Council’s 2014 Suffolk Housing Needs Survey shows that there is high demand for smaller homes, across all tenures, both for younger people, who may be newly forming households, and also for older people who are already in the property-owning market and require different, appropriate housing, enabling them to downsize. Affordability issues are the key drivers for this increased demand for smaller homes.

2.4 The Council’s Choice Based Lettings system currently has circa **650** applicants registered for affordable housing in Mid Suffolk at June 2020.

2.5 The Council’s Choice Based Lettings system currently has circa 225 applicants registered for affordable housing, who are seeking accommodation in Stowmarket as at June 2020. This site is a S106 planning obligation site so the affordable housing provided will be to meet district wide need hence the **650** applicants registered is the important number.

### 3. Preferred Mix for Open Market homes.

3.1 The 2019 SHMA sets out in table 4.4e the relative percentages for the size of open market homes over the period of the emerging Joint Local Plan for 2018 – 2036.

**Table 4.4e Size of new owner-occupied accommodation required in Mid Suffolk over the next 18 years**

Size of home	Current size profile	Size profile 2036	Change required	% of change required
One bedroom	707	1,221	515	<b>7.2%</b>
Two bedrooms	5,908	8,380	2,472	<b>34.4%</b>
Three bedrooms	13,680	15,784	2,104	<b>29.3%</b>
Four or + bedrooms	12,208	14,303	2,096	<b>29.2%</b>
<b>Total</b>	<b>32,502</b>	<b>39,688</b>	<b>7,186</b>	<b>100.0%</b>

Open market housing mix needs to demonstrate how this site will contribute to the provision of housing for older people as Mid Suffolk has an increasing ageing population. By 2030 we will have 1 in 3 people in Suffolk will be aged 65 or over. The outline layout plan does not provide any detail of property types or sizes.: -

Comment – there are too many 3 bed houses being proposed. Referring to our evidence in the 2019 SHMA, some of these should be changed to 2 bed houses and a small number of 2 bed bungalows or chalet bungalows to meet the needs of existing owner occupiers wishing to down-size. **This proposal only provides 10.7% of the open market mix as 2 bed houses which is insufficient.**

3.2 Suitable housing options for more elderly people are less available within the current housing stock. 6% of all households have elderly relatives who may need to move to Suffolk within the next 3 years.

#### 4. Preferred mix for Affordable Housing

4.1 The most recent information from the Mid Suffolk's Council's Housing Register shows circa.225 applicants registered who have a connection to Stowmarket.

4.2 As there are two options for this site, I will look at each option in turn.

**Option A** - 51 of the proposed dwellings on the development should be for affordable housing.

**The mix for a total of 51 dwellings proposed is the following: -**

Affordable rented = 36

- 4 x 1 bed 2-person houses @ 58 sqm
- 4 x 2 bed 4-person bungalows @ 70 sqm
- 18 x 2 bed 4-person houses @ 79 sqm
- 9 x 3 bed 5-person houses @ 93 sqm
- 2 x 3 bed 6-person houses @ 102 sqm

NB: I have not specified any 1 or 2 bed flats within this mix as there are already a high number of flats on the Taylor Wimpey Chilton Leys development and the adjacent Hopkins Homes Union road development.

Shared Ownership = 10 (part of 10% of overall site proposal as affordable home ownership)

- 9 x 2 bed 4-person houses @ 79 sqm
- 5 x 3 bed 5-person houses @ 93 sqm

Rent to Buy = 5 dwellings (part of 10% of overall site proposal as affordable home ownership)

- 3 x 2 bed 4-person houses @ 79 sqm
- 2 x 3 bed 5-person houses @ 93 sqm

**Option B** – 45 of the proposed dwellings should be for affordable housing. Provision of a residential care home does not trigger affordable housing for this use class.

**The mix for a total of 45 dwellings proposed is the following: -**

Affordable rented = 30 (66.6% of the affordable mix)

- 4 x 1 bed 2-person houses @ 58 sqm
- 4 x 2 bed 4-person bungalows @ 70 sqm
- 16 x 2 bed 4-person houses @ 79 sqm
- 7 x 3 bed 5-person houses @ 93 sqm
- 1 x 3 bed 6-person houses @ 102 sqm

Shared ownership = 11 (part of the 10% of overall affordable home ownership provision)

- 7 x 2 bed 4-person houses @ 79 sqm
- 4 x 3 bed 5-person houses @ 93 sqm

Rent to Buy = 4 (part of the 10% overall affordable home ownership provision)

- 4 x 2 bed 4-person houses @ 79 sqm

**The above mix is requested and to be included in the S106 agreement.**

**Option B** includes a 66 bedspace care home for the elderly. In Stowmarket there are several large care homes already established the nearest one being within a few hundred metres of this proposed site known as Chilton Meadows operated by BUPA. I am unable to advise if a care home of this size is required in Stowmarket and defer to Suffolk County Council to comment on this aspect of Option B.

#### **5. Other requirements for affordable homes:**

- All properties must be built to current Nationally Described Space standards as published March 2015 and meet Building Regulations Part M 4 Category 2.
- The council is granted 100% nomination rights to all the affordable units on all first lets and that all allocations are made through the Choice-based lettings system known as Gateway to Homechoice
- Adequate parking provision is made for the affordable housing units and inclusion of cycle storage/sheds.
- We will seek standard delivery triggers within any S106 agreement and also a nomination agreement will be required between the Council and an RP. The usual trigger points for delivery of the affordable housing are: -
- **(a)** not Occupy or permit Occupation of more than fifty per cent (50%) (rounded up to the nearest whole Dwelling) Market Housing Units in each Phase until fifty per cent (50%) of the Affordable Housing Units for that Phase have been constructed and are ready for Occupation and have been transferred to the Registered Provider; and
- **(b)** not Occupy or permit Occupation of more than eighty per cent (80%) (rounded up to the nearest whole Dwelling) Market Housing Units in each Phase until all of the Affordable Housing Units for that Phase have been constructed and are ready for Occupation and have been transferred to the Registered Provider

**Summary – I cannot see that there are any changes to the indicative layout of option A or B, so my previous comments and ones in this response remain.**

Julie Abbey-Taylor, Strategic Housing Team Manager

**MID SUFFOLK DISTRICT COUNCIL**

**MEMORANDUM**

TO: Bron Curtis – Principal Planning Officer  
From: Julie Abbey-Taylor, Strategic Housing Team Manager  
Date: 29.4.2020

**SUBJECT: - Application Reference: DC/20/01110**

Proposal: - Land to The South Of, Union Road, Onehouse, Suffolk –

**Outline Planning Application. (Access to be considered) for two alternative proposals.** EITHER Scheme A: Erection of up to 146no dwellings including vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure;  
Or Scheme B: Erection of up to 129 dwellings and a residential care home (up to 66 beds) (Use Class C2), vehicular and pedestrian accesses, public open space, play space, landscaping, associated highways, drainage and utilities infrastructure.

---

**Key Points**

**1. Background Information**

A choice of 2 development proposal options, A or B as detailed above on land south of Union Road, Stowmarket.
This is an open market development Option A of 146 dwellings should provide 35% for affordable housing = 51 dwellings. Option B of 129 dwellings and a care home with up to 66 beds, should provide 35% affordable housing on the residential dwellings only = 45 dwellings.

Strategic Housing were not consulted when the applicant sought pre-application advice from the Council in August 2019.

**2. Housing Need Information:**

2.1 The Ipswich Housing Market Area, Strategic Housing Market Assessment (SMHA) document, updated in 2019, confirms a continuing need for housing across all tenures and a growing need for affordable housing.

2.2 The 2019 SHMA indicates that in Mid Suffolk there is a need for **127 new affordable homes per annum.**

2.3 The Council’s 2014 Suffolk Housing Needs Survey shows that there is high demand for smaller homes, across all tenures, both for younger people, who may be newly forming households, and also for older people who are already in the property-owning market and require different, appropriate housing, enabling them to downsize. Affordability issues are the key drivers for this increased demand for smaller homes.

2.4 The Council’s Choice Based Lettings system currently has circa **690** applicants registered for affordable housing in Mid Suffolk at January 2020.

2.5 The Council’s Choice Based Lettings system currently has circa 225 applicants registered for affordable housing, who are seeking accommodation in Stowmarket as at November 2019. This site is a S106 planning obligation site so the affordable housing provided will be to meet district wide need hence the **690** applicants registered is the important number.

### 3. Preferred Mix for Open Market homes.

3.1 The 2019 SHMA sets out in table 4.4e the relative percentages for the size of open market homes over the period of the emerging Joint Local Plan for 2018 – 2036.

**Table 4.4e Size of new owner-occupied accommodation required in Mid Suffolk over the next 18 years**

Size of home required	Current size profile	Size profile 2036	Change	% of change required
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<b>Total</b>	<b>32,502</b>	<b>39,688</b>	<b>7,186</b>	<b>100.0%</b>

Open market housing mix needs to demonstrate how this site will contribute to the provision of housing for older people as Mid Suffolk has an increasing ageing population. By 2030 we will have 1 in 3 people in Suffolk will be aged 65 or over. The outline layout plan does not provide any detail of property types or sizes.: -

Comment – there are too many 3 bed houses being proposed. Referring to our evidence in the 2019 SHMA, some of these should be changed to 2 bed houses and a small number of 2 bed bungalows or chalet bungalows to meet the needs of existing owner occupiers wishing to down-size. This proposal only provides 10.7% of the open market mix as 2 bed houses

3.2 The **2014 Suffolk Housing Survey** shows that, across Mid Suffolk district:

- 12% of all existing households contain someone looking for their own property over the next 3 years (mainly single adults without children). The types of properties they are interested in are flats / apartments, and smaller terraced or semi-detached houses. Although this is not their first preference, many accept that the private rented sector is their most realistic option.
- 25% of households think their current property will not be suitable for their needs in 10 years' time.
- 2 & 3 bed properties are most sought after by existing households wishing to move.
- Suitable housing options for more elderly people are less available within the current housing stock. 6% of all households have elderly relatives who may need to move to Suffolk within the next 3 years.

#### **4. Preferred mix for Affordable Housing**

4.1 The most recent information from the Mid Suffolk's Council's Housing Register shows circa.225 applicants registered who have a connection to Stowmarket.

4.2 As there are two options for this site, I will look at each option in turn.

**Option A** - 51 of the proposed dwellings on the development should be for affordable housing.

**The mix for a total of 51 dwellings proposed is the following: -**

Affordable rented = 37

- 4 x 1 bed 2-person houses @ 58 sqm
- 4 x 2 bed 4-person bungalows @ 70 sqm
- 18 x 2 bed 4-person houses @ 79 sqm
- 9 x 3 bed 5-person houses @ 93 sqm
- 2 x 3 bed 6-person houses @ 102 sqm

NB: I have not specified any 1 or 2 bed flats within this mix as there are already a high number of flats on the Taylor Wimpey Chilton Leys development and the adjacent Hopkins Homes Union road development.

Shared Ownership = 14 (10% of overall site proposal)

- 9 x 2 bed 4-person houses @ 79 sqm
- 5 x 3 bed 5-person houses @ 93 sqm

**Option B** – 45 of the proposed dwellings should be for affordable housing. Provision of a residential care home does not trigger affordable housing for this use class.

**The mix for a total of 45 dwellings proposed is the following: -**

Affordable rented = 32 (71.1% of the affordable mix)

- 4 x 1 bed 2-person houses @ 58 sqm
- 4 x 2 bed 4-person bungalows @ 70 sqm

- 16 x 2 bed 4-person houses @ 79 sqm
- 7 x 3 bed 5-person houses @ 93 sqm
- 1 x 3 bed 6-person houses @ 102 sqm
- Shared ownership = 13 (10% of overall housing provision)
- 8 x 2 bed 4-person houses @ 79 sqm
- 5 x 3 bed 5-person houses @ 93 sqm

**The above mix is requested and to be included in the S106 agreement.**

**Option B** includes a 66 bedspace care home for the elderly. In Stowmarket there are several large care homes already established the nearest one being within a few hundred metres of this proposed site known as Chilton Meadows operated by BUPA. I am unable to advise if a care of this size is required in Stowmarket and defer to Suffolk County Council to comment on this aspect of Option B.

#### **5. Other requirements for affordable homes:**

- All properties must be built to current Nationally Described Space standards as published March 2015 and meet Building Regulations Part M 4 Category 2.
- The council is granted 100% nomination rights to all the affordable units on all first lets and that all allocations are made through the Choice-based lettings system known as Gateway to Homechoice
- Adequate parking provision is made for the affordable housing units and inclusion of cycle storage/sheds.
- We will seek standard delivery triggers within any S106 agreement and also a nomination agreement will be required between the Council and an RP. The usual trigger points for delivery of the affordable housing are: -
- **(a)** not Occupy or permit Occupation of more than fifty per cent (50%) (rounded up to the nearest whole Dwelling) Market Housing Units in each Phase until fifty per cent (50%) of the Affordable Housing Units for that Phase have been constructed and are ready for Occupation and have been transferred to the Registered Provider; and
- **(b)** not Occupy or permit Occupation of more than eighty per cent (80%) (rounded up to the nearest whole Dwelling) Market Housing Units in each Phase until all of the Affordable Housing Units for that Phase have been constructed and are ready for Occupation and have been transferred to the Registered Provider

Julie Abbey-Taylor, Strategic Housing Team Manager



**From:** James Fadeyi <James.Fadeyi@babberghmidsuffolk.gov.uk>  
**Sent:** 18 November 2020 13:02  
**To:** BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>  
**Subject:** RE: DC/20/01110 - Land To The South Of Union Road, Onehouse

Good afternoon,

Thank you for your email re-consultation on the reserved matters application DC/20/01110. Waste services do not wish to add any further comments to our original.

Kind regards,

James Fadeyi  
Waste Management Officer - Waste Services  
Mid Suffolk and Babergh District Councils - Working Together  
Tel: 01449 724832  
Mob: 07523 942734  
e: [james.fadeyi@babberghmidsuffolk.gov.uk](mailto:james.fadeyi@babberghmidsuffolk.gov.uk)  
w: [www.babergh.gov.uk](http://www.babergh.gov.uk) | [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)  
<https://www.suffolkrecycling.org.uk/>

**From:** Hannah Bridges <Hannah.Bridges@babberghmidsuffolk.gov.uk>  
**Sent:** 10 August 2020 16:54  
**To:** BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>  
**Subject:** RE: DC/20/01110 Land To the South of Union Road Onehouse (EH Sustainability)

Dear Vanessa,

Thank you for re-consulting Waste Service. We have no further comments to add and our original comments still apply.

Kind regards



Hannah Bridges  
Waste Management Officer - Waste Services  
Mid Suffolk and Babergh District Councils - Working Together  
Tel: 01449 724829  
[www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk) [www.babergh.gov.uk](http://www.babergh.gov.uk)



*Thank you for contacting us and for your patience, while we work hard to protect our staff, residents, communities and businesses and keep essential services running during the coronavirus outbreak.*

**During this time, we may have to reduce or suspend services, but we aim to respond to your query as soon as possible. In some cases we may not be able to deal with your request until business as usual is resumed.**

## Consultation Response Pro forma

<b>1</b>	<b>Application Number</b>	DC/20/01110	
<b>2</b>	<b>Date of Response</b>	14/05/2020	
<b>3</b>	<b>Responding Officer</b>	Name:	Hannah Bridges
		Job Title:	Waste Management Officer
		Responding on behalf of...	Waste Services
<b>4</b>	<b>Recommendation</b> (please delete those N/A)  Note: This section must be completed before the response is sent. The recommendation should be based on the information submitted with the application.	No objection subject to conditions	
<b>5</b>	<b>Discussion</b> Please outline the reasons/rationale behind how you have formed the recommendation. Please refer to any guidance, policy or material considerations that have informed your recommendation.	<p>Ensure that the development is suitable for a 32 tonne Refuse Collection Vehicle (RCV) to manoeuvre around attached are the vehicle specifications.</p> <p style="text-align: center;"> OLYMPUS - 8x4MS Wide - Euro 6 - Smo</p> <p>See the latest waste guidance on new developments.</p> <p style="text-align: center;"> SWP Waste Guidance v.21.docx</p> <p>The road surface and construction must be suitable for an RCV to drive on.</p> <p>To provide scale drawing of site to ensure that access around the development is suitable for refuse collection vehicles.</p> <p>Please provide plans with each of the properties bin presentations plotted, these should be at edge of the curtilage or at the end of private drive and there are suitable collection presentation points to be agreed.</p> <p>Should option 2 be chosen then the care home would require large 1100l bins which should be stored in a bin store which has a level threshold, using a dropped</p>	

Please note that this form can be submitted electronically on the Councils website. Comments submitted on the website will not be acknowledged but you can check whether they have been received by reviewing comments on the website under the application reference number. Please note that the completed form will be posted on the Councils website and available to view by the public.

		curb where necessary and easy access for RCV to make access.
6	<b>Amendments, Clarification or Additional Information Required</b> (if holding objection)  If concerns are raised, can they be overcome with changes? Please ensure any requests are proportionate	
7	<b>Recommended conditions</b>	Meet the conditions in the discussion.

Please note that this form can be submitted electronically on the Councils website. Comments submitted on the website will not be acknowledged but you can check whether they have been received by reviewing comments on the website under the application reference number. Please note that the completed form will be posted on the Councils website and available to view by the public.

**From:** Penny Otton (SCC) <[penny.otton@suffolk.gov.uk](mailto:penny.otton@suffolk.gov.uk)>

**Sent:** 05 June 2020 09:53

**To:** [bron.curtis@babergmidsuffolk.gov.uk](mailto:bron.curtis@babergmidsuffolk.gov.uk)

**Cc:** Parish - Onehouse <[Peggy.onehousepc@btinternet.com](mailto:Peggy.onehousepc@btinternet.com)>; Clive Balaam <[cliveandglenis@hotmail.co.uk](mailto:cliveandglenis@hotmail.co.uk)>; Philip Isbell <[Philip.Isbell@baberghmidsuffolk.gov.uk](mailto:Philip.Isbell@baberghmidsuffolk.gov.uk)>

**Subject:** Planning application DC/20/01110

I wish to make the following statements in respect of this application in Onehouse in my capacity as the county councillor, and included in any consultations recorded.

The road network surrounding the site has a notorious reputation in that it is unsuitable for normal day to day vehicle movements in particular Star House lane.

This site was not included in the Stowmarket Development plan. There must be a clear distinction between Stowmarket and Onehouse, to ensure the identity of Onehouse as a village and not a suburb of Stowmarket.

This has been identified as a visually important open space and should remain so. The impact on the natural environment has already been devastated, with the removal of trees and hedge rows .

There has been continuous problems with flooding onto Finborough road, including landslides onto the highway.

There is little public footpaths on the surrounding roads.

There will, yet again be further impact on already over subscribed health and local services.

Suffolk County Councillor Penny Otton



Phil Kemp  
Design Out Crime Officer Community Safety Unit  
Bury St Edmunds Police Station  
Suffolk Constabulary  
Raingate Street, Bury St Edmunds, Suffolk, IP33 2AP  
Tele: 01284 774141 Fax: 01284 774130  
[www.suffolk.police.uk](http://www.suffolk.police.uk)

**PLANNING APPLICATION: DC/20/01110/Out**

**PROPOSAL: Application for 146 dwellings including vehicular/pedestrian access and play space**

**LOCATION: Land south of Union Road, Onehouse, Stowmarket**

**APPLICANT: Mr Paul BARNARD, Endurance Estates Land Promotion Ltd**

**PLANNING OFFICER: Mr Bron CURTIS**

**Dear Mr Curtis**

Thank you for allowing me to comment on the above Planning Application for the proposed development of up to 146 dwellings at land south of Union road, Onehouse.

**I have viewed the available outline plans and would like to make the following comments on behalf of Suffolk Constabulary with regards to Section 17 of the Crime and Disorder Act 1998.**

**It is noted that this is an outline planning application and more in-depth details will follow through further proposals, as a result it is hard to make specific in-depth comments.**

It is good to note that the majority of properties will be back to back, so it is hoped that the rear of all these properties will have close boarded 1.8m fencing?

It is also requested that no rear alleys are incorporated, which heighten the risk of unauthorised access to the rear of these homes.

From the initial layout it is presumed that the majority of parking for vehicle owners will be either at the side or the front of the plot? It is hoped that no rear parking will be incorporated as this type of parking affords no surveillance for a home owner's vehicle and makes the vehicle, the vehicle owner and the rear of their property more susceptible to crime, or the fear of crime.

It is noted that within the Transport Statement at section 3, that The Transport Statement has attached at Annex B correspondence from Mrs Sam Harvey for Suffolk Highways, where she states that states "Any parking courtyards are to be visible to dwellings and overlooked as if not secure, residents will park in front of their dwellings". For which I totally concur and is a situation that often leads to antisocial behaviour, neighbourhood disputes and can even escalate to criminal damage and harassment and even assault.

It would be preferred if every property could have their own garage, however, it is acknowledged that this is not always possible. Parking plots should either be flush to the side of a property or immediately in front of the property and not set back to allow an offender easier access to the rear gates of properties. If garages cannot be provided then those plots without this facility should have active windows by where their vehicles will be parked to provide some reassurance that their vehicles can be monitored.

**It would be preferred if the applicant applies for Secured by Design (SBD) accreditation at this site as a means to provide an indication of the quality of the development envisaged, or at the very least seek SBD accreditation for the proposed affordable housing units.**

It is now widely accepted that a key strand in the design of a 'sustainable' development is its resistance to crime and anti-social behaviour.

## **1.0 GENERAL COMMENTS ON PROPOSED PLAN AND INITIAL CONCERNS RAISED IDENTIFIED IN MORE DETAIL**

- 1.1 As stated the police do not recommended rear parking, as it provides no surveillance and can make a home owner more vulnerable in the winter months, when parking and going to their respective properties around darkly lit areas. Such areas can also become areas for antisocial behaviour, that include gatherings of groups, criminal damage and graffiti (SBD Homes 2019, pages 22-23, paras 16.1-16.4 and 16.7-16.10, along with pages 66-67, paras 55.1-55.2 refer).**
- 1.2 As stated rear footpaths/alleys are not recommended as they allow an offender easy access to the rear of these properties. If these types of design have to be included it is strongly recommended that such entrances are securely gated off, with 1.8m single gates that have restrictors on to prevent them from being left open. It would be preferred if the locking mechanisms comprised of a PIN code lock, or key fob, rather than a key, as keys tend to get lost (SBD Homes 2019, pages 19-20, paras 10.5-10.8 refer and page 21-22, 13.1-13.3 refers).**
- 1.3 Parking spaces for each plot should not be too far from their respective plots and should be immediately next to or in front of the main entrance to the plot (SBD Homes 2019, page 23, para 16.6 refer).**
- 1.4 It is strongly recommended that in order to reduce crime and reassure local residents active windows are incorporated that include overlooking onto public open space areas and play parks. Such measures will greatly assist in reducing problems associated with antisocial behaviour and possible drug taking. It is good to see that a number of houses are frontal facing towards the main open spaced area and it is requested that active windows are incorporated (SBD Homes 2019, page 21, paras 11.1-11.2 refers).**
- 1.5 The plans have pathways all around the perimeter of the development that will border areas with dense vegetation and no lighting. It is strongly recommended that good lighting is incorporated for these areas especially where they will meet important pinch points areas, such as access onto the lower side of Finborough Road (SBD Homes 2019, pages 16-17, paras 8.19-8.22 and pages 25-26, paras 18.1-18.6 refer).**
- 1.6 Open Spaced areas tend to attract antisocial behaviour, so care needs to be given to the sighting of any public seating, which could be a magnet for attracting crowds and antisocial issues. (SBD Homes 2019, page 16, paras 8.18-8.18.7 and page 17-18 paras 9.1-9.5).**
- 1.7 The open spaced area around the south west of the proposed development next to Finborough Road is a particular concern that could become an area for antisocial behaviour. It would be preferred if this area also has good lighting and active surveillance from at least some ground floor windows.**
- 1.8 I take it the electricity sub-station will be fenced and secured off?**

## **2.0 REFERRALS**

- 2.1 Section 17 of The Crime and Disorder Act 1998 outlines the responsibilities placed on local authorities to prevent crime and dis-order.**
- 2.2 The National Planning Policy Frame work on planning policies and decisions to create safe and accessible environments, laid out in chapter 8, para 91b and chapter 12, para 127f, in that developments should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing**

and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

**2.3 One of the main aims stated in the Babergh and Mid Suffolk Core Strategy Development Plan Document of 2008 (updated in 2012) at Section 1, para 1.19 under Local Development Framework and Community Strategy states: A safe community: Protect the environment from pollution, flooding and other natural and man-made disasters; reduce the level of crime; discourage re-offending; overcome the fear of crime; and provide a safe and secure environment.**

**2.4 The Suffolk Design Guide for Residential Areas- Shape of Development – Design Principles (Security)** Looking at the careful design of a new development with regard to landscaping, planting and footpaths. Where footpaths should be short, direct and well lit.

**2.5 Department for Transport – Manual for Streets (Crime Prevention)** The layout of a residential area can have a significant impact on crime against property (homes and cars) and pedestrians.

**3.0 SECURE BY DESIGN (SBD)**

Experience shows that incorporating security measures during a new build or a refurbishment project reduces crime, fear of crime and disorder by introducing appropriate design features that enable natural surveillance and create a sense of ownership and responsibility for every part of the development.

Building to the physical security of Secured by Design, which is the police approved minimum security standard, will reduce the potential for burglary by 50% to 75%.

The role of a Design Out Crime Officer within Suffolk Police is to assist in the design process to achieve a safe and secure environment for residents and visitors without creating a ‘fortress environment’.

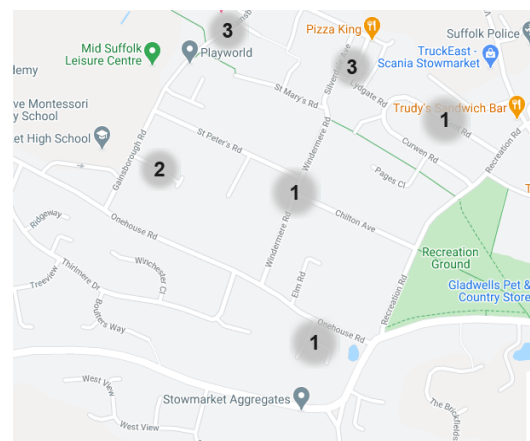
It is strongly advised the developers seek Secure by Design National Building Approval membership from Secure by Design (SBD). Further details can be found at the following link: <http://www.securedbydesign.com/sbd-national-building-approval/>

It would be good to see the development, or at least the affordable housing built to Secured by Design SBD Homes 2019 accreditation. Further information on SBD can be found at [www.securedbydesign.com](http://www.securedbydesign.com)

Further advice is also contained in the Suffolk Police Residential Design Guide 2020 Residential design guide - print.pdf [https://www.suffolk.police.uk/sites/suffolk/files/residentialdesignguide\\_low.pdf](https://www.suffolk.police.uk/sites/suffolk/files/residentialdesignguide_low.pdf)

**4.0 CRIME STATISTICS FOR THE UNION ROAD, IP14 1SZ AND FINBOROUGH ROAD POST CODE AREA**

**4.1 The latest crime figures for May-October 2020 totals 124 offences for the area pictured right. The most prolific relate to 49 Violent and Sexual offences, followed by 49 Public Order/Antisocial behaviour offences. These details have been obtained from the Suffolk Police Crime computer base and the National Police Crime Mapper web site. The Police Crime Mapper Web site is available for any member of the public to view using the following link: <https://www.police.uk/pu/your-area/suffolk-constabulary/stowmarket/?tab=CrimeMap>**



Offence	May 2020	June 2020	July 2020	August 2020	September 2020	October 2020
Burglary/Theft	2	4	2		3	
Vehicle Crime	1					
Criminal Damage/Arson	1	1	2		2	
ASB/Public Order/Harrasment	9	6	13	11	5	3
Violent & Sexual Offences	7	8	14	7	6	7
Shoplifting						
Drugs		4	1			1
Other Offences	1		1		1	1
<b>Grand Totals</b>	<b>21</b>	<b>23</b>	<b>33</b>	<b>18</b>	<b>17</b>	<b>12</b>



## 5.0 **CONCLUSION**

- 5.1 I strongly advise the development planners adopt the Approved Document “Q” (ADQ) guidelines and Secure by Design (SBD) principles for a secure development and gain SBD National Building approval membership. Further details can be found at the following link: <http://www.securedbydesign.com/sbd-national-building-approval/>
- 5.2 **SBD Homes 2019 incorporates three standards available within the New Homes 2016 guide, namely Gold, Silver or Bronze standards. It is advisable that all new developments of 10 properties or more should seek at least a Bronze Secured by Design. Further details can be obtained through the Secure By Design (SBD) site at <http://www.securedbydesign.com/>**
- 5.3 A further downloadable document can be obtained using the following link: [https://www.securedbydesign.com/images/downloads/HOMES\\_BROCHURE\\_2019\\_NEW\\_version\\_2.pdf](https://www.securedbydesign.com/images/downloads/HOMES_BROCHURE_2019_NEW_version_2.pdf)
- 5.4 To achieve a Silver standard, or part 2 Secured by Design physical security, which is the police approved minimum security standard and also achieves ADQ, involves the following:
- a) All exterior doors to have been certificated by an approved certification body to BS PAS 24:2012, or STS 201 issue 4:2012, or STS 202 BR2, or LPS 1175 SR 2, or LPS 2081 SRB.
  - b) All individual front entrance doors to have been certificated by an approved certification body to BS Pas 24:2012 (internal specification).
  - c) Ground level exterior windows to have been certificated by an approved certification body to BS Pas 24:2012, or STS204 issue 3:2012, or LPS1175 issue 7:2010 Security Rating 1, or LPS2081 Issue 1:2014. All glazing in the exterior doors, and ground floor (easily accessible) windows next to or within 400mm of external doors to include laminated glass as one of the panes of glass. Windows installed within SBD developments must be certified by one of the UKAS accredited certification bodies.

The Police nationally promote Secured by Design (SBD) principles, aimed at achieving a good overall standard of security for buildings and the immediate environment. It attempts to deter criminal and anti-social behaviour within developments by introducing appropriate design features that enable natural surveillance and create a sense of ownership and responsibility for every part of the development.

### 5.5 **To reiterate, police concerns raised are:**

- a) **That no rear parking will be incorporated as this type of parking affords no Surveillance. Parking plots should either be flush to the side of a property or immediately in front of the property and not set back (pages 1 and 2, para 1.1 refers).**
- b) **Parking spaces for each plot should not be too far from their respective plots (pages 1 and 2, para 1.3 refers).**
- c) **It is requested that no rear alleys are incorporated, as they heighten the risk of unauthorised access to the rear of homes (pages 1 and 2, para 1.2 refers).**
- d) **It is strongly recommended to reduce crime and reassure local residents active windows are incorporated that overlooking onto public open space areas and play parks. (page 2, para 1.4 refers).**
- e) **It is strongly recommended that good lighting and low-lying vegetation is incorporated for pinch points areas for the perimeter footpaths, especially by where the path comes out by the lower side of Finborough Road (page 2, para 1.5 refers).**
- f) **Care needs to be given to the sighting of any public seating, which could be a magnet for attracting crowds and antisocial issues (page 2, para 1.6 refers).**

- g) The open spaced area around the south west next to Finborough Road could become an area for antisocial behaviour, there needs to be good lighting and active surveillance from at least some ground floor windows (page 2, para 1.7 refers).**
- h) Confirmation the electricity sub-station will be secured. (page 2, para 1.8 refers).**

**If the developers do not intend to adopt Secure By Design standards for the whole development, then I hope they will at least consider such measures for the social housing areas.**

If the planners wish to discuss anything further or need assistance with the SBD application, please contact me on 01284 774141.

Yours sincerely

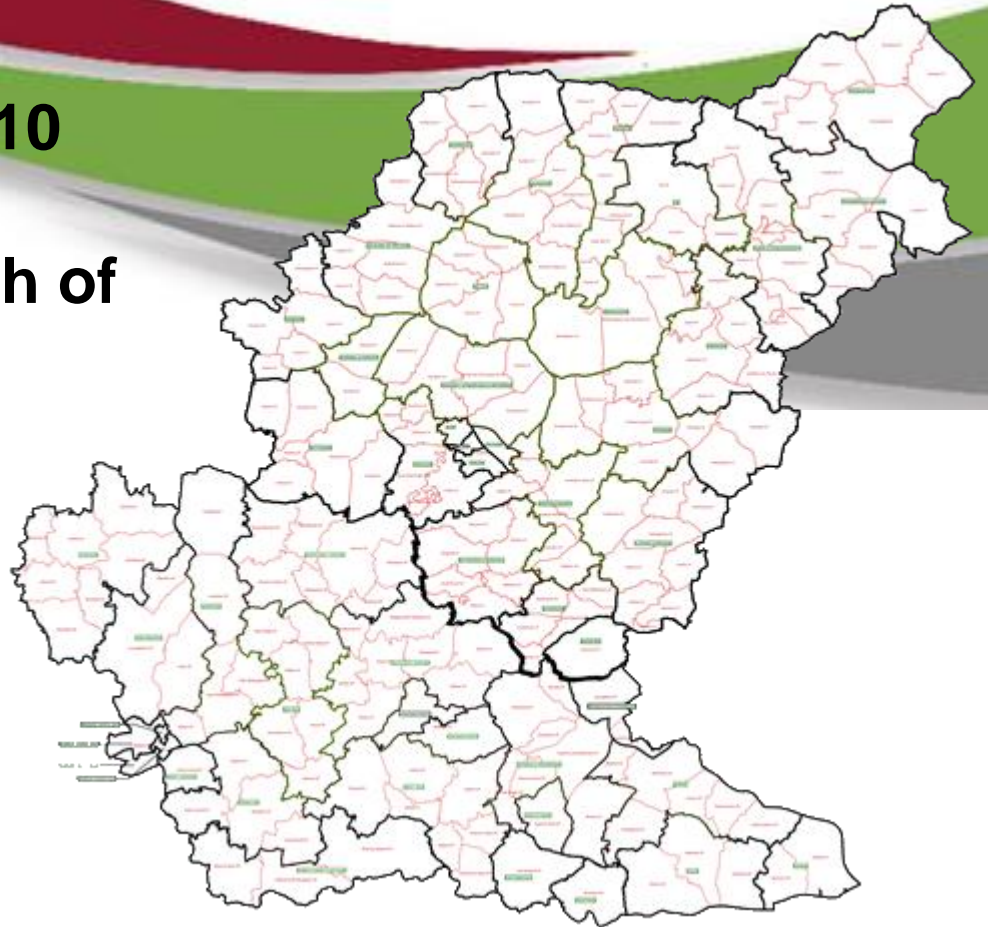


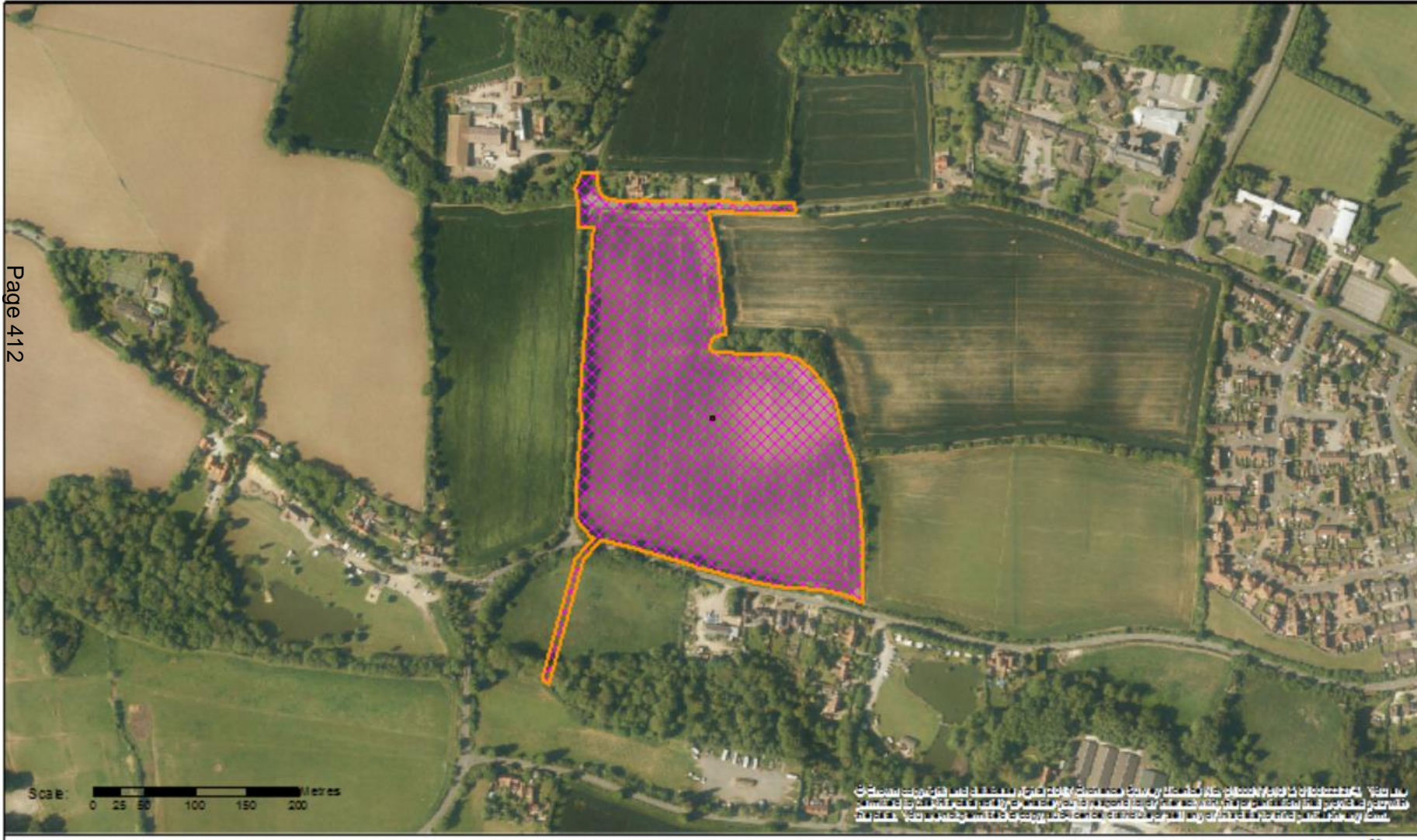
Phil Kemp  
Designing Out Crime Officer Western and Southern Areas  
Suffolk Constabulary, Raingate Street,  
Bury St Edmunds, Suffolk, IP33 2AP

**Application No: DC/20/01110**

**Address: Land to the South of  
Union Road, Onehouse**

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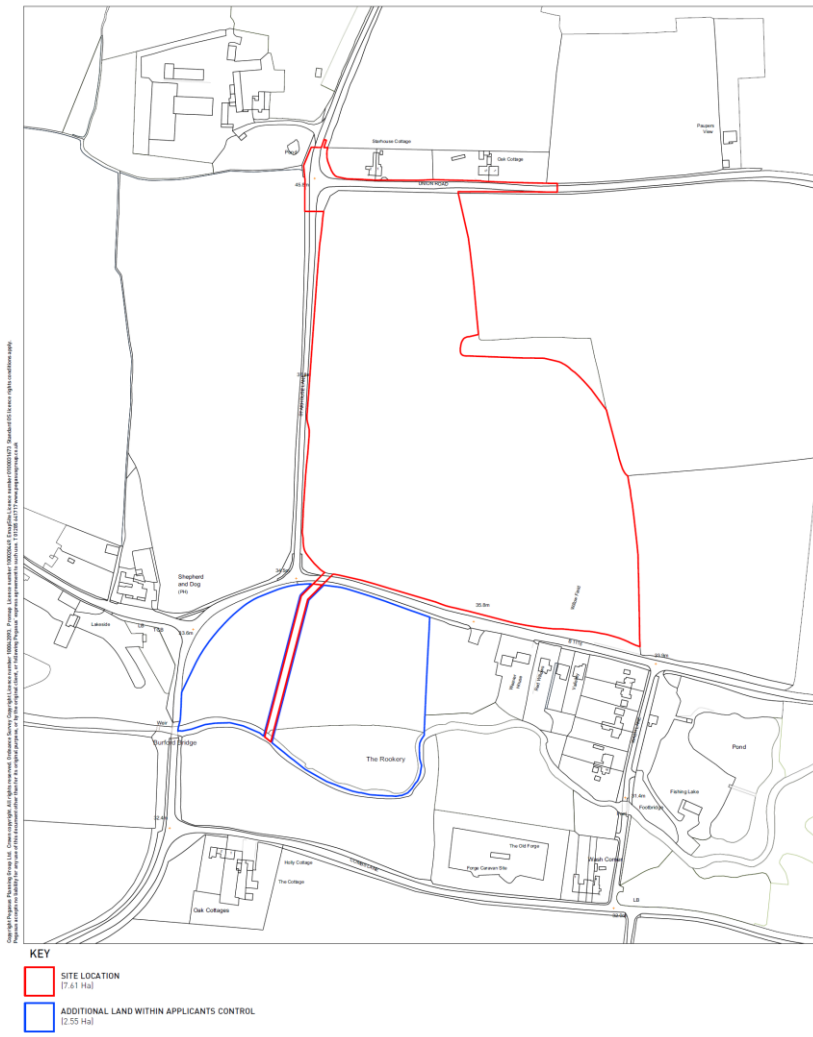
## Aerial Map – wider view

Slide 3



# Site Location Plan

Slide 4



Page 414

# Constraints Map

Public Rights of Way

Special Landscape Area

Slide 5

PD Rights Removed

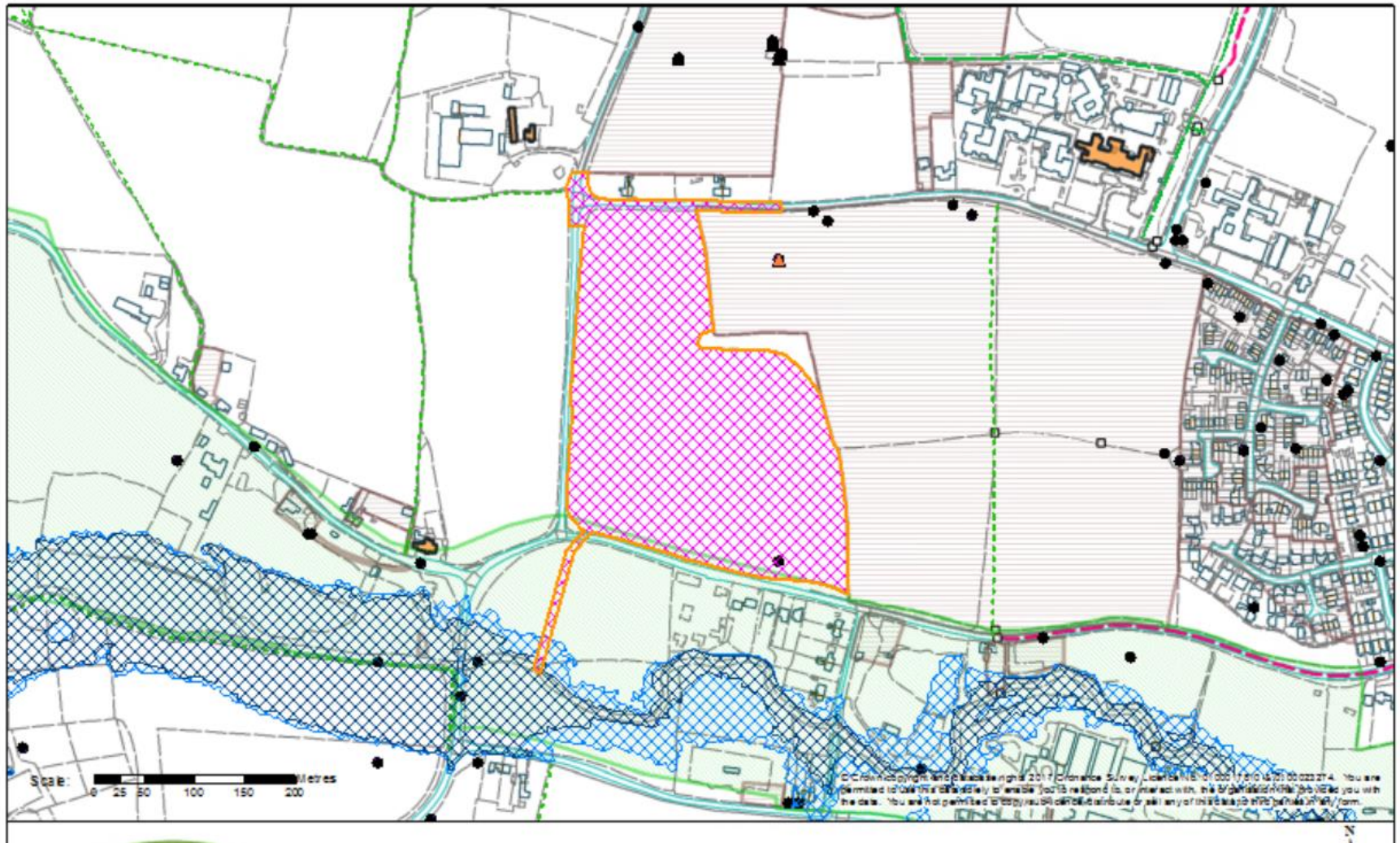
Flood Zone 2

Flood Zone 3

Biodiversity - Protected/Notable Species - e.g. Tawny Owl

Listed Buildings

- Grade I
- Grade II
- Grade II\*





# Constraints Map

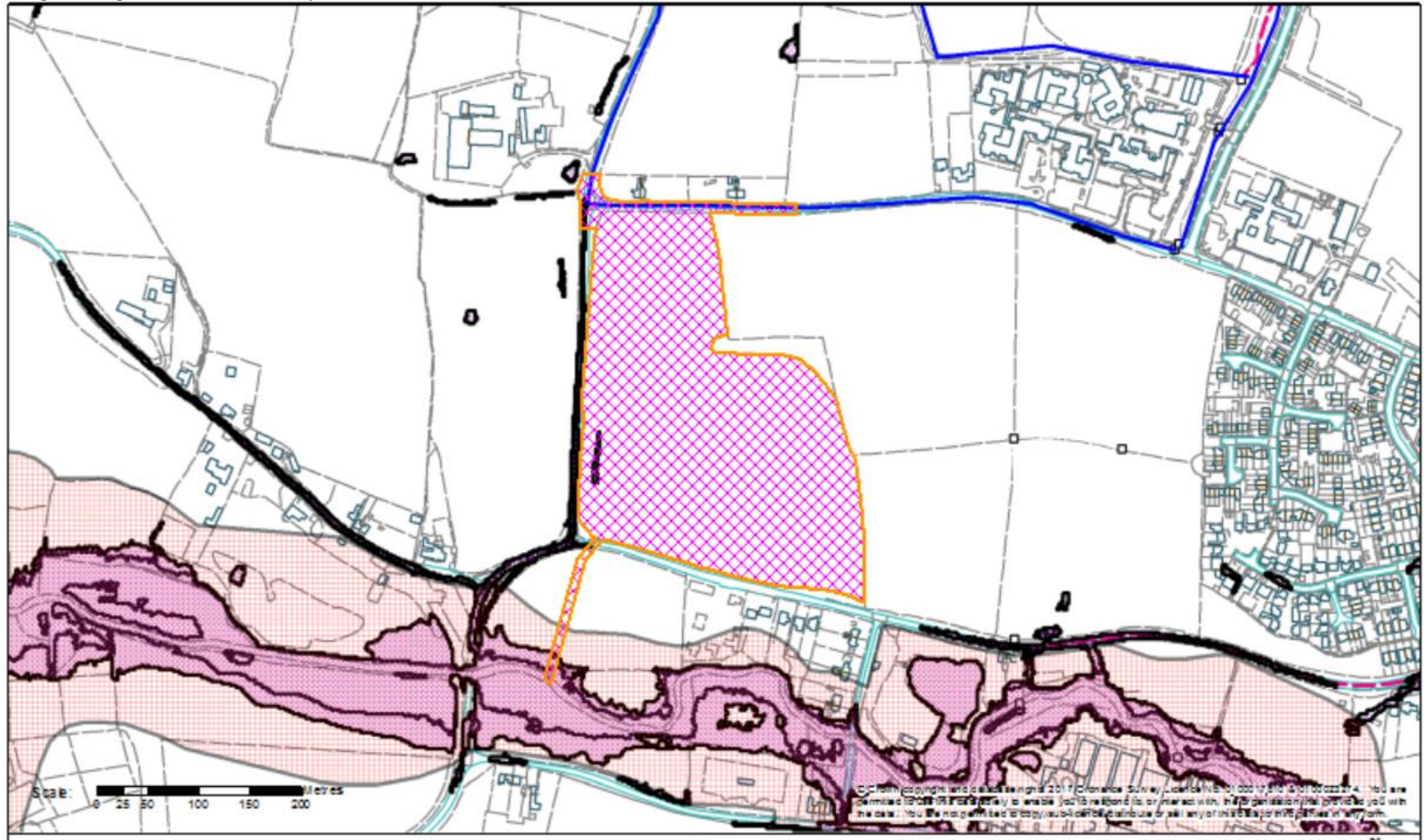
Blue line – Cycle route 51

Slide 6

Pink Checked Area- East Suffolk Drainage

-  EA 1 in 30 Predicted Risk of Surface Water Flooding
-  EA 1 in 100 Predicted Risk of Surface Water Flooding

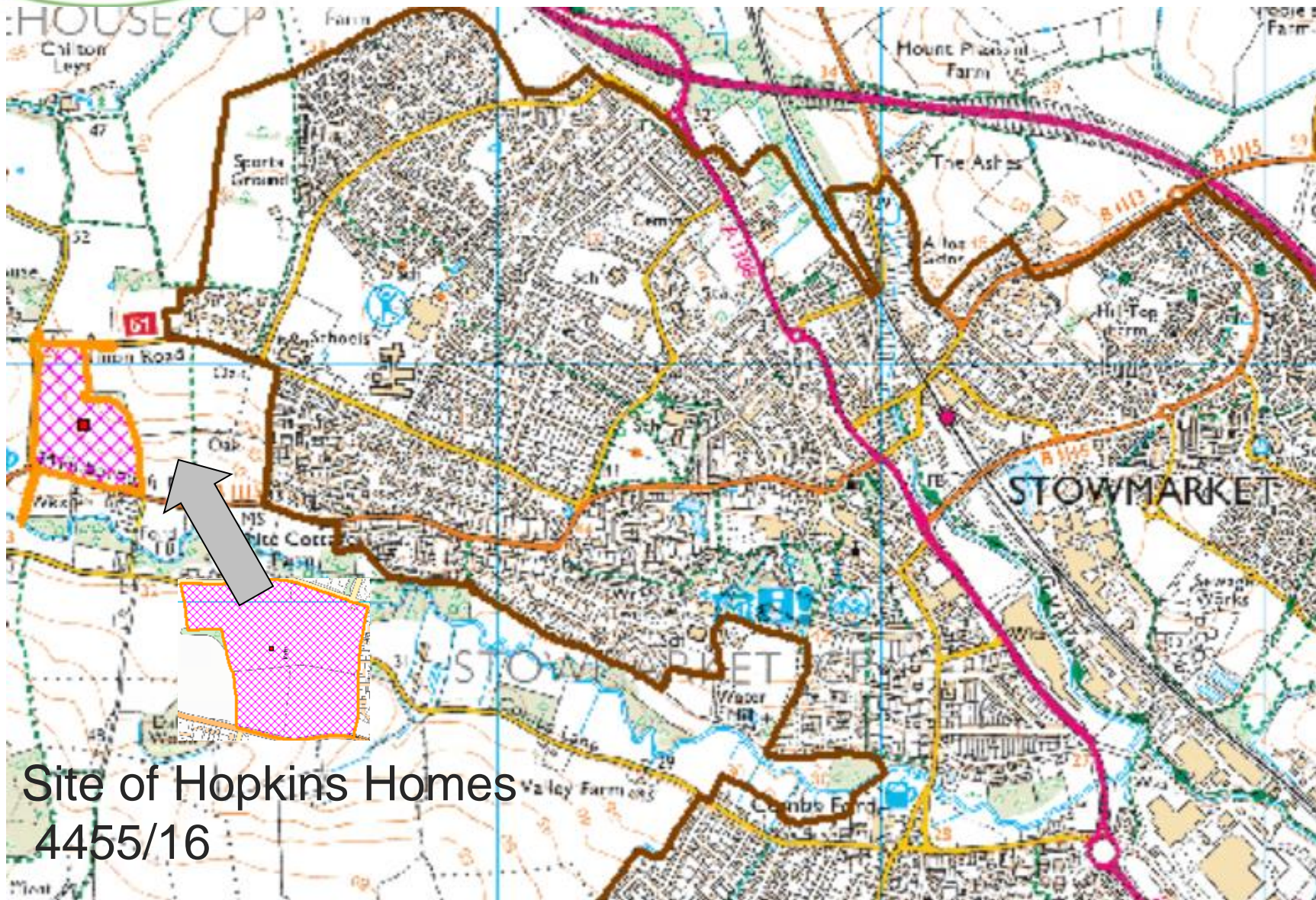
Within Mineral Consultation Area, Airfield Safeguarding Area, and SSSI Impact Risk Zone





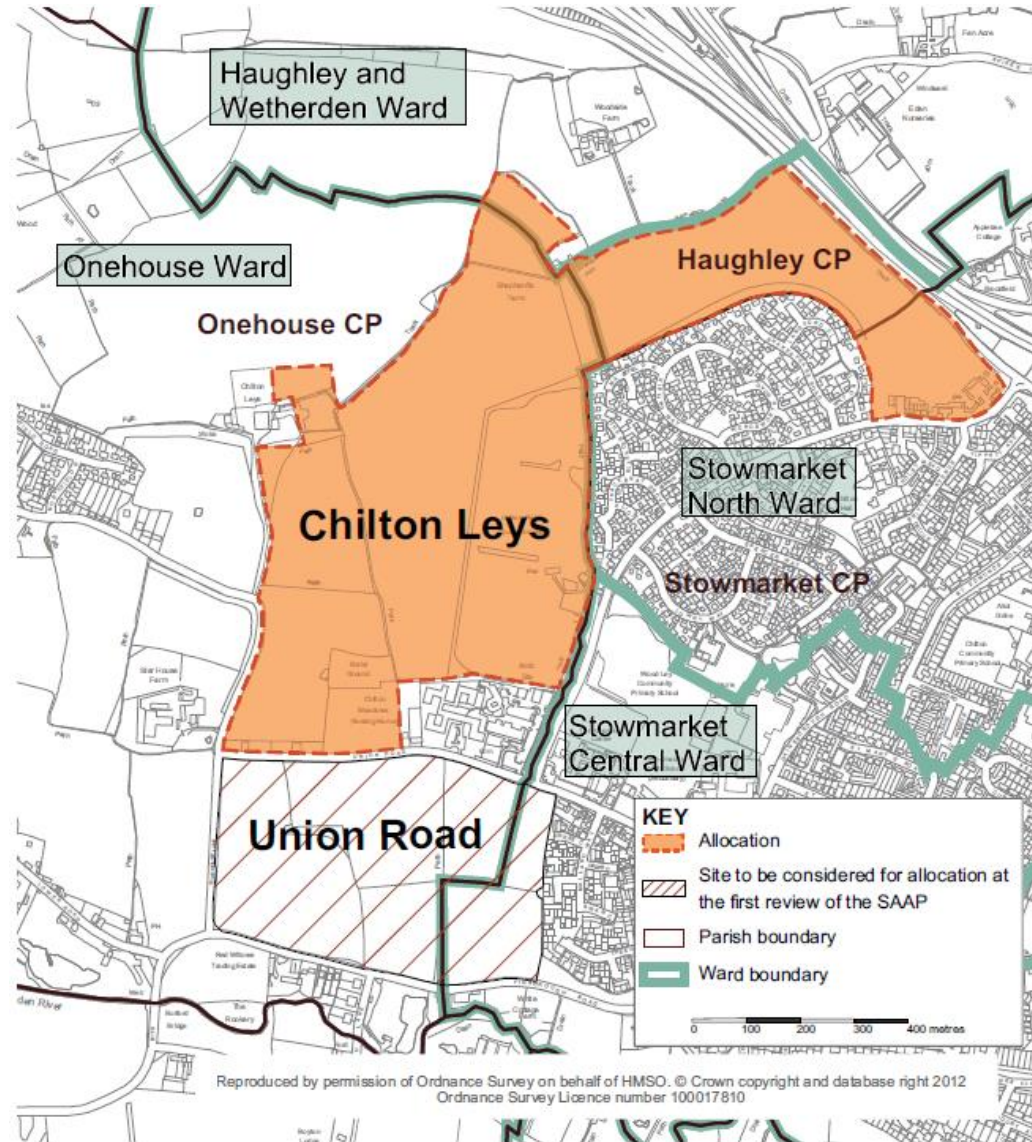
# Stowmarket Boundary

Slide 7



Page 417

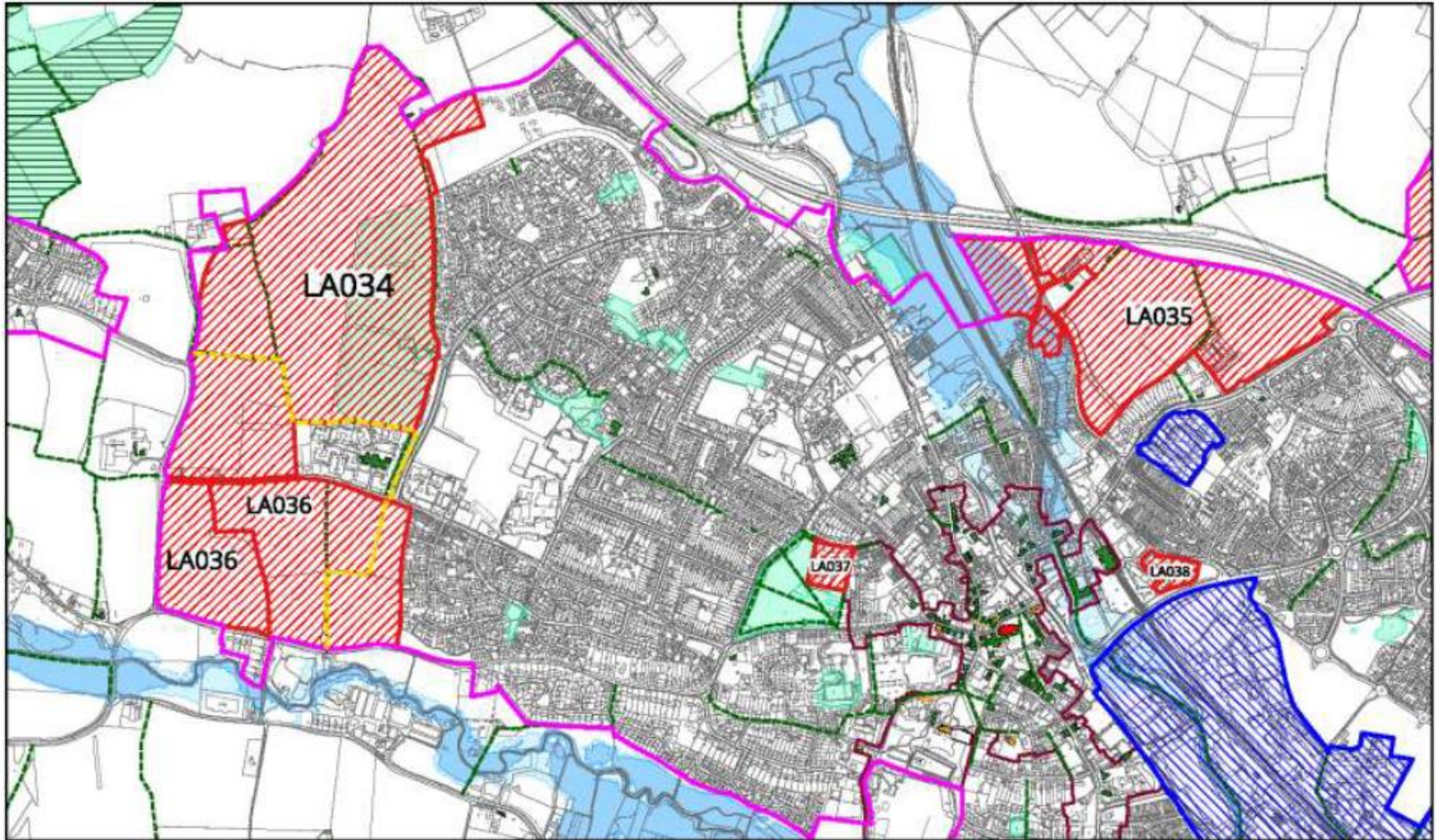
Site of Hopkins Homes  
4455/16



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Map 6.2 Stowmarket North and North-West

Page 419



## Stowmarket - North

Part in Onehouse Parish



**MID SUFFOLK DISTRICT COUNCIL**  
 Endeavour House, 8 Russell Rd, Ipswich, IP1 2BX  
 Telephone : 0300 123 4000  
[www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)



SCALE 1:13000

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# Site Layout Scheme A Development Framework

Slide 10



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KEY



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# Agenda Item 7c

## Committee Report

**Item 7C**

**Reference:** DC/20/04256

**Case Officer:** Alex Scott

**Ward:** Thurston.

**Ward Member/s:** Cllr Harold Richardson. Cllr Wendy Turner.

---

## **RECOMMENDATION – REFUSE PLANNING PERMISSION**

---

### **Description of Development**

Application for Outline Planning Permission (Access to be considered) Town and Country Planning Act 1990 - Erection of 20 No dwellings and construction of vehicular access and pedestrian link (re-submission of DC/19/01236).

### **Location**

Land West of Suffolk House, Ixworth Road, Norton, Suffolk

**Expiry Date:** 06/01/2021

**Application Type:** OUT - Outline Planning Application

**Development Type:** Major Small Scale - Dwellings

**Applicant:** Ash Property Consortium Ltd

**Agent:** Philip Cobbold

**Parish:** Norton

**Site Area:** 1.23

**Density of Development:**

Gross Density (Total Site): 16.26 dph

Net Density (Developed Site, excluding open space and SuDs): 16.26 dph

### **Details of Previous Committee / Resolutions and any member site visit:**

Application ref: DC/19/01236, for a similar development, was previously considered by MSDC Development Committee A on 16<sup>th</sup> October 2019. Members resolved to refuse planning permission for the following reasons:

“The proposed development accessing Hawes lane would, if approved, likely result in a significant conflict between cars and pedestrians by construction traffic and during the lifetime of the development and given the design and character of the lane would be detrimental to highway safety and amenity for existing residents. Furthermore the likely impact including number of cars, wear and tear would be visually detrimental to the character of the lane. On this basis it is contrary to Policies T10, GP1 and H16 of the Local Plan, FC1.1 of the Focus Review and NPPF including section 12, and Paras 108 and 110.”

---

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

**Has the application been subject to Pre-Application Advice: No**

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

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

It is a 'Major' application for a residential development for 15 or more dwellings.

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## **PART TWO – POLICIES AND CONSULTATION SUMMARY**

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### **Summary of Policies (Local Plan and Core Strategy)**

NPPF - National Planning Policy Framework  
FC01 - Presumption in favour of Sustainable Development  
FC01\_1 - Mid Suffolk Approach to Delivering Sustainable Development  
FC02 - Provision and distribution of Housing  
CS01 - Settlement Hierarchy  
CS02 - Development in the Countryside & Countryside Villages  
CS05 - Mid Suffolk's Environment  
CS06 - Services and Infrastructure  
GP01 - Design and layout of development  
CL08 - Protecting wildlife habitats  
HB01 - Protection of historic buildings  
HB14 - Ensuring archaeological remains are not destroyed  
H07 - Restricting housing development unrelated to needs of countryside  
H13 - Design and layout of housing development  
H15 - Development to reflect local characteristics  
H16 - Protecting existing residential amenity  
H17 - Keeping residential development away from pollution  
T09 - Parking Standards  
T10 - Highway Considerations in Development  
RT04 - Amenity open space and play areas within residential development  
RT12 - Footpaths and Bridleways

### **Neighbourhood Plan Status**

This application site is not within a Neighbourhood Plan Area.

### **Emerging Joint Local Plan (JLP)**

It is recognised that the JLP has reached Reg 19 stage, but remains as policy document of growing weight, but limited weight at this time.



## **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)**

##### **Norton Parish Council**

Object:

- This is a small single carriageway Road with no public footway;
- Further development would present a serious risk to pedestrians;
- The proposal would have a detrimental effect on the area by means of additional traffic generation and safety;
- Additional passing places would have no safety benefit;
- The proposal would not enable access for Emergency Service Vehicles;
- Concern with regards safety of Heath Road and A1088 junction and recent development in nearby settlements have created more traffic at this junction;
- The proposed pedestrian link to the A1088 presents a danger to pedestrians;
- Question whether drainage and sewerage systems would be sufficient to cope with the proposed development;
- Consider existing School and Health Centre infrastructure could not deal with the proposed development;
- Concern with regards the impact on the Wildlife Nature Reserved;
- The proposal is for self-build properties, with no CIL benefit to the village; and
- Part of the proposal site is outside the village settlement boundary.

#### **National Consultee (Appendix 4)**

##### **Anglian Water**

The foul drainage from this development is in the catchment of Norton (Suffolk) Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.

##### **Natural England**

Natural England has no comments to make on this application.

## **County Council Responses (Appendix 5)**

### **SCC - Highways (Initial Response)**

No objection - Subject to conditions - We have reviewed the data supplied with this application, the summary of our findings are as follows:

- The proposed visibility splays for the development are sufficient for this application.
- The proposal for 20 dwellings would create approximately 14 vehicle movements within the peak hour (1 vehicle every 4 minutes) therefore, the development will not have an impact on the capacity of the highway network in the area.
- The nearest bus stop is on Station Road with services running approximately every 2 hours - the stops are within 100m from the application site with minimal public transport services but the stops are considered acceptable distance to walk to catch public transport.
- The application shows a footway between the site and Ixworth Road which provides a safe link to the bus stops and footway network in the village. A short section of footway on the west side of Ixworth Road is also required with an uncontrolled pedestrian crossing point.
- The Appeal for Planning Permission DC/19/01236 was dismissed as the proposal failed to ensure the safety of pedestrians using the rural part of Hawes Lane. Passing places at approximately 40m intervals have been proposed along Hawes Lane to enable vehicles to pass safely. The Planning Statement with this application has suggested these spaces can also be used by for vehicles and pedestrians to pass.

Taking all the above into account, it is our opinion that this development can achieve safe and suitable access to the site for all users and would not have a severe impact on the road network (NPPF para 108 and 109) therefore we do not object to the proposal.

### **SCC - Highways (Subsequent Response received)**

Recommend Refusal - Further to SCC Highways response letter dated 21st October 2020, SCC have reconsidered the highways safety aspects of the application in the light of comments made in respect of appeal reference APP/W3520/W/20/3245218, related to the same site location

- The Planning Inspector clearly felt that the highway safety implications of the appeal site were likely to give rise to a severe highway impacts, contrary to paragraph 109 of the NPPF, caused specifically by the increase in vehicular traffic on Hawes Lane conflicting with the pedestrians walking in the road, given this road has no footways

- The proposed new pedestrian link between the site and the centre of the village is acknowledged, however, this was not considered by the planning inspector to sufficiently mitigate the severe impact and the safety of existing residents in using Hawes Lane to access several well used Public Rights of Way in the area

- The proposed new passing places are acknowledged and while these passing places may give opposing motor vehicle more space to pass one another on the narrow sections of Hawes Lane it is not sufficient to address the key issue of pedestrian safety

- Therefore, the severe impact remains

**- For this reason, SCC recommend that planning permission is refused on highway grounds until an adequate highway mitigation scheme is proposed to fully deal with the highway safety issues identified at the previous appeal - Should further improvements be proposed to adequately address the highways safety matters SCC would be happy to re-consider our position on the development scheme.**

### **SCC - Flood & Water Management (Initial Response)**

Holding Objection - The flood risk assessment is out of date and needs updating. In January 2020, new flood maps for the region were released and as such the flood risk in some area has increase. Also the policies that it has referenced are again out of date and need updating . We also note the poor infiltration rates achieved and the LLFA feels that an alternative strategy for the disposal of surface water should be investigated.

### **SCC - Flood & Water Management (Subsequent Response - Following receipt of further information from the applicant)**

Recommend maintaining our holding objection at this time - A holding objection is necessary because our previous consultation reply comments have not been addressed. The flood risk assessment is out of date and needs updating . In January 2020, new flood maps for the region were released and as such the flood risk in some area has increase. Also the policies that it has referenced are again out of date and need updating . We also note the poor infiltration rates achieved and the LLFA feels that an alternative strategy for the disposal of surface water should be investigated.

### **SCC - Archaeological Service**

There are no grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets. However, in accordance with the National Planning Policy Framework (Paragraph 199), any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

### **SCC - Fire & Rescue**

Suffolk Fire and Rescue Service recommends that fire hydrants be installed within this development on a suitable route for laying hose, i.e. avoiding obstructions. However, it is not possible, at this time, to determine the number of fire hydrants required for fire fighting purposes. The requirement will be determined at the water planning stage when site plans have been submitted by the water companies.

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

### **SCC - Development Contributions Manager**

Summary of infrastructure requirements provided: New Primary School Build Cost and Secondary School Transportation Cost to be required by way of S106 agreement - All other infrastructure requirements to be covered by CIL.

### **Internal Consultee Responses (Appendix 6)**

#### **MSDC - Heritage Team**

No further comments to make.

#### **MSDC Ecology Consultants - Place Services (Initial Response)**

Holding objection due to insufficient ecological information.

**MSDC Ecology Consultants - Place Services (Subsequent Response - Following receipt of further information from the applicant)**

No objection subject to securing ecological mitigation and enhancement measures.

**MSDC - Arboricultural Officer**

No comments received.

**MSDC - Environmental Health - Land Contamination**

No objection to the proposed development from the perspective of land contamination - Request that the LPA are contacted in the event of unexpected ground conditions being encountered during construction and that the minimum precautions are undertaken until such time as the LPA responds to the notification - Advise that the developer is made aware that the responsibility for the safe development of the site lies with them.

**MSDC - Communities (Major Development)**

No response received.

**MSDC - Public Realm**

The Public Realm Team do not have any comments to make with regards to access relating to this application.

**MSDC - Strategic Housing (Affordable/Major Dwel/G+T)**

This is an open market development and based on 20 units should offer 7 affordable housing units = 35% policy compliant position.

Affordable Rent: Total: 5

2 x 2b x 4p houses (sqm and plot numbers tbc)

2 x 3b x 6p houses (sqm and plot numbers tbc)

1 x 2b x 3p bungalows (sqm and plot numbers tbc)

Shared Ownership: Total: 2

2 x 2b x 4p houses (sqm and plot numbers tbc)

**B: Representations**

At the time of writing this report at least 13 letters/emails/online comments have been received. It is the officer opinion that this represents 13 objections. A verbal update shall be provided as necessary.

Views are summarised below:-

- The proposal site is outside the settlement boundary;
- The proposed development is unnecessary as there are tens of planning approvals in Norton which are not yet started - there is no demand for this scale of housing;
- The Bus Service serving the Village is not regular;

- Mock the proposed means of access and proposed passing places;
- Hawes Lane is described as being treacherous;
- Concerns with regards highway and pedestrian safety due to increased number of vehicle movements;
- Concerns with regards increased vehicle numbers on Hawes Lane;
- Concerns with regards impact on Hawes Lane which is not designed for suburban traffic;
- Hawes Lane is narrow and proposal would pose a danger to highway users, despite added passing places;
- The existing verges are insufficient width to accommodate the proposed passing places;
- Emergency service vehicles and dustcarts would have difficulty accessing the site due to the highway width;
- Concern with regards pedestrian safety on Hawes Lane - Pedestrians have to climb a high bant to get out of the way of vehicles;
- Consider the applicant's suggestion that pedestrians can take refuge in the proposed passing bays is preposterous;
- Do not consider proposed passing bays on Hawes Lane would address the highway safety issues raised by the Planning Appeal Inspector;
- The current proposal has not addressed the concerns raised by the planning inspector with regards the impact on the character and amenity of Hawes Lane;
- Concern with regards the safety of Horse riders, cyclists and do walkers who use Hawes Lane;
- The proposed passing places would remove the grass verges which are the only refuge for pedestrians on Hawes Lane presently;
- Concern with regards the impact on construction vehicles on the highway safety and grass banks and verges of Hawes Lane;
- Consider the proposed pedestrian crossing over Ixworth Road would be dangerous to pedestrians and those crossing to use services such as the Bus Stop, Play Area, Garage and Pub;
- Concern with regards increased vehicle damage to the grass verges of Hawes Lane as a result of the proposal;
- Concern with regards the impact on the character of Hawes Lane;
- Concern with regard the impact on pedestrian safety on Heath Road as there are no pavements;
- Concern with regards the impact of additional vehicles on the safety of the junction of Heath Road and Ixworth Road;
- The proposed footpath along Hawes Lane does not change highway safety concerns on Hawes Lane, Heath Road, Ixworth Road and Norton Road;
- Owls have been sighted on the land and the proposal would impact their nesting sites;
- The loss of green land will drive away wildlife;
- Concern with regards impact on nearby nature reserve;
- The proposal would result in increased light pollution;
- The existing village infrastructure is unable to cope with the additional houses proposed;
- The existing school is oversubscribed and cannot cope with the proposed development;
- The development is too large and out of character for this part of Norton;
- Do not consider the proposal would add value for local residents;
- The proposal would impact air quality by additional CO2 emissions, brake, tyre and road surface dust;
- A climate and biodiversity emergency has been declared so such sites greenfield sites should not be developed;
- The proposal would impair enjoyment of neighbouring properties;
- Consider some of the statutory consultee's responses are incorrect;
- Communities needs to take stock and reflect on how we want our Villages and Towns to develop, to make our communities more resilient rather than less resilient before granting any more developments such as this;
- Norton has already had its fair share of new housing developments in the past 10 years;

- This development has been fought since 13th March 2019;
- A significant number of residents live in fear of the development;
- The proposal is all about making large sums of money and greed.
- The applicant's company is in liquidation - question whether this is allowed.

(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**

<b>REF:</b> DC/19/01236	Outline Planning Application (Access to be considered) - Erection of 20 dwellings and construction of vehicular access, pedestrian link and vehicle passing bay.	<b>DECISION:</b> REF 17.10.2019
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## **PART THREE – ASSESSMENT OF APPLICATION**

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### **1. The Site and Surroundings**

- 1.1. The application site is located on the eastern side of Hawes Lane, on the north-western periphery of the village of Norton, a designated 'Primary Village' in the Core Strategy 2008. The site comprises an undeveloped green field and abuts the village settlement boundary.
- 1.2. Land to the east and south of the site comprises existing residential properties that form the existing built form and settlement pattern of the village. Land to the north and west of the site is in arable use.
- 1.3. The site is not in or near an area designated for special landscape significance, e.g. Special Area of Conservation, Special Landscape Area, or AONB.
- 1.4. There are no protected trees on or adjacent the subject land. The land is Grade 3 agricultural land. The site is in Flood Zone 1. The nearest bus stop is located east of the site, on Ixworth Road north of the Dog at Norton (service 385).

### **2. The Proposal**

- 2.1. The application seeks Outline Planning Permission, with all matters reserved save for access, for the erection of 20 dwellings, new vehicular access to Hawes Lane, a footpath connection to Ixworth Road, vehicle passing bays on Hawes Lane, and a 1 metre wide footpath adjacent to the eastern side of the rural part of Hawes Lane.
- 2.2. Although matters of appearance, landscaping, layout and scale are not formally submitted for determination, an indicative layout has been submitted to demonstrate how development could be taken forward. The indicative layout suggests a conventional residential layout, with plot sizes generally consistent with those nearby in the village. Seven affordable dwellings would be required to be delivered as part of the development and smaller semi-detached properties are

indicated fronting Hawes Lane with this in mind. The indicative layout indicates a mix housing types and styles, with: 2 no. detached bungalows; 6 no. semi-detached houses; and 12 no. detached houses, in five design variations, proposed. The proposed dwellings, other than the affordable units, are indicated to be served by detached or integral garages.

### **3. The Principle of Development**

- 3.1. The starting point for determination of any planning application is the development plan, as identified in Section 38(6) of the Planning and Compulsory Purchase Act 2004. Determination of an application must be made in accordance with the plan unless material considerations indicate otherwise. The key material consideration regarding the principle of development is the National Planning Policy Framework (NPPF).
- 3.2. The proposal site is outside of the settlement boundary for Norton and is considered to be formally defined as greenfield land. Relevant local plan policies are policy H7 which seeks to restrict housing development unrelated to the needs of the countryside, and core strategy policy CS1 which identifies a settlement hierarchy and CS2 which also seeks to resist development in the countryside other than those listed in the policy. The NPPF has changed direction since these policies were adopted as detailed further below, so as to affect the weight of these policies in determining this application.
- 3.3. The Core Strategy Focused Review (2012) identified this change in line with the National Planning Policy Framework. Reflecting this policies FC1 - Presumption in favour of sustainable development and FC1.1 - Mid Suffolk approach to delivering sustainable development identify a more positive approach to proposed development.
- 3.4. It should be noted that Core Strategy policy FC2 - Provision and distribution of housing seeks to identify the number of dwellings in Primary Villages (Such as Norton) that should come forward on greenfield sites, and provides that 100 no. should come forward between 2017 to 2022 and a further 100 between 2022 to 2027.
- 3.5. The NPPF identifies in paragraph 213 that the weight attributed to policies should be according to their degree of consistency with the NPPF. The closer the aims of the policy are to the NPPF the greater the weight that can be attributed to them.
- 3.6. The NPPF also identifies that planning decisions should apply the presumption in favour of sustainable development (paragraph 11): "For decision-taking this means: c) approving development proposals that accord with an up-to-date development plan without delay; or d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."
- 3.7. Footnote 7 of the NPPF identifies out-of-date includes the situation where the local planning authority cannot demonstrate a five year supply of deliverable housing sites or where the Housing Delivery Test indicates that the delivery of housing was less than 75% of the housing requirement over the previous three years. In this instance it is considered that the Council is able to demonstrate housing land supply in excess of five years, as set out in the Council's Housing Land Supply Position Statement, and Joint Annual Monitoring Report, both published in October 2020.

- 3.8. Notwithstanding the Council's current housing land supply position, the development plan policies most important for determining the application (policies: H7, CS1, CS2 and FC2) are considered to be out-of-date as a result of not being consistent with the aims of the NPPF and, therefore, are accorded significantly less weight than they would have been prior to the publication of the NPPF. This position was identified in the appeal decision for appeal APP/W3520/W/18/3194926 at land at east side of Green Road, Woolpit (September 2018) which is a material consideration. Policy FC1 of the Core Strategy Focused Review repeated the requirements of the former paragraph 14 of the NPPF (2012), which is replaced now with paragraph 11 (NPPF 2019) which is the more relevant consideration, and so this policy is given less weight. Policy FC1.1 seeking to conserve and enhance the local character of different parts of the District, is up-to-date and relevant to this application. These two policies seek to promote the principles of sustainable development.
- 3.9. The presumption in favour of sustainable development should apply in this instance given the above considerations, except for the provisions of paragraph 177 of the NPPF.
- 3.10. It cannot be ignored that the policies most important for determining the application do not accord with the NPPF. Therefore less weight will still be given to these policies as identified above. Whilst tension with the development plan exists and is noted, that tension is considered to be less significant as a consequence, in light of the lesser weight afforded to the most important development plan policies relevant to this application where they are not consistent with the NPPF.
- 3.11. Therefore an assessment against the development plan is made, considering the material consideration of the NPPF and the purpose of the planning system to contribute to the achievement of sustainable development.
- 3.12. The development plan and NPPF share the same approach of contributing to the achievement of sustainable development.
- 3.13. There are three overarching objectives to achieve sustainable development, which are interdependent and need to be pursued as a whole so that opportunities can be taken to secure net gains across different objectives. These objectives are social, environmental and economic. The merits of the scheme against these objectives and the up-to-date requirements of the development plan are considered below, and a conclusion will be drawn as to whether the development is considered to contribute to the achievement of sustainable development.

#### **4. Nearby Services and Connections Assessment of Proposal**

- 4.1. The site is located in the countryside in policy terms, however, it does abut the village settlement boundary. The site is considered to have a strong functional relationship to the village and is not considered isolated in a functional sense. Norton is served by several local services and facilities, which the development would help support and would be supported by.
- 4.2. The village amenities are within walking distance of the site, noting in particular the proximity of the Norton Pre-School and Norton Primary School. The proposal includes a pedestrian link connecting with Ixworth Road, which incorporates a footpath on its eastern side which connects into the broader village footpath network and to local amenities and services. Located on Ixworth Road is a bus stop associated with service 385, providing public transport to settlements along the routes to Stowmarket and Bury St Edmunds. As such, there is the opportunity for residents to choose more sustainable modes of transport other than the private vehicle.



- 4.3. The site is considered to be in a sustainable location for housing given the accessible facilities within walking distance that the village provides, and the bus service on offer locally.

## **5. Site Access, Parking and Highway Safety Considerations**

- 5.1. As part of their assessment of prior planning application ref: DC/19/01236 on the site (referred to in the opening paragraphs of the report, above), the Planning Inspector, when assessing the subsequent appeal, considered the following:
- 5.2. Saved Policy T10 of the local plan lists, as one of the highway matters in considering development proposals, the suitability of the existing roads in terms of, amongst other things, pedestrian safety. The Inspector considered that the proposed development was in conflict with this policy as it would increase the potential for conflict between pedestrians and vehicles using the rural part of the lane, to the detriment of pedestrian safety.
- 5.3. The Inspector was satisfied that a properly framed and enforceable Construction Management Plan could adequately mitigate any adverse effects on the local road network brought about by construction traffic. The Inspector considered that a suitably worded condition would adequately mitigate the effects the construction of the development would have on the local area.
- 5.4. The Inspector was satisfied that vehicular safety at the entrance to the site, on to Hawes Lane, could be assured, and was confident that with regards to safety of the occupants of vehicles generated by the site, the local road network has the capacity to accommodate them safely, and that the new pedestrian link between the site and the village will give people a safe access to the services in the village and public transport.
- 5.5. The Inspector noted that Hawes Lane is used by pedestrians to access the countryside surrounding the village and observed (on their site visit) a well-used public footpath leading from Hawes Lane into the countryside, with access to a local nature reserve. The Inspector observed that the nature of the rural part of Hawes Lane, from the end of the current built up part of the village to its junction with the Thurston Road, being narrow and lower than the surrounding land, with grass banks, means that pedestrians using Hawes Lane to access the countryside and the nature reserve would have difficulty in moving out of the way of cars. The Inspector considered that the addition of a further 20 houses with associated vehicular movements throughout the day would only make this situation more hazardous for pedestrians and other non-vehicular users of the lane.
- 5.6. The Inspector noted that Heath Road has no footways but noted that it does have housing on either side, which would indicate to motorists that they are likely to encounter pedestrians using the road. The Inspector noted that Heath Road also has a grass verge which is at the same level as the metalled part of the road, which pedestrians could use to avoid vehicles. The Inspector noted that the appeal proposal also made provision for a pedestrian link from the appeal site into the village, which they considered could act as an alternative route to the services of the village for the residents of Heath Road. The Inspector, therefore, did not consider that pedestrian safety in Heath Road would be harmed by the appeal proposal (which is similar to the current proposal).
- 5.7. Whilst the Inspector acknowledged the views of parties that the junction between Heath Road and Hawes Lane has substandard visibility, they considered that it is common in villages to have junctions that do not meet modern highways standards. The inspector also noted that the Local Highway Authority raised no issue with regard to this junction safely accommodating the

additional traffic generated by the proposed development. The Inspector therefore saw no issue in this junction's ability to safely accommodate the additional traffic generated.

- 5.8. The inspector considered that the metalled carriageway of Hawes Lane is narrow and, whilst they considered that there are opportunities for vehicles to pass using the verge in the part of the lane within the village, this would be more difficult in the rural part of the lane, where the road surface is lower than the surrounding land and there are grass banks. The Inspector considered that in this part of the lane there might well be a need for cars to reverse to allow oncoming traffic to pass.
- 5.9. With regard to traffic leaving the site and turning left, into the village, rather than right, into the rural lane, the Inspector noted that the Local Highway Authority's view that the right turn might be considered by drivers to avoid the substandard junction with Heath Road. The Inspector considered that this strengthened their view that a significant amount of traffic leaving the site would turn right and use the rural part of Hawes Lane and have a consequent impact on pedestrian safety.
- 5.10. The Inspector considered that the widening of the lane across the frontage of the proposed development, the provision of a passing bay on the lane within the village and the provision of a pedestrian link between the appeal proposal and the centre village would all assist in making the proposal safer in highway terms. However, the Inspector considered that none of these measures, either in combination or by themselves, would address pedestrian safety in the rural part of Hawes Lane. The Inspector stated that the rural part of Hawes Lane is used by people in the village to access the surrounding open countryside, and that this would still be the case should the proposal be constructed. Therefore, the danger from traffic which is currently experienced by pedestrians in the rural part of the lane would increase should the proposed development go ahead. The Inspector accepted that pedestrians do not have priority over the use of Hawes Lane, however it was acknowledged that they need a safe and convenient way of avoiding oncoming cars if the proposed development is to be considered acceptable.
- 5.11. The Inspector found that the appeal proposal was in conflict with local plan policy T10, as it failed to ensure the safety of pedestrians using the rural part of Hawes Lane.
- 5.12. The Inspector concluded that the increased conflict between vehicles and pedestrians in the rural part of Hawes Lane, where the roadway is lower than the surrounding land, is unacceptable in highway safety terms. The lane is used by people from the village to access the surrounding countryside. The Inspector considered that the appeal proposal would lead to an increase in traffic using the rural part of the lane, which also leads to a local nature reserve and is of restricted width, has grass banks and is lower than the grass verge alongside it. This means that pedestrians using this part of the lane would have difficulty in avoiding oncoming traffic to the detriment of their safety.
- 5.13. The Local Highway Authority (at Suffolk County Council), in their second response, have considered the assessment and conclusions of the Planning Inspector with regards highway safety. The LHA acknowledge that the current proposal proposes additional infrastructure within the rural parts of Hawes Lane and, whilst it is acknowledged that this infrastructure may give opposing motor vehicles more space to pass one another on the narrow sections of Hawes Lane it is not sufficient to address the key issue of pedestrian safety. The LHA, therefore, consider that a severe impact in highway safety terms remains. For this reason, Suffolk County Council, as Local Highway Authority recommend that the current proposal is refused on highway grounds. Your officers acknowledge and agree with this assessment.

## **6. Design, Layout and Landscape Impact**

- 6.1. Design, Layout and Landscaping are currently indicative only, and there would be the opportunity, at a reserved matters stage, to assess how the final details impact the existing character and quality of the locality. Significant scrutiny of the proposed layout, against current the design policies of the NPPF and development plan is a matter for the detailed design stage.
- 6.3. The indicative layout provided is considered to satisfactorily demonstrate, that the site can comfortably accommodate the number of dwellings proposed, at a density comparable to existing similar developments adjacent to the south and east of the site.
- 6.3. Policy CS5 of the Core Strategy seeks to protect and conserve landscape qualities taking into account the natural environment and the historical dimension of the landscape as a whole rather than concentrating solely on selected areas, protecting the District's most important components and encouraging development that is consistent with conserving its overall character.
- 6.4. Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils.
- 6.5. The site does not lie within, nor near any landscape designation. The site is open owing to its undeveloped agricultural nature. It is however well screened on its northern boundary by tall vegetation. The body of the village abuts the site's eastern and southern boundaries. The site is therefore well contained in a visual sense.
- 6.6. Developments of the scale proposed, on sites that are undeveloped, inevitably lead to an obvious landscape change. There will be an urbanising effect and loss of rural character, this is inevitable when developing open countryside. However, the landscape effect is limited by its close visual relationship to the body of the village and the natural boundary offered by the northern screen planting. Officers consider that the proposed dwellings will be appreciated against a backdrop of existing dwellings and that the site does not occupy a prominent position in the landscape. Landscape impacts will therefore be localised.
- 6.7. The appearance of the development will depend to a large extent on matters yet to be determined through approval of the reserved matters. However, the proposed indicative layout shows a general approach to the development that is acceptable. The density is consistent with the neighbouring development pattern. Landscaping, including retention of most existing trees, shrubs and hedges on the site, will be important. Also important will be ensuring that the northern landscape screen is considerably strengthened as this will form the new settlement edge. With open countryside beyond this boundary, an effective vegetation screen is warranted.
- 6.8. Concern have been raised with regards the development layout during the consultation period, contending that it would significantly deviate from the settlement typology which is largely linear. Concerns are also raised with regards the backland nature of the development in the context of the prevailing linear village pattern. However your officers consider that the site fronts Hawes Lane and will not appear as backland development, presenting to this existing streetscene. In any event, whilst the prevailing village development pattern is linear, there is evidence of other backland developments, most notably immediately south of the site. Your officers consider that the development would strengthen the linear form of development along Hawes Lane, consistent with the properties south of the site. The majority of the housing internal to the site will not be visible from outside of the site, owing to the backdrop of the village. The effects on the urban

grain of the village resulting from the proposal's deviation from the settlement typology will, as a result, be limited. Your officers do not consider that significant harm to village character would result, should (as expected) a good standard of design and layout be secured at reserved matters stage.

- 6.9. The Appeal inspector concluded that the development would adversely affect the character and appearance of the locality as the increased traffic using the single-track parts of Hawes Lane would damage the grassed areas and banks, which has been alleged are outside the ownership of the LHA or appellant, alongside the lane to the detriment of its character and appearance. The Inspector considered that this would go beyond normal wear and tear, as it would affect the land either side of the metalled part of the highway, which would be visually detrimental to the character and appearance of the lane.
- 6.10. It is noted that the Planning Appeal Inspector considered that the proposal would harm the character and appearance of the surrounding area and therefore was in conflict with local plan policy GP1. This was due to the likelihood of vehicles damaging land adjacent to the highway due to the constrained width of the lane over a prolonged distance and the sunken nature of the lane itself. The rural nature of the lane, lower than the surrounding agricultural land, helps to define the areas character and appearance. Despite the proposed provision of additional infrastructure within the rural part of Hawes Lane, your officers consider this point to still be relevant when considering the current application. Indeed, it is considered that the additional amount of infrastructure proposed in Hawes Lane, in the interest of Highway Safety would, in itself, be harmful to the rural character of the lane and that of the surrounding area.

## **7. Heritage Issues [Including the impact on the character and appearance of Conservation Areas and on the setting and significance of Listed Buildings]**

- 7.1. Policy HB1 of the Local Plan seeks to protect the character and appearance of buildings of architectural or historic interest, particularly protecting the settings of Listed Buildings. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Listed Building or its setting.
- 7.2. As noted by your Heritage officers, the nearest designated heritage assets are located east of Ixworth Road - 2 no. Grade II listed buildings, the Dog Inn and Maltings Cottage. Your Heritage officers do not consider the proposal would result in harm to the designated heritage assets. There is one non-designated heritage asset nearby, Suffolk House, and your officers conclude that the proposal would result in negligible harm to this asset, noting its significance has been already diminished by the more modern development that has occurred around it.
- 7.2. Should members consider that the proposal would result in harm to the significance of the heritage assets, paragraph 196 of the NPPF states that where harm is less than substantial (as would be the case with this proposal) the harm must be weighed against the public benefits of the proposal. The principal public benefits relate to economic and social dimensions of sustainable development. These must all be weighed, together with the identified (negligible) heritage harm, in the planning balance. Your officers consider that the social benefits of the provision of additional housing, and affordable housing, in a sustainable centre of village location outweigh the negligible harm to the significance of heritage assets identified in this instance.
- 7.3. The SCC-Archaeological Unit has assessed the application proposal and advises that there is high potential for the discovery of below-ground heritage assets at the site. SCC-Archaeology

recommends that there are no grounds to consider refusal of permission, should a programme of archaeological works be secured by way of conditions. Your officers concur with the recommended approach.

## **8. Impact on Residential Amenity**

- 8.1. 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.
- 8.2. Representation have been received raising concern with regards potential overlooking and loss of light to neighbouring properties. These are elements that will be afforded close scrutiny at the relevant reserved matters stage of the development process. There is nothing in the application to suggest that such elements cannot be suitably resolved. It is also considered that suitable construction management could be secured by way of condition, should members be minded to approve.
- 8.4. Your officers do not consider that increased vehicle movements on the existing highways leading to and from the site would result in significant harm to the amenities currently enjoyed by existing village residents, to the extent that refusal of the application should be considered on such grounds.
- 8.3. Your officers do not, therefore, consider that the application proposal conflicts with saved Plan Policies H13 or H16, or with the provisions of the NPPF, in this regard.

## **9. Flood Risk and Drainage**

- 9.1. The proposal site is located on land located completely within Environment Agency Flood Zone 1 and, as with the remainder of the village, does not lie within close proximity of EA Flood Zones 2 or 3. The site occupies an elevated position up and away from the Black Bourne River valley, to the east, and is well drained. The site is not, therefore considered to be at significant Flood Risk.
- 9.2. The application is supported by a Flood Risk Assessment (FRA) and drainage report which does not indicate future occupants of neighbouring land would be put at significant risk of flooding as a result of the proposed development. Your officers consider that a detailed sustainable surface water drainage scheme can be secured and managed by way of condition, as per standard industry approach.
- 9.3. With regards disposal of Foul Water: it should be noted that Anglian Water do not object to the proposal. Anglian Water state that the foul drainage from the development is in the catchment of Norton (Suffolk) Water Recycling Centre which does not have capacity to treat the flows. Anglian Water advise that necessary upgrades would be undertaken, to ensure sufficient capacity, should the development be approved, and that the capacity issues identified do not represent a reason for refusal.

## **10. Biodiversity / Ecology**

- 10.1. Policy CS5 of the Core Strategy requires development to protect, manage and enhance Mid Suffolk's biodiversity. The Conservation of Habitats and Species Regulations 2017 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 these regulations it must 'engage' with the provisions of the Habitats Directive.
- 10.2. The application is supported by an ecology report that has been reviewed by the Council's Ecology Consultants and, following the receipt of amendments to the initial report received, your specialist consultants raise no objection to the proposed development, subject to securing ecological mitigation and enhancement measures by way of condition.
- 10.3. Should the suitable mitigation and enhancement measures be secured and undertaken, the proposal would not result in significant harm to protected and priority species and would not result in a direct and significantly harmful impact on the nearby nature reserve, as indicated in representations received, and no objection is raised in this regard. Officers agree with the assessment and advice given by your Ecology Consultants, and the recommended conditional approach, should you be minded to approve.

### **11. Land Contamination**

- 11.1. The application is supported by a Phase 1 Contaminated Land Survey. Council's Environmental Protection Team has reviewed the information and raise no objection.

### **12. Planning Obligations / CIL (delete if not applicable)**

- 12.1. The application is liable to CIL which would be managed through the standard independent CIL process triggered at the reserved matters stage.
- 12.2. As noted above, the application, if approved, would require the completion of a S106 agreement to secure: on-site delivery of 35% affordable housing; and financial contributions towards the building of a new Primary School, as well as towards Secondary School transportation costs, as required by SCC.

### **13. Parish Council Comments**

- 13.1. The matters raised by Norton Parish Council have been addressed in the above report.

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## **PART FOUR – CONCLUSION**

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### **14. Planning Balance and Conclusion**

- 14.1. Council benefits from a five year housing supply. The tilted balance at paragraph 11(d) of the NPPF is not engaged.
- 14.2. The site is outside the settlement boundary and therefore the proposal conflicts with CS1, CS2 and H7. Having regard to the advanced age of the Mid Suffolk settlement boundaries and the absence of a balanced approach as favoured by the NPPF, the statutory weight to be attached to the above policies is reduced and therefore the conflict is afforded limited weight in the planning balance.
- 14.3. The provision of 7 affordable housing units is a social benefit, as is the 20 dwelling contribution to the local housing stock, albeit these considerations are attached less than moderate weight given Council's positive housing supply position. The addition of 20 new dwellings would offer meaningful support for the local services in the village, both during construction and following occupation of the development. The footpath connection to Ixworth Road offers a positive social and environmental value for the local community.
- 14.4. The site is in a sustainable location, offering pedestrian connectivity to local services complemented by a local bus network connecting to settlements nearby. Car dependency will not be essential, limiting environmental harm. The proposal would not be physically, visually or functionally isolated. Paragraph 79 of the NPPF does not engage. The site's sustainable location is afforded positive weight.
- 14.5. The development has the ability to offer biodiversity gains and will result in no significant impact on the nearby nature reserve.
- 14.6. Any developer contributions generated through CIL will be used to ensure existing infrastructure capacity is enhanced to meet additional demand, a neutral to slightly beneficial outcome in the planning balance.
- 14.7. The use of monies secured by way of S106 to contribute to the building of a new local school, is considered to have social, economic and environmental benefits, and to weigh positively in the planning balance, although it is acknowledged that this development alone would not ensure delivery of the School.
- 14.8. Harm to heritage assets will be negligible. There will be no effect on the village's historic core. The level of harm is deemed less than moderate.
- 14.9. The loss of productive agricultural land is unfortunate but is of such relatively small scale (in the context of the quantum of best and most versatile land in the district) that it is attached only very modest weight.
- 14.10. Matters such as archaeology and water drainage and can be resolved or mitigated to an acceptable level by planning conditions.
- 14.11. Whilst the proposed development of the site itself would result in a moderate level of landscape harm, this would be relatively localised and offset by the backdrop of the village immediately adjacent to it. The development would, however, adversely affect the character and appearance of the locality as the increased traffic using the single-track parts of Hawes Lane would likely damage the grassed areas and banks alongside the lane to the detriment of its character and appearance. This harmful impact in landscape and rural character terms is, considered to weigh significantly negatively in the planning balance, in relation to the social and environmental pillars of sustainable development.

- 14.12. Whilst there is no evidence to substantiate the claims made that the local highway network does not have the capacity to safely absorb the traffic generated by the development, and the proposed access arrangements, and the impact on existing highway junctions, are deemed acceptable, the proposal would result in a severe impact on the safety of pedestrians using the rural parts of Hawes Lane. This is despite the proposed additional infrastructure proposed by the applicant. This harm is considered to weigh significantly negatively in the planning balance, in relation to the social and environmental pillars of sustainable development.
- 14.13. In conclusion, whilst the proposal would result in acknowledged positive benefits in terms of its contribution to housing supply, affordable housing contribution, public footpath link to Ixworth Road, and support for local services and facilities, these benefits are not considered to outweigh the harm identified in relation to highway and pedestrian safety and the impact on the rural character of Hawes Lane and its surrounding landscape. For the reasons set out above, the evidence is such that your officers recommend that planning permission is refused.

## **RECOMMENDATION**

That the application is REFUSED planning permission/listed building consent/other for the following reasons:-

- 1) Policy T10 of the development plan lists, as one of the highway matters in considering development proposals, the suitability of the existing roads in terms of, amongst other things, pedestrian safety. NPPF paragraph 109 also provides 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.

The proposal fails to ensure the safety of pedestrians using the rural part of Hawes Lane, Norton and would increase the potential for conflict between pedestrians and vehicles in this location, to the detriment of highway and pedestrian safety. Such conflict is considered to result in an unacceptable and severe impact on highway safety. The proposal is, therefore, considered contrary to development plan policy T10 and the provisions of the NPPF in this regard.

- 2) Policy GP1 of the development plan provides (inter alia) that proposals should maintain or enhance the character and appearance of their surroundings and that layouts should incorporate and protect important natural landscape features. Furthermore, NPPF paragraph 127 c) provides that planning decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting.

The rural nature of the rural part of Hawes Lane, Norton, is set lower than the surrounding agricultural land, is considered an important landscape feature, and helps to define the area's character and appearance. The proposal would result in harm to the character and appearance of the area and to the rural part of the lane due to the likelihood of vehicles damaging land adjacent to the highway due to the constrained width of the lane over a prolonged distance and the sunken nature of the lane itself. The proposed introduction of additional highway infrastructure to this part of the lane is also considered to result in harm to the character and appearance of this important landscape feature. The proposal is, therefore, considered contrary to development plan policy GP1, and NPPF paragraph 127 c) in this regard.





Application No: DC/20/04256

Location: Land west of Suffolk House, Ixworth Road, Norton

Appendix 1: Call In Request	<b>No</b>	
Appendix 2: Details of Previous Decision	<b>DC/19/01236</b>	
Appendix 3: Town/Parish Council/s	<b>Norton Parish Council</b>	
Appendix 4: National Consultee Responses	<b>Anglian Water</b> <b>Natural England</b>	
Appendix 5: County Council Responses	<b>SCC - Highways</b> <b>SCC - Floods and Drainage</b> <b>SCC – Archaeology</b> <b>SCC - Fire and Rescue</b> <b>SCC - Development Contributions Manager</b>	
Appendix 6: Internal Consultee Responses	<b>MSDC - Heritage</b> <b>MSDC - Ecology Consultants</b> <b>MSDC - Environmental Protection - Land Contamination</b>	



Babergh and Mid Suffolk District Councils



	<b>MSDC - Public Realm</b>	
	<b>MSDC - Strategic Housing</b>	
Appendix 7: Any other consultee responses	13 letters/emails/online comments received. 13 objections, 0 support and 0 general comment.	
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.



# Consultee Comments for Planning Application DC/20/04256

## Application Summary

Application Number: DC/20/04256

Address: Land West Of Suffolk House Ixworth Road Norton Suffolk

Proposal: Application for Outline Planning Permission (Access to be considered) Town and Country Planning Act 1990 - Erection of 20No dwellings and construction of vehicular access and pedestrian link (re-submission of DC/19/01236).

Case Officer: Alex Scott

## Consultee Details

Name: Mrs Jillian rowland

Address: Willow Brook Cottage, Ashfield Road, Norton Bury St Edmunds, Suffolk IP31 3NN

Email: Not Available

On Behalf Of: Norton Parish Clerk

## Comments

The Council again reiterated their objections to this application:

T10 This is a small road. There is strong concern about increased traffic generated by the proposed properties on this small single carriage road. As there is no public footway along Hawes Lane and Heath Road the Council consider that further development in this area would present a serious risk to pedestrians. With additional family housing, and also during construction work, road safety issues exist for children and adults alike using Heath Road which has no footpath. It would have a detrimental effect on the amenity of the area by means of additional traffic generation and safety. The suggested provision of additional passing places would have no safety benefit to pedestrians or vehicles using the Lane.

T10 The single carriage road is very narrow and there is a lack of road width which would not allow access by emergency vehicles, particularly fire service vehicles.

A1088 The junction of Heath Road joining the A1088 has been the subject of several near miss accidents. Visibility of vehicles coming from Ixworth is poor and with additional vehicles and construction vehicles using Heath Road this gives rise to concern for safety reasons. (Policy T10). Increased development in Thurston, Elmswell and Woolpit and the recent smaller developments in the adjoining village of Tostock have also created increased traffic flow at the crossroads with the A1088.

T10 the proposed pedestrian link to the A1088 and main village exits directly on to the A1088 with no pavement which is a pedestrian danger. It is opposite a bus stop and does not allow full visibility of vehicles travelling South from the Ixworth direction, which would present a danger to pedestrians attempting to cross the A1088.

SC1 - Physical Infrastructure it is questioned whether drainage and sewerage systems would be sufficient to cope with an additional 20 properties. The local school (which is already at near

maximum capacity) and the local Health Centre would not cope with the additional workload. There are currently a number of sites with approved application so this site would result in over 50 proposed new houses for the village, which the Council feel the infrastructure could not deal with. The Council is concerned about the proximity of the proposed development of 20 houses to the Wildlife Nature Reserve and the impact additional houses and vehicles would have on this protected area. Bearing in mind the climate and biodiversity emergency declared it is important that the countryside is preserved. The development is stated as self-build which would mean no CIL payable to benefit the village. Part of the proposal site is outside the settlement boundary.

# Consultee Comments for Planning Application DC/20/04256

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Case Officer: Alex Scott

## Consultee Details

Name: Mrs Jillian rowland

Address: Willow Brook Cottage, Ashfield Road, Norton Bury St Edmunds, Suffolk IP31 3NN

Email: rowland@talk21.com

On Behalf Of: Norton Parish Clerk

## Comments

The Council wish to reiterate their objections to this application for the following reasons:

T10 This is a small road. There is strong concern about increased traffic generated by the proposed properties on this small single carriage road. As there is no public footway along Hawes Lane and Heath Road the Council consider that further development in this area would present a serious risk to pedestrians. With additional family housing, and also during construction work, road safety issues exist for children and adults alike using Heath Road which has no footpath. It would have a detrimental effect on the amenity of the area by means of additional traffic generation and safety. The suggested provision of additional passing places would have no safety benefit to pedestrians or vehicles using the Lane.

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The Council is concerned about the proximity of the proposed development of 20 houses to the Wildlife Nature Reserve and the impact additional houses and vehicles would have on this protected area.

The development is stated as self-build which would mean no CIL payable to benefit the village.

Part of the proposal site is outside the settlement boundary.

# Consultee Comments for Planning Application DC/20/04256

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The Council is concerned about the proximity of the proposed development of 20 houses to the Wildlife Nature Reserve and the impact additional houses and vehicles would have on this protected area.

The development is stated as self-build which would mean no CIL payable to benefit the village.

Part of the proposal site is outside the settlement boundary.



## Planning Applications – Suggested Informative Statements and Conditions Report

If you would like to discuss any of the points in this document please contact us on 03456 066087, Option 1 or email [planningliaison@anglianwater.co.uk](mailto:planningliaison@anglianwater.co.uk)

AW Site Reference: 145702/1/0104713

Local Planning Authority: Mid Suffolk District

Site: Land Off Hawes Lane Norton Bury St  
Edmunds IP31 3LS

Proposal: Application for Outline Planning Permission (some matters reserved, access to be considered) Town and Country Planning Act 1990 - Erection of 20No dwellings and construction of vehicular access and pedestrian link (re-submission of DC/19/01236)

Planning application: DC/20/04256

**Prepared by:** Pre-Development Team

**Date:** 15 October 2020

## ASSETS

### Section 1 - Assets Affected

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

## WASTEWATER SERVICES

### Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Norton (Suffolk) Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.

### Section 3 - Used Water Network

Based on the Flood Risk Assessment, the sewerage system at present has available capacity for these flows via a gravity discharge regime. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection. (1) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. (2) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. (3) INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water. (4) INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087. (5) INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

### Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented.

**From:** SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>  
**Sent:** 04 December 2020 10:41  
**To:** BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>  
**Subject:** Planning Consultation DC/20/04256 Natural England Response

Dear Sir or Madam,

Application ref: DC/20/04256  
Our ref: 336161

Natural England has no comments to make on this re-consultation.

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

Corben Hastings  
Support Adviser, Operations Delivery  
Consultations Team  
Natural England  
Hornbeam House, Electra Way  
Crewe, Cheshire, CW1 6GJ  
Tel: 0300 060 3900  
Email: [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)

During the current coronavirus situation, Natural England staff are working remotely and from some offices to provide our services and support our customers and stakeholders. Although some offices and our Mail Hub are now open, please continue to send any documents by email or contact us by phone to let us know how we can help you. See the latest news on the coronavirus at

<http://www.gov.uk/coronavirus> and Natural England's regularly updated operational update at <https://www.gov.uk/government/news/operational-update-covid-19>.

Wash hands. Cover face. Make space.



[www.gov.uk/natural-england](http://www.gov.uk/natural-england)

**We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.**

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.

**Natural England offers two chargeable services - the Discretionary Advice Service, which provides pre-application and post-consent advice on planning/licensing proposals to developers and consultants, and the Pre-submission Screening Service for European Protected Species mitigation licence applications. These services help applicants take appropriate account of environmental considerations at an early stage of project development, reduce uncertainty, the risk of delay and added cost at a later stage, whilst securing good results for the natural environment.**

**From:** SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>  
**Sent:** 30 September 2020 15:12  
**To:** BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>  
**Subject:** Planning consultation DC/20/04256 Natural England response

Dear Alex Scott

Application ref: DC/20/04256  
Our ref: 329267

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.

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Yours sincerely

Amy Knafler  
Natural England  
Consultation Service  
Hornbeam House  
Crewe Business Park, Electra Way,  
Crewe, Cheshire, CW1 6GJ

Tel: 0207 764 4488  
Email: [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)  
[www.gov.uk/natural-england](http://www.gov.uk/natural-england)

Your Ref: DC/20/04256 & 04429  
Date: 08 December 2020  
Highways Enquiries to: luke.barber@suffolk.gov.uk

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

The Planning Department  
Mid Suffolk District Council  
1<sup>st</sup> Floor, Endeavour House  
8 Russell Road  
Ipswich  
Suffolk  
IP1 2BX

**For the Attention of:** Alex Scott

Dear Alex

**TOWN AND COUNTRY PLANNING ACT 1990**  
**CONSULTATION RETURN – DC/20/04256 & 04429**

**PROPOSAL:**            **Application for Outline Planning Permission (some matters reserved, access to be considered).Town and Country Planning Act 1990 - Erection of 20 or 9No dwellings and construction of vehicular access and pedestrian link.**

**LOCATION:**            **Land Off Hawes Lane, Norton, Suffolk**

Further to the Suffolk County Council (SCC) highways response letters dated 21<sup>st</sup> October 2020 (your Ref: DC/20/04256 and DC/20/04429) for 20 dwellings and 9 dwelling respectively, SCC have reconsidered the highways safety aspects of these applications in the light of comments made in respect of appeal reference APP/W3520/W/20/3245218, related to the same site location.

The PINS Planning Inspector clearly felt that the highway safety implications of the appeal site were likely to give rise to a severe highway impacts, contrary to paragraph 109 of the 2019 National Planning Policy Framework (NPPF 2019). This was caused specifically by the increase in vehicular traffic on Hawes Lane conflicting with the pedestrians walking in the road, given this road has no footways. It is acknowledged that the new development would create a pedestrian link from the site, linking Hawes Lane with the A1088 in the centre of the village, so there would be no significant additional pedestrian activity on Hawes Lane arising from the development. However, this was not considered sufficient to mitigate the severe impact, in the considered view of the Inspector on the appeal site. They considered the pedestrian safety of the residents of the existing properties on Hawes Lane and other pedestrians using Hawes Lane to access several well used Public Rights of Way in the area.

The new sites have included some localised widening of Hawes Lane to potentially mitigate these impacts. While these passing places may give opposing motor vehicle more space to pass one another on the narrow sections of Hawes Lane it is not sufficient to address the key issue of pedestrian safety. Therefore, in relation to the 20 dwelling site (DC/20/04256) the severe impact remains. With the smaller site (DC/20/04429) the vehicular trip generation would be lower and therefore the likelihood of conflict between pedestrians would also be reduced. There is still insufficient evidence to show that the mitigation proposed would adequately address the severe impact identified at the appeal. For this reason, SCC would recommend that **planning permission is refused on highway grounds** for both applications, until an adequate highway mitigation scheme is proposed to fully deal with the highway safety issues identified at the previous appeal.

As a general point, SCC fully endorses the approach by BMSDC as proposed in their emerging Joint Local Plan (Pre-Submission (Regulation 19) Consultation Stage) that site allocations should be plan-led in order to fully understand and assess the infrastructure implications including the impacts on the local highway network.

Should further improvements be proposed to adequately address the highways safety matters be proposed and SCC be reconsulted on by the LPA, we would be happy to re-consider our position on these development schemes.

Yours sincerely,

**Mr Luke Barber**  
**Principal Engineer**  
**Development Management**  
**Strategic Development**

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

Email: [planning@babberghmidsuffolk.gov.uk](mailto: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: Alex Scott

Dear Alex,

**TOWN AND COUNTRY PLANNING ACT 1990**

**CONSULTATION RETURN: DC/20/04256**

**PROPOSAL:** Application for Outline Planning Permission (some matters reserved, access to be considered) Town and Country Planning Act 1990 - Erection of 20No dwellings and construction of vehicular access and pedestrian link (re-submission of DC/19/01236).

**LOCATION:** Land West Of Suffolk House Ixworth Road Norton 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:

We have reviewed the data supplied with this application, the summary of our findings are as follows:

- The proposed visibility splays for the development are sufficient for this application.
- The proposal for 20 dwellings would create approximately 14 vehicle movements within the peak hour (1 vehicle every 4 minutes) therefore, the development will not have an impact on the capacity of the highway network in the area.
- The nearest bus stop is on Station Road with services running approximately every 2 hours - the stops are within 100m from the application site with minimal public transport services but the stops are considered acceptable distance to walk to catch public transport.
- The application shows a footway between the site and Ixworth Road which provides a safe link to the bus stops and footway network in the village. A short section of footway on the west side of Ixworth Road is also required with an uncontrolled pedestrian crossing point.
- The Appeal for Planning Permission DC/19/01236 was dismissed as the proposal failed to ensure the safety of pedestrians using the rural part of Hawes Lane. Passing places at approximately 40m intervals have been proposed along Hawes Lane to enable vehicles to pass safely. The Planning Statement with this application has suggested these spaces can also be used by for vehicles and pedestrians to pass.

Taking all the above into account, it is our opinion that this development can achieve safe and suitable access to the site for all users and would not have a severe impact on the road network (NPPF para 108 and 109) therefore we do not object to the proposal.



## CONDITIONS

Should the Planning Authority be minded to grant planning approval the Highway Authority in Suffolk would recommend they include the following conditions and obligations:

**Visibility Condition:** Before the access is first used visibility splays shall be provided with an X dimension of 2.4m and a Y dimension of 60m 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.

**Access Condition:** Before the development is commenced, details of the access and associated works, (including layout, levels, gradients, surfacing and means of preventing surface water discharge on the highway), shall be submitted to and approved in writing by the Local Planning Authority.

**Reason:** To ensure that roads/footways are constructed to an acceptable standard.

**Highway Condition:** Before commencement, the developer shall provide details and construct highway improvements including road widening and passing places as indicated on Drawing No 100-225/003C in accordance with Suffolk County Council specification which shall first have been submitted to and approved by the Local Planning Authority.

**Reason:** To ensure that suitable highway improvements are provided to access the application site.

**Footway Condition:** Before any dwelling is first occupied, the developer shall provide details and construct the footway between the site and Ixworth Road, the footway on west side of Ixworth Road and pedestrian crossing point which shall first have been submitted to and approved by the Local Planning Authority.

**Reason:** To ensure that suitable footways are provided to access the application site and to connect the sites with public rights of way and footway network.

**Parking Condition:** Before the development is commenced details of the areas to be provided for the manoeuvring and parking of vehicles including electric vehicle charging units and secure cycle storage 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 and used for no other purpose.

**Reason:** To enable vehicles to enter and exit the public highway in forward gear in the interests of highway safety.

**Bin Condition:** Before the development is commenced 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.

**Construction Management Plan Condition:** Before the development hereby permitted is commenced a Construction Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. Construction of the development shall not be carried out other than in accordance with the approved plan. The Construction Management Plan shall include the following matters:

- Means of access for construction traffic
- haul routes for construction traffic on the highway network and monitoring and review mechanisms.
- provision of boundary hoarding and lighting
- details of proposed means of dust suppression
- details of measures to prevent mud from vehicles leaving the site during construction
- details of deliveries times to the site during construction phase
- details of provision to ensure pedestrian and cycle safety
- programme of works (including measures for traffic management and operating hours)
- parking and turning for vehicles of site personnel, operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials

- maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase.

Yours sincerely,

**Samantha Harvey**

**Senior Development Management Engineer**

Growth, Highways and Infrastructure

**From:** GHI Floods Planning <floods.planning@suffolk.gov.uk>

**Sent:** 07 December 2020 12:59

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

**Cc:** Alex Scott <Alex.Scott@babberghmidsuffolk.gov.uk>

**Subject:** 2020-12-07 JS Reply Land West Of Suffolk House, Ixworth Road, Norton Ref DC/20/04256

Dear Alex Scott,

Subject: Land West Of Suffolk House, Ixworth Road, Norton, Suffolk Ref DC/20/04256

Suffolk County Council, as Lead Local Flood Authority (LLFA), have reviewed application ref DC/20/04256.

The following submitted documents have been reviewed and we recommend maintaining our **holding objection** at this time:

- Flood Risk Assessment Ref 3144 March 2017
- Indicative Site Layout - Option Ref 100-225/004C

A holding objection is necessary because our previous consultation reply comments have not been addressed. The flood risk assessment is out of date and needs updating . In January 2020, new flood maps for the region were released and as such the flood risk in some area has increase. Also the policies that it has referenced are again out of date and need updating . We also note the poor infiltration rates achieved and the LLFA feels that an alternative strategy for the disposal of surface water should be investigated.

**The holding objection is a temporary position to allow reasonable time for the applicant and the LLFA to discuss what additional information is required in order to overcome the objection(s). This Holding Objection will remain the LLFA's formal position until the local planning authority (LPA) is advised to the contrary. If the LLFA position remains as a Holding Objection at the point the LPA wishes to determine the application, the LPA should treat the Holding Objection as a Formal Objection and recommendation for Refusal to the proposed development. The LPA should provide at least 2 weeks prior notice of the publication of the committee report so that the LLFA can review matters and provide suggested planning conditions, even if the LLFA position is a Formal Objection.**

The points below detail the action required in order to overcome our current objection:-

1. Update and resubmit the flood risk assessment using up to date flood maps and refer to current national and local policy/guidance
2. Propose an alternative method of draining the site utilising above ground open SuDS within the strategy.

Kind Regards

Jason Skilton  
Flood & Water Engineer  
Suffolk County Council  
Growth, Highway & Infrastructure  
Endeavour House, 8 Russell Rd, Ipswich , Suffolk IP1 2BX

**From:** GHI Floods Planning <floods.planning@suffolk.gov.uk>

**Sent:** 01 October 2020 10:58

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

**Cc:** Alex Scott <Alex.Scott@baberghmidsuffolk.gov.uk>

**Subject:** 2020-10-01 JS Reply Land West Of Suffolk House, Ixworth Road, Norton Ref DC/20/04256

Dear Alex Scott,

Subject: Land West Of Suffolk House, Ixworth Road, Norton, Suffolk Ref DC/20/04256

Suffolk County Council, Flood and Water Management have reviewed application ref DC/20/04256.

The following submitted documents have been reviewed and we recommend a **holding objection** at this time:

- Flood Risk Assessment Ref 3144 March 2017
- Indicative Site Layout - Option Ref 3100-225/003C

The reason why we are recommending a holding objection is because the flood risk assessment is out of date and needs updating . In January 2020, new flood maps for the region were released and as such the flood risk in some area has increase. Also the policies that it has referenced are again out of date and need updating . We also note the poor infiltration rates achieved and the LLFA feels that an alternative strategy for the disposal of surface water should be investigated.

The points below detail the action required in order to overcome our current objection:-

1. Update and resubmit the flood risk assessment using up to date flood maps and refer to current national and local policy/guidance
2. Propose an alternative method of draining the site utilising above ground open SuDS within the strategy.

Note: further information may be required.

Kind Regards

Jason Skilton  
Flood & Water Engineer  
Suffolk County Council  
Growth, Highway & Infrastructure  
Endeavour House, 8 Russell Rd, Ipswich , Suffolk IP1 2BX

**\*\*Note I am remote working for the time being\*\***

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

Growth, Highways and Infrastructure  
Bury Resource Centre  
Hollow Road  
Bury St Edmunds  
Suffolk  
IP32 7AY

Philip Isbell  
Corporate Manager - Development Manager  
Planning Services  
Babergh and Mid Suffolk District Councils  
Endeavour House  
8 Russell Road  
Ipswich IP1 2BX

Enquiries to: Matthew Baker  
Direct Line: 01284 741329  
Email: [Matthew.Baker@suffolk.gov.uk](mailto:Matthew.Baker@suffolk.gov.uk)  
Web: <http://www.suffolk.gov.uk>

Our Ref: 2020\_04256  
Date: 19<sup>th</sup> October 2020

For the Attention of Sarah Scott

Dear Mr Isbell

**Planning Application DC/20/04256/OUT – Land to the West of Suffolk House, Ixworth Road, Norton: Archaeology**

This site lies in an area of archaeological potential recorded on the County Historic Environment Record (HER), close to the historic core of the Village, which has medieval origins. Archaeological investigations in the village have identified finds and features of medieval date (HER ref nos. NRN 024 & NRN 033). Ixworth Road, which lies c.60m east of the development site is thought to have Roman origins (NRN 008). Furthermore, cropmarks have been identified in the fields to the immediate west of the proposed development site, which include pre-modern field systems, trackways and a ring-ditch (NRN 015). The ring-ditch is likely to be a Bronze Age funerary monument, further Bronze Age activity can be seen in the area to the north with the finds spot of a Bronze Spear (NRN 006).

As a result, there is high potential for the discovery of below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.

There are no grounds to consider refusal of permission in order to achieve preservation *in situ* of any important heritage assets. However, in accordance with the *National Planning Policy Framework* (Paragraph 199), any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

In this case the following two conditions would be appropriate:

1. No development shall take place within the area indicated [the whole site] 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.

2. 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 part 1 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, in accordance with Core Strategy Objective SO 4 of Mid Suffolk District Council Core Strategy Development Plan Document (2008) and the National Planning Policy Framework (2012).*

**INFORMATIVE:**

*The submitted scheme of archaeological investigation shall be in accordance with a brief procured beforehand by the developer from Suffolk County Council Archaeological Service.*

I would be pleased to offer guidance on the archaeological work required and, in our role as advisor to Mid Suffolk District Council, the SCC Archaeological Service will, on request of the applicant, provide a specification for the archaeological work required at this site. In this case, an archaeological evaluation will be required to establish the potential of the site and decisions on the need for any further investigation (excavation before any groundworks commence and/or monitoring during groundworks) will be made on the basis of the results of the evaluation.

Further details on our advisory services and charges can be found on our website: <http://www.suffolk.gov.uk/archaeology/>

Please do get in touch if there is anything that you would like to discuss or you require any further information.

Yours sincerely,

Matthew Baker

Archaeological Officer  
Suffolk County Council Archaeological Service

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

From: Water Hydrants <Water.Hydrants@suffolk.gov.uk>

Sent: 03 December 2020 08:17

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

Subject: FW: MSDC Planning Re-consultation Request - DC/20/04256

Fire Ref.: F311025

Good Morning,

Thank you for your email, informing us of the re-consultation.

The Suffolk Fire & Rescue Service have made formal comment on this planning application, which we note has been published. This can remain in place for the re-consultation.

We will require a condition in the Decision Notice for the installation of Fire Hydrants.

If you have any queries, please let us know.

Kind regards,

A Stordy

BSC

Admin to Water Officer

Engineering

Fire and Public Safety Directorate

Suffolk County Council

3rd Floor, Lime Block

Endeavour House

Russell Road

IP1 2BX

Tel.: 01473 260564

Team Mailbox: [water.hydrants@suffolk.gov.uk](mailto:water.hydrants@suffolk.gov.uk)

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/F311025  
Enquiries to: Water Officer  
Direct Line: 01473 260588  
E-mail: Fire.BusinessSupport@suffolk.gov.uk  
Web Address: <http://www.suffolk.gov.uk>

Date: 30/09/2020

Dear Sirs

**Land west of Suffolk House, Ixworth Road, Norton IP31 3LS**

**Planning Application No: DC/20/04256/OUT**

**A CONDITION IS REQUIRED FOR FIRE HYDRANTS  
(see our required conditions)**

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 recommends that fire hydrants be installed within this development on a suitable route for laying hose, i.e. avoiding obstructions. However, it is not possible, at this time, to determine the number of fire hydrants required for fire fighting purposes. The requirement will be determined at the water planning stage when site plans have been submitted by the water companies.

/continued



**Sprinklers Advised**

Suffolk Fire and Rescue Service recommends that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the provision of an automatic fire sprinkler system. (Please see sprinkler information enclosed with this letter).

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

Enc: Hydrant requirement letter

Copy: [info@philcobboldplanning.co.uk](mailto:info@philcobboldplanning.co.uk)

Enc: Sprinkler information

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: ENG/AK  
Enquiries to: Water Officer  
Direct Line: 01473 260486  
E-mail: Angela.Kempen@suffolk.gov.uk  
Web Address: www.suffolk.gov.uk

Date: 30 January 2020

**Planning Ref: DC/20/04256/OUT**

Dear Sirs

**RE: PROVISION OF WATER FOR FIRE FIGHTING**  
**ADDRESS: Land west of Suffolk House, Ixworth Road, Norton, IP31 3LS**  
**DESCRIPTION: 20 Dwellings**  
**HYDRANTS REQUIRED**

**If the Planning Authority is minded to grant approval, the Fire Authority require adequate provision is made for fire hydrants, by the imposition of a suitable planning condition at the planning application stage.**

**If the Fire Authority is not consulted at the planning stage, or consulted and the conditions not applied, the Fire Authority will require that fire hydrants be installed retrospectively by the developer if the Planning Authority has not submitted a reason for the non-implementation of the required condition in the first instance.**

The planning condition will carry a life term for the said development and the initiating agent/developer applying for planning approval and must be transferred to new ownership through land transfer or sale should this take place.

Fire hydrant provision will be agreed upon when the water authorities submit water plans to the Water Officer for Suffolk Fire and Rescue Service.

Where a planning condition has been imposed, the provision of fire hydrants will be fully funded by the developer and invoiced accordingly by Suffolk County Council.

**Until Suffolk Fire and Rescue Service receive confirmation from the water authority that the installation of the fire hydrant has taken place, the planning condition will not be discharged.**

Continued/

OFFICIAL

Should you require any further information or assistance I will be pleased to help.

Yours faithfully

*Water Officer*

Suffolk Fire and Rescue Service

Created: September 2015

Enquiries to: Fire Business Support Team  
Tel: 01473 260588  
Email: [Fire.BusinessSupport@suffolk.gov.uk](mailto:Fire.BusinessSupport@suffolk.gov.uk)



Dear Sir/Madam

## **Suffolk Fire and Rescue Service – Automatic Fire Sprinklers in your Building Development**

We understand from local Council planning you are considering undertaking building work.

The purpose of this letter is to encourage you to consider the benefits of installing automatic fire sprinklers in your house or commercial premises.

In the event of a fire in your premises an automatic fire sprinkler system is proven to save lives, help you to recover from the effects of a fire sooner and help get businesses back on their feet faster.

Many different features can be included within building design to enhance safety and security and promote business continuity. Too often consideration to incorporate such features is too late to for them to be easily incorporated into building work.

### **Dispelling the Myths of Automatic Fire Sprinklers**

- Automatic fire sprinklers are relatively inexpensive to install, accounting for approximately 1-3% of the cost of a new build.
- Fire sprinkler heads will only operate in the vicinity of a fire, they do not all operate at once.
- An automatic fire sprinkler head discharges between 40-60 litres of water per minute and will cause considerably less water damage than would be necessary for Firefighters tackling a fully developed fire.
- Statistics show that the likelihood of automatic fire sprinklers activating accidentally is negligible – they operate differently to smoke alarms.

### **Promoting the Benefits of Automatic Fire Sprinklers**

- They detect a fire in its incipient stage – this will potentially save lives in your premises.
- Sprinklers will control if not extinguish a fire reducing building damage.
- Automatic sprinklers protect the environment; reducing water damage and airborne pollution from smoke and toxic fumes.
- They potentially allow design freedoms in building plans, such as increased compartment size and travel distances.
- They may reduce insurance premiums.
- Automatic fire sprinklers enhance Firefighter safety.

## OFFICIAL

- Domestic sprinkler heads are recessed into ceilings and pipe work concealed so you won't even know they're there.
- They support business continuity – insurers report 80% of businesses experiencing a fire will not recover.
- Properly installed and maintained automatic fire sprinklers can provide the safest of environments for you, your family or your employees.
- A desirable safety feature, they may enhance the value of your property and provide an additional sales feature.

### **The Next Step**

Suffolk Fire and Rescue Service is working to make Suffolk a safer place to live. Part of this ambition is as champion for the increased installation of automatic fire sprinklers in commercial and domestic premises.

Any information you require to assist you to decide can be found on the following web pages:

Suffolk Fire and Rescue Service

<http://www.suffolk.gov.uk/emergency-and-rescue/>

Residential Sprinkler Association

<http://www.firesprinklers.info/>

British Automatic Fire Sprinkler Association

<http://www.bafsa.org.uk/>

Fire Protection Association

<http://www.thefpa.co.uk/>

Business Sprinkler Alliance

<http://www.business-sprinkler-alliance.org/>

I hope adopting automatic fire sprinklers in your build can help our aim of making 'Suffolk a safer place to live'.

Yours faithfully

Mark Hardingham  
Chief Fire Officer  
Suffolk Fire and Rescue Service

Your ref: DC/20/04256  
Our ref: Norton – land west of Suffolk House,  
Ixworth Road 60083  
Date: 04 December 2020  
Enquiries: Neil McManus  
Tel: 07973 640625  
Email: [neil.mcmanus@suffolk.gov.uk](mailto:neil.mcmanus@suffolk.gov.uk)

Alex Scott,  
Growth & Sustainable Planning,  
Babergh and Mid Suffolk District Councils,  
Endeavour House,  
8 Russell Road,  
Ipswich,  
Suffolk,  
IP1 2BX

Dear Alex,

**Norton: land west of Suffolk House, Ixworth Road – developer contributions**

I refer to the proposal: application for outline planning permission (some matters reserved, access to be considered). Town and Country Planning Act 1990 – erection of 20no. dwellings and construction of vehicular access and pedestrian link (re-submission of DC/19/01236).

Reason(s) for re-consultation: revised indicative site layout plan and ownership certificate received 30.11.2020.

I previously submitted consultation responses by way of letters dated 09 October 2020 and 22 October 2020 which are still relevant. I have no further comments to make in respect of the re-consultation.

Yours sincerely,

Neil McManus BSc (Hons) MRICS  
Development Contributions Manager  
Growth, Highways & Infrastructure

cc Sam Harvey, SCC (highways)  
Jason Skilton, SCC (LLFA)  
Suffolk Archaeological Service

Your ref: DC/20/04256  
 Our ref: Norton – land west of Suffolk House,  
 Ixworth Road 60083  
 Date: 22 October 2020  
 Enquiries: Neil McManus  
 Tel: 07973 640625  
 Email: [neil.mcmanus@suffolk.gov.uk](mailto:neil.mcmanus@suffolk.gov.uk)

Alex Scott,  
 Growth & Sustainable Planning,  
 Babergh and Mid Suffolk District Councils,  
 Endeavour House,  
 8 Russell Road,  
 Ipswich,  
 Suffolk,  
 IP1 2BX

Dear Alex,

**Norton: land west of Suffolk House, Ixworth Road – developer contributions**

I refer to the proposal: application for outline planning permission (some matters reserved, access to be considered). Town and Country Planning Act 1990 – erection of 20no. dwellings and construction of vehicular access and pedestrian link (re-submission of DC/19/01236).

I previously submitted a consultation response by way of letter dated 09 October 2020 which is still relevant apart from an update in respect of secondary school transport.

Updated summary of infrastructure requirements split between CIL/S106:

CIL	Education	
	- Secondary school expansion @ £23,775 per place	£95,100
	- Sixth form expansion @ £23,775 per place	£23,775
CIL	Early Years expansion & improvements	£34,536
CIL	Libraries improvement	£4,320
CIL	Waste infrastructure	£2,200
S106	Education	
	- new primary school build cost @ £20,508 per place	£102,540
S106	Secondary school transport contribution	£24,100
S106	Monitoring fee per planning obligation trigger	£412
S106	Highways	tbc

I previously stated the following in respect of school transport:

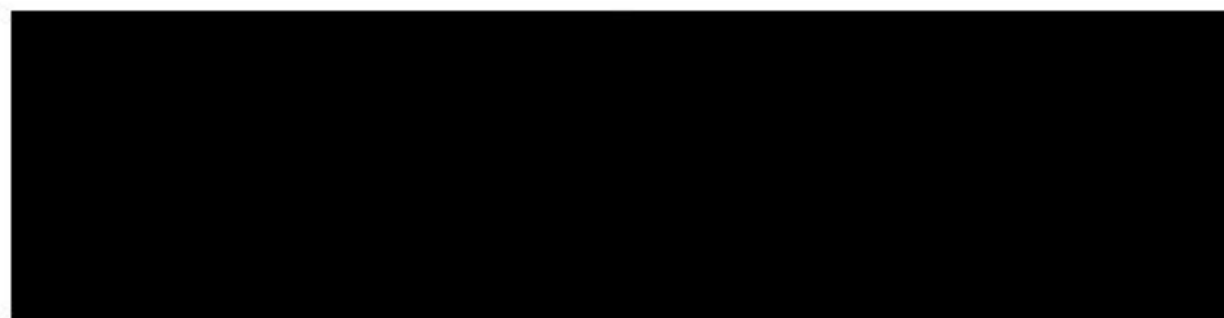
- An assessment of safe walking and cycling routes must be carried out by the applicant. The assumption is that all pupils arising from this proposed development will be able to access schools within safe walking distance which will minimise the length and number of journeys.
- A recent safety assessment from Norton to Thurston has found the route to not be safe. This means that from the 2020-21 school year affected students are being provided transport.
- Transport cost per pupil per annum is currently estimated at £1,205.

If the Council considers that planning permission should be granted for the proposed development, this must be on the basis that s106 developer funding is secured by way of a planning obligation for the site-specific costs of secondary school transport. Contribution required is as follows:

- a) **School transport contribution** – 4 secondary-age pupils are forecast to arise from the proposed development. Developer contributions are sought to fund school transport provision for a minimum of five years for secondary-age pupils. Annual school transport cost per pupil is £1,205. Therefore, contribution is £1,205 x 4 pupils x 5 years = £24,100, payable prior to first dwelling occupation and increased by the RPI. Contribution held for a minimum period of 10 years from date of the final dwelling occupation.

The above information is time-limited for 6 months only from the date of this letter.

Yours sincerely,



Neil McManus BSc (Hons) MRICS  
Development Contributions Manager  
Growth, Highways & Infrastructure

cc Carol Barber, SCC (education)  
Sam Harvey, SCC (highways)



Your ref: DC/20/04256  
Our ref: Norton – land west of Suffolk House,  
Ixworth Road 60083  
Date: 09 October 2020  
Enquiries: Neil McManus  
Tel: 07973 640625  
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Alex Scott,  
Growth & Sustainable Planning,  
Babergh and Mid Suffolk District Councils,  
Endeavour House,  
8 Russell Road,  
Ipswich,  
Suffolk,  
IP1 2BX

Dear Alex,

**Norton: land west of Suffolk House, Ixworth Road – developer contributions**

I refer to the proposal: application for outline planning permission (some matters reserved, access to be considered). Town and Country Planning Act 1990 – erection of 20no. dwellings and construction of vehicular access and pedestrian link (re-submission of DC/19/01236).

The previous application for this site under reference DC/19/01236 was refused by notice dated 17 October 2019. The development proposed was for the erection of 20 dwellings construction of vehicular access and pedestrian link. This application was subsequently determined by appeal under the Planning Inspectorate reference APP/W3520/W/20/3245218 – the Decision was issued on 14 July 2020 which dismissed the appeal. The Inspector considered the main issues to be the effect of the proposal on the character and appearance of Hawes Lane and the effect of the proposal on highway safety. Hawes Lane is a rural single-track road which connects Heath Road to the south with Thurston Road to the north. The vehicular traffic generated by the appeal site would use Hawes Lane exclusively to gain access to the proposed dwellings. Turning a lane used to access around 5 dwellings and agricultural machinery into one used to access at least 25 dwellings, plus the agricultural machinery.

Paragraph 20 of the appeal decision says,

*“The addition of a further 20 houses with associated vehicular movements throughout the day can only make this situation more hazardous for pedestrians and other non-vehicular users of the lane”.*

Paragraph 24 of the appeal decision says,

*“However, none of these measures, either in combination or by themselves, would address pedestrian safety in the rural part of Hawes Lane. The rural part of Hawes*

*Lane is used by people in the village to access the surrounding open countryside. This would still be the case should the appeal proposal be constructed. Therefore, the danger from traffic which is currently experienced by pedestrians in the rural part of the lane would increase should the proposed development go ahead”.*

In conclusion paragraph 27 of the appeal decision says,

*“I also consider that the increased conflict between vehicles and pedestrians in the rural part of Hawes Lane, where the roadway is lower than the surrounding land, is unacceptable in highway safety terms. The lane is used by people from the village to access the surrounding countryside. The appeal proposal will lead to an increase in traffic using the rural part of the lane. This part of the lane also leads to a local nature reserve, is of restricted width, has grass banks and is lower than the grass verge alongside it. This means that pedestrians using this part of the lane would have difficulty in avoiding oncoming traffic to the detriment of their safety”.*

Summary of infrastructure requirements split between CIL/S106:

CIL	Education	
	- Secondary school expansion @ £23,775 per place	£95,100
	- Sixth form expansion @ £23,775 per place	£23,775
CIL	Early Years expansion & improvements	£34,536
CIL	Libraries improvement	£4,320
CIL	Waste infrastructure	£2,200
S106	Education	
	- new primary school build cost @ £20,508 per place	£102,540
S106	Monitoring fee per planning obligation trigger	£412
S106	Highways	tbc

I set out below Suffolk County Council’s infrastructure requirements associated with this development proposal which will need to be considered by the local planning authority. The county council will need to be a party to any sealed Section 106 legal agreement if it includes obligations which are its responsibility as service provider. Without the following contributions being agreed between the applicant and the local authority, the development cannot be considered to accord with relevant policies.

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

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

The National Planning Policy Framework (NPPF) paragraph 56 sets out the requirements of planning obligations, which are that they must be:

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

The county council and district councils have a shared approach to calculating infrastructure needs, in the adopted Section 106 Developers Guide to Infrastructure Contributions in Suffolk.

### **Community Infrastructure Levy**

Mid Suffolk District Council adopted a CIL Charging Schedule on 21 January 2016 and charges CIL on planning permissions granted after 11 April 2016.

New CIL Regulations were laid before Parliament on 4 June 2019. These Regulations (Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019) came into force on 1 September 2019 (“the commencement date”). Regulation 11 removes regulation 123 (pooling restriction and the CIL 123 List in respect of ‘relevant infrastructure’).

**1. Education.** Paragraph 94 of the NPPF states: *‘It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:*

- a) *give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and*
- b) *work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.’*

Furthermore, the NPPF at paragraph 104 states: *‘Planning policies should:*

- a) *support an appropriate mix of uses across an area, and within larger scale sites, to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities;’*

The Department for Education (DfE) publications *‘Education provision in garden communities’* [April 2019] and *‘Securing developer contributions for education’* [November 2019], which should be read in conjunction with the Planning Practice Guidance (PPG) advice on planning obligations [revised September 2019]. Paragraph 19 of the DfE guidance about securing developer contributions states, *“We advise local authorities with education responsibilities to work jointly with relevant local planning authorities as plans are prepared and planning applications determined, to ensure that all education needs are properly addressed, including both temporary and permanent education needs where relevant, such as school transport costs and temporary school provision before a permanent new school opens within a development site”.*

In paragraph 15 of the DfE guidance it says, *“We advise that you base the assumed cost of mainstream school places on national average costs published annually in the DfE school place scorecards. This allows you to differentiate between the average per pupil costs of a new school, permanent expansion or temporary expansion, ensuring developer contributions are fairly and reasonably related in scale and kind to the development. You should adjust the national average to reflect the costs in your region, using BCIS location factors”*.

The most recent scorecard is 2019 and the national average school new build cost per pupil for primary schools is £20,508 (March 2020). The regional weighting for the East of England based on BCIS indices, which includes Suffolk, is 1. When applied to the national new build cost (£20,508/1.00) produces a total of £20,508 per pupil for new build of primary schools.

The most recent scorecard is 2019 and the national average school expansion build cost per pupil for secondary schools is £23,775 (March 2020). The regional weighting for the East of England based on BCIS indices, which includes Suffolk, is 1. When applied to the national expansion build cost (£23,775/1.00) produces a total of £23,775 per pupil for permanent expansion of secondary schools. The DfE guidance in paragraph 16 says, *“further education places provided within secondary school sixth forms will cost broadly the same as a secondary school place”*.

### Pupil yields

SCC would anticipate the following pupil yields from a development of 20 dwellings, namely:

- a) Primary school age range, 5-11: 5 pupils. Cost per place is £20,508 (2020 costs). A Section 106 financial contribution towards the delivery of new primary school provision serving the proposed development.
- b) Secondary school age range, 11-16: 4 pupils. Cost per place is £23,775 (2020 costs).
- c) Secondary school age range, 16+: 1 pupil. Cost per place is £23,775 (2020 costs).

The local catchment schools are Norton CEVC Primary School, and Thurston Community College.

The primary school at Norton is forecast to be full and cannot be expanded. The primary school strategy in the locality is to provide additional places at Thurston by the delivery of a new school. The school has been master planned to go up to 630-places. Planning permission has been granted under reference SCC/0073/19MS for the *‘Construction of a new 420 place Primary School and a 30 place Pre-School and associated landscape works.’* The new school will be open for September 2021.

At the secondary school level, the strategy is to expand Thurston Community College. On this basis, a future CIL funding bid of £118,875 (2020 costs) will be made.

## School transport costs

- An assessment of safe walking and cycling routes must be carried out by the applicant. The assumption is that all pupils arising from this proposed development will be able to access schools within safe walking distance which will minimise the length and number of journeys.
  - Transport cost per pupil per annum is currently estimated at £1,205.
- 2. Pre-school provision.** Education for early years should be considered as part of addressing the requirements of the NPPF Section 8: *'Promoting healthy and safe communities'*

The Childcare Act 2006 places a range of duties on local authorities regarding the provision of sufficient, sustainable and flexible childcare that is responsive to parents' needs. Local authorities are required to take a lead role in facilitating the childcare market within the broader framework of shaping children's services in partnership with the private, voluntary and independent sector. Section 7 of the Act sets out a duty to secure funded early years provision of the equivalent of 15 hours funded education per week for 38 weeks of the year for children from the term after their third birthday until they are of compulsory school age. The Education Act 2011 places a statutory duty on local authorities to ensure the provision of early education for every disadvantaged 2-year-old the equivalent of 15 hours funded education per week for 38 weeks. The Childcare Act 2016 places a duty on local authorities to secure the equivalent of 30 hours funded childcare for 38 weeks of the year for qualifying children from September 2017 – this entitlement only applies to 3 and 4 years old of working parents.

From the proposed scheme, SCC would anticipate up to 3 pre-school children arising, which is equivalent to 2 FTE pre-school children (one FTE is based on a place used for 30 hours per week).

In paragraph 16 of the DfE guidance it says, *"Developer contributions for early years provision will usually be used to fund places at existing or new school sites, incorporated within primary or all-through schools. Therefore, we recommend that the per pupil cost of early years provision is assumed to be the same as for a primary school"*. The current DfE (adjusted) expansion cost per place is £17,268 (2020 costs).

The proposed development is in the Elmswell & Norton ward where there is a forecast deficit of places. On this basis, a future CIL funding bid of £34,536 (2020 costs) will be made.

- 3. Play space provision.** This should be considered as part of addressing the requirements of the NPPF Section 8: *'Promoting healthy and safe communities.'* A key document is the *'Quality in Play'* document fifth edition published in 2016 by Play England.

**4. Transport issues.** Refer to the NPPF Section 9 '*Promoting sustainable transport*'.

An assessment of highways and transport issues will be required as part of the planning application. This will include travel plan, pedestrian & cycle provision, public transport, rights of way, air quality and highway provision (both on-site and off-site). Requirements will be dealt with via planning conditions and Section 106 as appropriate, and infrastructure delivered to adoptable standards via Section 38 and Section 278. This is being coordinated by Suffolk County Council FAO Luke Barber and Samantha Harvey, and a separate consultation response will be sent.

The proposed development will need to address the highway safety deficiencies outlined above and set out in the appeal decision (dismissed) under reference APP/W3520/W/20/3245218.

Suffolk County Council, in its role as local Highway Authority, has worked with the local planning authorities to develop county-wide technical guidance on parking which replaces the preceding Suffolk Advisory Parking Standards (2002) in light of new national policy and local research. It has been subject to public consultation and was adopted by Suffolk County Council in November 2014 (updated 2019).

**5. Libraries.** Refer to the NPPF Chapter 8 '*Promoting healthy and safe communities*'. The libraries and archive infrastructure provision topic paper sets out the detailed approach to how contributions are calculated. A CIL contribution of £216 per dwelling will be sought i.e. £4,320. A minimum standard of 30 square metres of new library space per 1,000 populations is required. Construction and initial fit out cost of £3,000 per square metre for libraries (based on RICS Building Cost Information Service data but excluding land costs). This gives a cost of (30 x £3,000) = £90,000 per 1,000 people or £90 per person for library space. Assumes average of 2.4 persons per dwelling.

**6. Waste.** All local planning authorities should have regard to both the Waste Management Plan for England and the National Planning Policy for Waste when discharging their responsibilities to the extent that they are appropriate to waste management. The Waste Management Plan for England sets out the Government's ambition to work towards a more sustainable and efficient approach to resource use and management.

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

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

A CIL contribution of £110 per household will be sought i.e. £2,200.

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

- 7. Supported Housing.** Section 5 of the NPPF seeks to deliver a wide choice of high-quality homes. Supported Housing provision, including Extra Care/Very Sheltered Housing providing accommodation for those in need of care, including the elderly and people with learning disabilities, needs to be considered in accordance with paragraphs 61 to 64 of the NPPF.

Following the replacement of the Lifetime Homes standard, designing homes to Building Regulations Part M 'Category M4(2)' standard offers a useful way of meeting this requirement, with a proportion of dwellings being built to 'Category M4(3)' standard. In addition, we would expect a proportion of the housing and/or land use to be allocated for housing with care for older people e.g. Care Home and/or specialised housing needs, based on further discussion with the LPAs housing team to identify local housing needs.

- 8. Sustainable Drainage Systems.** Section 14 of the NPPF seeks to meet the challenges of climate change, flooding and coastal change. Paragraphs 155 – 165 refer to planning and flood risk and paragraph 165 states: *'Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:*

- a) take account of advice from the lead local flood authority;*
- b) have appropriate proposed minimum operational standards;*
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and*
- d) where possible, provide multifunctional benefits.'*

In accordance with the NPPF, when considering a major development (of 10 dwellings or more), sustainable drainage systems should be provided unless demonstrated to be inappropriate

Suffolk County Council FAO Jason Skilton will coordinate a consultation response.

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

- 10. Ecology, landscape & heritage.** These are matters for the Council to consider and address. In terms of good design, it is suggested that consideration should be given to incorporating suitable roosting and nesting boxes within dwellings for birds and

bats, as well as providing suitable biodiversity features including native plants to attract & support insects, reptiles, birds & mammals. Refer to the MHCLG guidance on the Natural environment [updated 21 July 2019].

**11. Superfast broadband.** This should be considered as part of the requirements of the NPPF Section 10 '*Supporting high quality communication*'. SCC would recommend that all development is equipped with high speed broadband (fibre optic). This facilitates home working which has associated benefits for the transport network and contributes to social inclusion; it also impacts educational attainment and social wellbeing, as well as improving property prices and saleability.

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

**12. Legal costs.** SCC will require an undertaking for the reimbursement of its own legal costs associated with work on a S106A, whether or not the matter proceeds to completion.

**13. Monitoring fee.** The new CIL Regs allow for the charging of monitoring fees. In this respect the county council charges £412 for each trigger point in a planning obligation, payable upon commencement.

**14.** The above information is time-limited for 6 months only from the date of this letter.

Yours sincerely,

Neil McManus BSc (Hons) MRICS  
Development Contributions Manager  
Growth, Highways & Infrastructure

cc Carol Barber, SCC (education)  
Luke Barber/Samantha Harvey, SCC (highways)  
Jason Skilton, SCC (LLFA)



**From:** Tegan Chenery <Tegan.Chenery@baberghmidsuffolk.gov.uk>  
**Sent:** 20 October 2020 14:53  
**To:** Alex Scott <Alex.Scott@baberghmidsuffolk.gov.uk>  
**Cc:** BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>  
**Subject:** DC/20/04256 - Heritage response

Hello Alex,

DC/20/04256 – Land west of Suffolk House, Ixworth Road, Norton

This is an outline application for the erection of 20 dwelling with only access to be considered. It follows a recent refusal (DC/19/01236) and is ostensibly the same scheme.

I acknowledge the Inspector's comments noted in the recent Appeal decision, which was also dismissed, where they state that there would be 'no impact' on the setting of the designated heritage assets. The current scheme is broadly the same as the earlier application and so I have no further comments to make from those I made dated 5<sup>th</sup> April 2019 for application DC/19/01236.

**Tegan Chenery BA(Hons) MSt**

Heritage and Design Officer

**Babergh and Mid Suffolk District Councils - Working Together**

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***For our latest Coronavirus response please visit our website via the following link:***

<https://www.midsuffolk.gov.uk/features/our-covid-19-response/>



02 December 2020

Alex Scott  
Mid Suffolk District Council  
Endeavour House  
8 Russell Road  
Ipswich IP1 2BX

By email only

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*Thank you for requesting advice on this outline application from Place Services' ecological advice service. This service provides advice to planning officers to inform Mid Suffolk District Council planning decisions with regard to potential ecological impacts from development. Any additional information, queries or comments on this advice that the applicant or other interested parties may have, must be directed to the Planning Officer who will seek further advice from us where appropriate and necessary.*

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**Application:** DC/20/04429  
**Location:** Land Off Hawes Lane Norton Suffolk  
**Proposal:** Application for Outline Planning Permission (some matters reserved, access to be considered). Town and Country Planning Act 1990 - Erection of 9No dwellings and construction of vehicular access and pedestrian link.

Dear Alex,

Thank you for re-consulting Place Services on the above outline application.

**No objection subject to securing ecological mitigation and enhancement measures**

**Summary**

We have reviewed the Updated ecology report (MHE Consulting Ltd, November 2020) relating to the likely impacts of development on designated sites, protected and Priority species & habitats.

We are satisfied that there is sufficient ecological information available for determination.

This provides certainty for the LPA of the likely impacts on protected and Priority species & habitats and with appropriate mitigation measures secured, the development can be made acceptable.

The updated ecology report (MHE Consulting Ltd, November 2020) advises the removal of the two short lengths of roadside species-poor hedgerow will be compensated by the proposed site landscaping which includes some native hedgerow and tree planting. The new sections of hedgerow should be species-rich using a native species mix. Therefore, further hedgerow planting will need to be demonstrated at reserved matters stage within an amended Proposed Site Plan & Block Plan, which will need to be proportionate for the loss of the proposed hedgerow removal.

The mitigation measures identified in the Updated ecology report (MHE Consulting Ltd, November 2020) should be secured and implemented in full. This is necessary to conserve and enhance protected



and Priority Species. This should include where possible, hedgehog gaps in fencing to allow hedgehogs to forage within gardens of the new dwellings.

We recommend that a Wildlife Friendly Lighting Strategy is implemented for this application. Therefore, technical specification should be submitted prior to occupation, which demonstrates measures to avoid lighting impacts to foraging / commuting bats, which are likely present within the local area. This should summarise the following measures will be implemented:

- Light levels should be as low as possible as required to fulfil the lighting need.
- Warm White lights should be used at <3000k. This is necessary as lighting which emit an ultraviolet component or that have a blue spectral content have a high attraction effects on insects. This may lead in a reduction in prey availability for some light sensitive bat species.
- The provision of motion sensors or timers to avoid the amount of 'lit-time' of the proposed lighting.
- Lights should be designed to prevent horizontal spill e.g. cowls, hoods, reflector skirts or shields.

We also support the proposed reasonable biodiversity enhancements, which have been recommended to secure measurable net gains for biodiversity, as outlined under Paragraph 170d of the National Planning Policy Framework 2019. The reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Strategy.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

Impacts will be minimised such that the proposal is acceptable subject to the conditions below based on BS42020:2013.

Submission for approval and implementation of the details below should be a condition of any planning consent.

### **Recommended conditions**

#### **1. CONCURRENT WITH RESERVED MATTERS: ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS**

*"All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Updated ecology report (MHE Consulting Ltd, November 2020) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.*

*This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW,) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details."*



**Reason:** To conserve Protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 and s17 Crime & Disorder Act 1998.

**2. CONCURRENT WITH RESERVED MATTERS: BIODIVERSITY ENHANCEMENT STRATEGY**

*“A Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the local planning authority, following the details contained within the Updated ecology report (MHE Consulting Ltd, November 2020).*

*The content of the Biodiversity Enhancement Strategy shall include the following:*

- a) Purpose and conservation objectives for the proposed enhancement measures;*
- b) detailed designs to achieve stated objectives;*
- c) locations of proposed enhancement measures by appropriate maps and plans;*
- d) persons responsible for implementing the enhancement measures;*
- e) details of initial aftercare and long-term maintenance (where relevant).*

*The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.”*

**Reason:** To enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

**3. CONCURRENT WITH RESERVED MATTERS: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME**

*“A lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.*

*All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.”*

**Reason:** To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

Please contact us with any queries.

Yours sincerely,

**Hamish Jackson ACIEEM BSc (Hons)**

Ecological Consultant

[placeservicesecology@essex.gov.uk](mailto:placeservicesecology@essex.gov.uk)



**Place Services provide ecological advice on behalf of Mid Suffolk District Council**

Please note: This letter is advisory and should only be considered as the opinion formed by specialist staff in relation to this particular matter.



29 October 2020

Alex Scott  
Mid Suffolk District Council  
Endeavour House  
8 Russell Road  
Ipswich IP1 2BX

By email only

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*Thank you for requesting advice on this outline application from Place Services' ecological advice service. This service provides advice to planning officers to inform Mid Suffolk District Council planning decisions with regard to potential ecological impacts from development. Any additional information, queries or comments on this advice that the applicant or other interested parties may have, must be directed to the Planning Officer who will seek further advice from us where appropriate and necessary.*

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**Application:** DC/20/04256  
**Location:** Land West Of Suffolk House Ixworth Road Norton Suffolk  
**Proposal:** Application for Outline Planning Permission (Access to be considered) Town and Country Planning Act 1990 - Erection of 20No dwellings and construction of vehicular access and pedestrian link (re-submission of DC/19/01236).

Dear Alex,

Thank you for consulting Place Services on the above outline application.

#### **Holding objection due to insufficient ecological information**

##### **Summary**

We have reviewed the Ecological Survey (MHE Consulting Ltd, November 2018) provided by the applicant, relating to the likely impacts of development on designated Sites, protected and Priority species & Habitats.

We are not satisfied that sufficient ecological information is currently available for determination of this application. This is because the Ecological Survey (MHE Consulting Ltd, November 2018) is out of date to accompany this application, following the Chartered Institute of Ecology and Environmental Management (CIEEM) - Advice note on the Lifespan of Ecological Reports and Surveys (April 2019) - <https://cieem.net/wp-content/uploads/2019/04/Advice-Note.pdf>. This is due to the initial field survey being undertaken over 23 months ago in November 2018.

Therefore, it is recommended that the professional ecologist will need to undertake a site visit and may also need to update desk study information for this application. An addendum to the ecological report should then be provided, with appropriate justification on the validity of the report. In addition, the addendum must also consider whether further ecological considerations will be required from this amended application.



This further information is required to provide the LPA with certainty of impacts on protected and Priority species and enable it to demonstrate compliance with its statutory duties, including its biodiversity duty under s40 NERC Act 2006.

We look forward to working with the LPA and the applicant to provide the additional information to overcome our holding objection.

Please contact us with any queries.

Yours sincerely,

**Hamish Jackson ACIEEM BSc (Hons)**

Ecological Consultant

[placeservicesecology@essex.gov.uk](mailto:placeservicesecology@essex.gov.uk)

**Place Services provide ecological advice on behalf of Mid Suffolk District Council**

Please note: This letter is advisory and should only be considered as the opinion formed by specialist staff in relation to this particular matter.

**From:**Nathan Pittam  
**Sent:**16 December 2020 14:57  
**To:**Alex Scott  
**Cc:**BMSDC Planning Mailbox  
**Subject:**DC/20/04256. Land Contamination

Dear Alex

**EP Reference : 285023**  
**DC/20/04256. Land Contamination**  
**Land off, Hawes Lane, Norton, BURY ST EDMUNDS, Suffolk.**  
**Application for Outline Planning Permission (Access to be considered) Town and Country Planning Act 1990 - Erection of 20No dwellings and construction of vehicular access and pedestrian link (re-submission of DC/19/01236).**

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**

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### Thank you for contacting us

We are working hard to keep services running safely to support and protect our residents, businesses, communities and staff through this period and beyond.

We will respond to your query as soon as possible. In the meantime, you can find the latest council information, including our response to Covid-19, on our website.



**Minimum requirements for dealing with unexpected ground conditions being encountered during construction.**



1. All site works at the position of the suspected contamination will stop and the Local Planning Authority and Environmental Health Department will be notified as a matter of urgency.
2. A suitably trained geo-environmental engineer should assess the visual and olfactory observations of the ground and the extent of contamination and the Client and the Local Authority should be informed of the discovery.
3. The suspected contaminated material will be investigated and tested appropriately in accordance with assessed risks. The investigation works will be carried out in the presence of a suitably qualified geo-environmental engineer. The investigation works will involve the collection of solid samples for testing and, using visual and olfactory observations of the ground, delineate the area over which contaminated materials are present.
4. The unexpected contaminated material will either be left in situ or be stockpiled (except if suspected to be asbestos) whilst testing is carried out and suitable assessments completed to determine whether the material can be re-used on site or requires disposal as appropriate.
5. The testing suite will be determined by the independent geo-environmental specialist based on visual and olfactory observations.
6. Test results will be compared against current assessment criteria suitable for the future use of the area of the site affected.
7. Where the material is left in situ awaiting results, it will either be reburied or covered with plastic sheeting.
8. Where the potentially contaminated material is to be temporarily stockpiled, it will be placed either on a prepared surface of clay, or on 2000-gauge Visqueen sheeting (or other impermeable surface) and covered to prevent dust and odour emissions.
9. Any areas where unexpected visual or olfactory ground contamination is identified will be surveyed and testing results incorporated into a Verification Report.
10. A photographic record will be made of relevant observations.
11. The results of the investigation and testing of any suspect unexpected contamination will be used to determine the relevant actions. After consultation with the Local Authority, materials should either be: • re-used in areas where test results indicate that it meets compliance targets so it can be re-used without treatment; or • treatment of material on site to meet compliance targets so it can be re-used; or • removal from site to a suitably licensed landfill or permitted treatment facility.
12. A Verification Report will be produced for the work.

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

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

Sent: 02 October 2020 15:37

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

Subject: RE: MSDC Planning Consultation Request - DC/20/04256

The Public Realm Team do not have any comments to make with regards to access relating to this application.

The indicative layout does not include any public open space and the Public Realm Team would like to ensure that any requirements to provide new open space or contribute to the improvement of existing open space are met once the detailed scheme is developed

Regards

Dave Hughes  
Public Realm Officer

## MID SUFFOLK DISTRICT COUNCIL

### MEMORANDUM

TO: Alex Scott – Planning Officer

From: Sacha Tiller - Housing Enabling Officer – Strategic Planning

Date: 26.10.2020

Ref: **DC/20/04256 (DC/20/04429)**

Proposal: Application for Outline Planning Permission (Access to be considered) Town and County Planning Act 1990 – Erection of 20 No dwellings and construction of vehicular access and pedestrian link (re-submission of DC/19/01236)

Location: Land West Of Suffolk House, Ixworth Road, Norton, Suffolk.

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### Key Points

#### 1. Background Information

- |   |
|---|
| <ul style="list-style-type: none"><li>• An outline development proposal for up to 201 residential dwellings.</li></ul>  |
| <ul style="list-style-type: none"><li>• This is an open market development and based on 20 units should offer 7 affordable housing units = 35% policy compliant position.</li></ul> |
| <ul style="list-style-type: none"><li>• Site size has been given as 1.23 hectares.</li></ul>  |

#### 2. Housing Need Information:

- 2.1 The Ipswich Housing Market Area, Strategic Housing Market Assessment (SMHA) document, updated in 2017, confirms a continuing need for housing across all tenures and a growing need for affordable housing.
- 2.2 The 2017 SHMA indicates that in Mid Suffolk there is a need for **94 new affordable homes per annum. Ref1**
- 2.3 Furthermore, by bedroom numbers the affordable housing mix should equate to:

Ref2 Estimated proportionate demand for affordable new housing stock by bedroom number	
Bed Nos	% of total new affordable stock
1	46%
2	36%
3	16%

- 2.4 This compares to the estimated proportionate demand for new housing stock by bedroom size across all tenures.

<b>Ref3 Estimated proportionate demand for all tenure new housing stock by bedroom number</b>	
<b>Bed Nos</b>	<b>% of total new stock</b>
1	18%
2	29%
3	46%
4+	6%

- 2.5 The Council's 2014 Suffolk Housing Needs Survey shows that there is high demand for smaller homes, across all tenures, both for younger people, who may be newly forming households and also for older people who are already in the property-owning market and require different, appropriate housing, enabling them to downsize. Affordability issues are the key drivers for this increased demand for smaller homes.
- 2.6 The Council's Choice Based Lettings system currently has circa. 730 applicants registered for affordable housing in Mid Suffolk as at March 2019.

### **3. Preferred Mix for Open Market homes – See plan last page.**

- 3.1 There is a strong need for homes more suited to the over 55 age brackets within the district and supply of single storey dwellings or 1.5 storeys has been very limited over the last 10 years in the locality. Mid Suffolk and the county as a whole faces a large increase in the population of over 65-year olds so we need to ensure there are suitable housing choices for older people to remain in their communities.
- 3.2 There is growing evidence that housebuilders need to address the demand from older people who are looking to downsize or right size and still remain in their local communities.
- 3.3 Furthermore, the **2014 Suffolk Housing Survey** shows that, across Mid Suffolk district:
- 12% of all existing households contain someone looking for their own property over the next 3 years (mainly single adults without children). The types of properties they are interested in are flats / apartments, and smaller terraced or semi-detached houses.
  - Although this is not their first preference, many accept that the private rented sector is their most realistic option.
  - 25% of households think their current property will not be suitable for their needs in 10 years' time.
  - Suitable housing options for more elderly people are less available within the current housing stock. 6% of all households have elderly relatives who may need to move to Suffolk within the next 3 years.

- The affordable housing should be integrated into the scheme and not placed in one area.
- The proposed Outline Planning Application does not show the size or type of any of the proposed dwellings. To meet local need we would hope there would be a mix of 2 and 3 bedrooms houses and bungalows.

#### **4. Proposed Affordable Housing Mix = 6**

- 4.1 The Planning Statement produced by Phil Cobbold Planning Limited, September 2020 purports to building 6 affordable homes. No other detail has been provided although this has been requested via email on 26.10.2020.
- 4.2 The Planning Statement produced by Phil Cobbold Planning Limited, September 2020, makes reference to 6 affordable homes, 2 bungalows, 6 self-build plots and 6 open markets homes. We would welcome as much information as possible on this mix in order to make an informed decision and provide an accurate response.

#### **5. Required homes for Affordable Rent = 7 (35% of 20 = 7 to be policy compliant)**

##### **Affordable Rent: Total: 5**

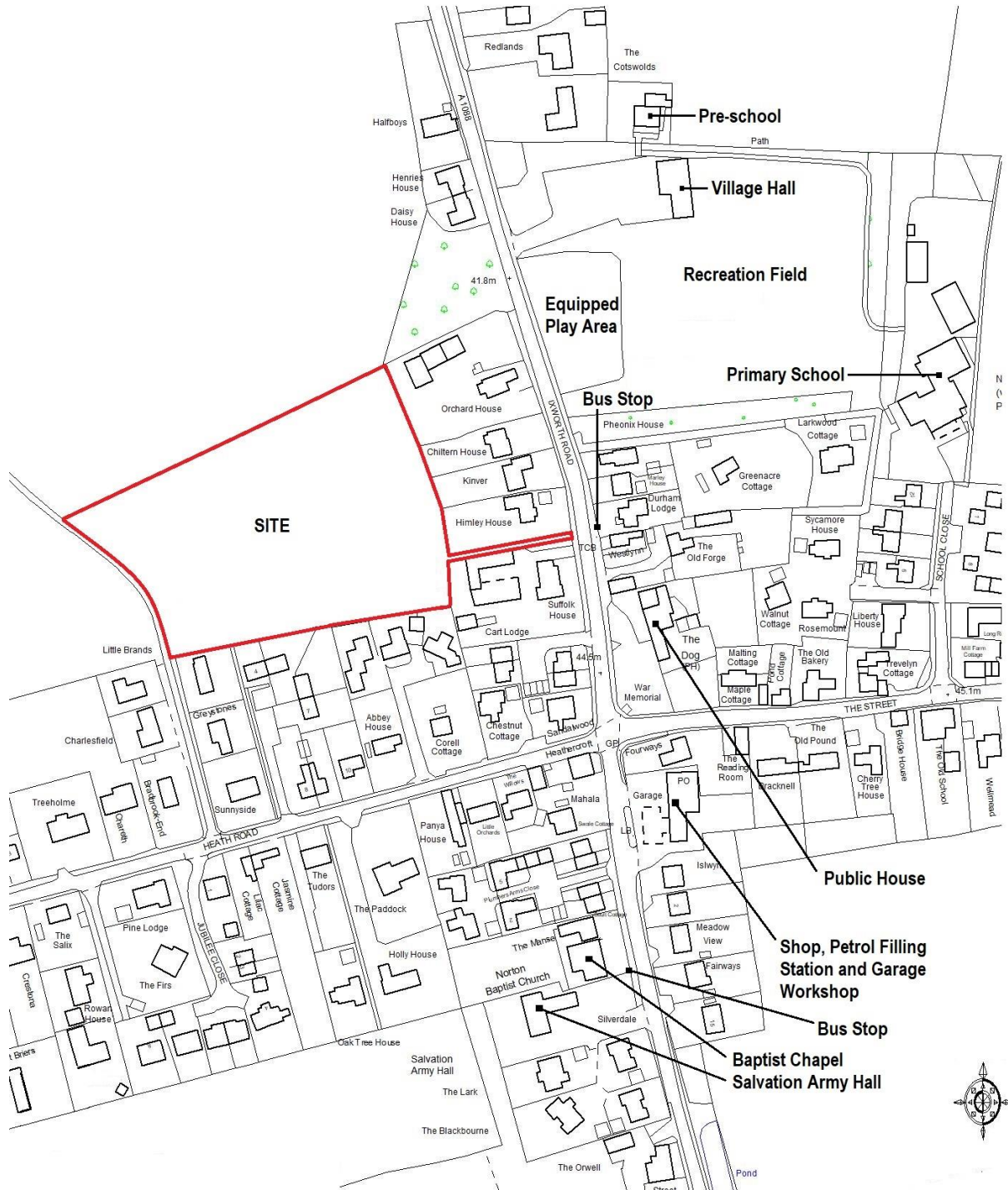
- 2 x 2b x 4p houses (sqm and plot numbers tbc)
- 2 x 3b x 6p houses (sqm and plot numbers tbc)
- 1 x 2b x 3p bungalows (sqm and plot numbers tbc)

##### **Shared Ownership: Total: 2**

- 2 x 2b x 4p houses (sqm and plot numbers tbc)

#### **5. Other requirements for affordable homes:**

- Properties must be built to the Housing Standards Technical guidance March 2015 and Nationally Described Space Standards.
- The council is granted 100% nomination rights to all the affordable units on first lets and minimum of 75% of relets in perpetuity.
- For all shared ownership dwellings applicants must be registered with the Suffolk Homebuy agency.
- Initial share purchases for shared ownership dwellings to be capped at 75%.
- The affordable units to be constructed 'tenure blind' and must not be in clusters of more than 15 dwellings. The affordable homes should be distributed across the different phases of the development.
- Adequate parking provision is made for the affordable housing units and cycle storage/sheds.



**LAND OFF HAWES LANE (REAR OF SUFFOLK HOUSE), NORTON.**

Phil Cobbold BA PGDip MRTPI - Member of the Royal Town Planning Institute - Chartered Town Planner

Phil Cobbold Planning Ltd

Registered in England No.09701814

Registered Office: 42 Beatrice Avenue Felixstowe IP11 9HB



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## Appeal Decision

Site visit made on 26 May 2020

by **Peter Mark Sturgess BSc (Hons), MBA, MRTPI**

an Inspector appointed by the Secretary of State.

Decision date: 14/7/20

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**Appeal Ref: APP/W3520/W/20/3245218**

**Land off Hawes Lane, Norton, Bury St. Edmunds, Suffolk IP31 3LS**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by Ash Property Consortium Ltd against the decision of Mid Suffolk District Council.
  - The application Ref DC/19/01236, dated 26 February 2019, was refused by notice dated 17 October 2019.
  - The development proposed is erection of 20 dwellings construction of vehicular access and pedestrian link.
- 

### Decision

1. The appeal is dismissed.

### Application for costs

2. An application for costs was made by Ash Property Construction Ltd against Mid Suffolk District Council. This application is the subject of a separate Decision.

### Procedural Matters

3. The application was submitted in outline with all matters reserved apart from access. I have dealt with the appeal on this basis and have treated the layout details shown on drawing number 100-225/003B, dated 20 December 2020, as being for illustrative purposes only.

### Background and Main Issues

4. The Council's reason for refusal refers to the 'amenity for existing residents'. However, it is clear from the evidence in this regard, that this matter relates to highway safety rather than the living conditions of the occupiers of nearby dwellings. Against this background I consider the main issues to be the effect of the proposal on the character and appearance of Hawes Lane and the effect of the proposal on highway safety.

### Reasons

#### *Character and appearance of the area*

5. The site lies on the north western edge of the village of Norton. To the north and west of the site is agricultural land with the bulk of the village lying to the south and east. There is a sharp transition between the developed part of the lane and the longer part which crosses agricultural land to the north.

6. The appeal site has the appearance of an uncultivated paddock with a line of tall trees along its north-eastern boundary. Its boundary with Hawes Lane is well vegetated with trees and bushes.
7. Hawes Lane is a rural single-track road which connects Heath Road to the south with Thurston Road to the north. At its southern end it gives access to 5 dwellings and has a grass verge on both sides which is level with the road surface. Outside the built area of the village it adopts a rural character, remains single-track and is lower than the fields either side, with a near vertical face to the road edge and banks in some places, until it reaches a wooded area to its western side where it is possible for vehicles to pass. It would be difficult in the sunken part of the lane for cars to pull on to the verge and pass oncoming traffic, due to the height of some of the banks alongside it. I noted on my site visit that the lane was being used to access the adjacent arable land by large agricultural machinery. However, I saw no evidence of vehicles currently damaging the verge or bank along the lane.
8. The vehicular traffic generated by the appeal site would use Hawes Lane exclusively to gain access to the proposed dwellings. Turning a lane used to access around 5 dwellings and agricultural machinery into one used to access at least 25 dwellings, plus the agricultural machinery.
9. The proposal would widen the lane across its frontage and provide a passing bay in Hawes Lane, between the appeal site and its junction with Heath Road. Whilst this would change the character of the lane in front of the appeal site, the lane would retain its rural/single track character to the north of the appeal site and residential/single lane character to the south.
10. The character of Hawes Lane is derived from its single lane nature and the land either side. Where it is located within the built-up area of the village it has grass verges either side, level with the metalled part of the road. The verge at present exhibits no obvious signs of being used by vehicles. In all likelihood, despite the provision of a passing place drivers accessing the development will use the grass verges to avoid oncoming traffic as the verge is easily accessible from the carriageway. The introduction of the passing bay would make little difference as traffic is able to pass in this part of the lane by accessing the grass verges.
11. In the rural part of the lane cars will, either erode the near vertical edges either side of the metalled part of the road or attempt to mount the grass banks in order to pass oncoming vehicles. The local highway authority (LHA) has advised that drivers might take this route to avoid the junction of Hawes Lane and Heath Road, which has substandard visibility, potentially exacerbating the harm caused by the additional traffic in this part of the lane. This will damage the grass banks either side of the lane to the detriment of its character and appearance. This is more than just 'wear and tear' to the road surface for which the LHA would be responsible, it would affect land either side of the road, which appears to be outside the limits of the public highway. Moreover, it has not been demonstrated through the evidence that the verge is under the control of either the LHA or the appellant. I note what the appellant has said regarding how this approach might affect the consideration of other proposals but taking this proposal on its merits I consider it would cause harm to the character and appearance of Hawes Lane.



12. The development plan for the area includes the 'Mid Suffolk Local Plan 1998 – saved policies (LP)', the 'Mid Suffolk Core Strategy Development Plan Document – September 2008' (CS) and the 'Mid Suffolk Core Strategy – Focused Review – December 2012' (CSFR). Saved Policy GP1 and T10 of the LP seek to ensure that new development that damages the character of the area surrounding a development will be resisted and that safety for users of the public highway is maintained.
13. A note appended to Policy T1 advises that the policy should be read in conjunction with Policy GP1 which sets out the design matters to be addressed in all new developments. This is an outline application and therefore most of the design matters referred to in Policy GP1 are not relevant. However, it is necessary to examine the impact of the traffic generated by the development on the surrounding roads, as this will be fixed by the number of dwellings permitted should this appeal be allowed. It is this traffic that could have an impact on the character and appearance of the area in the vicinity of the appeal site.
14. Policy GP1, as well as setting general guidance criteria which new development will be expected to meet, also expects development to maintain or enhance the character and appearance of the surrounding area. I consider that the appeal proposal is in conflict with this policy as the additional traffic generated would damage the character and appearance of the rural part of Hawes Lane from which the appeal site is accessed. This is set out in paragraph 11 above. This view is reinforced by the explanation to Policy GP1 which defines, amongst other things, sustainable development in terms of making sure that new development does not harm or detract from what already exists.
15. I find that the appeal proposal would harm the character and appearance of the surrounding area and therefore is in conflict with Policy GP1 of the LP. This is due to the likelihood of vehicles damaging land adjacent to the highway due to the constrained width of the lane over a prolonged distance and the sunken nature of the lane itself. The rural nature of the lane, lower than the surrounding agricultural land, helps to define the areas character and appearance.

#### *Highway safety*

16. As I stated in the background and main issues section above, I consider that this main issue relates to highway safety rather than the amenity/living conditions of the existing residents. I have therefore addressed the highway safety issues raised in the evidence in this section.
17. Saved Policy T10 of the LP lists, as one of the highway matters in considering development proposals, the suitability of the existing roads in terms of, amongst other things, pedestrian safety. I consider that the proposed development is in conflict with this policy as it would increase the potential for conflict between pedestrians and vehicles using the rural part of the lane, to the detriment of pedestrian safety.
18. Reference has been made by the appellant to the need for a construction management plan (CMP) to manage the impacts of the construction of the development on the local road network. I am satisfied that a properly framed and enforceable CMP could adequately mitigate any adverse effects on the local road network brought about by construction traffic. I note a condition has been

suggested by the LHA to ensure an effective CMP is delivered should planning permission be granted. I am satisfied that such a condition would adequately mitigate the effects the construction of the development would have on the local area.

19. I note that the LHA has raised no highway concerns, subject to appropriate conditions. However, the conditions themselves do not address the issue of pedestrian safety in the rural part of Hawes Lane. I am satisfied that vehicular safety at the entrance to the site, on to Hawes Lane, can be assured. I am also confident that with regards to safety of the occupants of vehicles generated by the site, the local road network has the capacity to accommodate them safely, and that the new pedestrian link between the site and the village will give people a safe access to the services in the village and public transport.
20. Hawes Lane is used by pedestrians to access the countryside surrounding the village. I observed on my site visit a well-used public footpath leading from Hawes Lane into the countryside. This is reinforced by the representations received by local residents, some of whom have indicated that the lane is used to access a local nature reserve. The appellant describes this as 'hearsay', however from my observations and examining the representations received I can understand how Hawes Lane could be used by local people in this way. The nature of the rural part of Hawes Lane, from the end of the current built up part of the village to its junction with the Thurston Road, being narrow and lower than the surrounding land, with grass banks, means that pedestrians using Hawes Lane to access the countryside and the nature reserve would have difficulty in moving out of the way of cars. The addition of a further 20 houses with associated vehicular movements throughout the day can only make this situation more hazardous for pedestrians and other non-vehicular users of the lane.
21. Both the Council, in their statement, and the appellant have referred to highway safety in Heath Road. I note Heath Road has no footways. However, it does have housing either side, which would indicate to motorists that they are likely to encounter pedestrians using the road. It also has a grass verge which is at the same level as the metalled part of the road, which pedestrians could use to avoid vehicles. The appeal proposal also makes provision for a pedestrian link from the appeal site into the village, which could act as an alternative route to the services of the village for the residents of Heath Road. I therefore do not consider that pedestrian safety in Heath Road would be harmed by the appeal proposal.
22. It is agreed between the parties that the junction between Heath Road and Hawes Lane has substandard visibility. It is common in villages to have junctions that do not meet modern highways standards. Moreover, the LHA has considered the appeal proposal from a highway safety point of view and has raised no issue with regard to this junction safely accommodating the additional traffic generated by the proposed development. I therefore see no issue in its ability to safely accommodate the additional traffic generated.
23. The appellant in his response to the Council's statement, at paragraph 5.5, has acknowledged that the metalled carriageway of Hawes Lane is narrow. He also states that there are opportunities for vehicles to pass using the verge as they have always done. Whilst I accept that this is possible in the part of the lane within the village this would be more difficult in the rural part of the lane,

where the road surface is lower than the surrounding land and there are grass banks. In this part of the lane there might well be a need for cars to reverse to allow oncoming traffic to pass. With regard to traffic leaving the appeal site and turning left, into the village, rather than right, into the rural lane, the LHA has stated that the right turn might be considered by drivers to avoid the substandard junction with Heath Road. This strengthens my view that a significant amount of traffic leaving the appeal site will turn right and use the rural part of Hawes Lane and have a consequent impact on pedestrian safety.

24. The widening of the lane across the frontage of the proposed development, the provision of a passing bay on the lane within the village and the provision of a pedestrian link between the appeal proposal and the centre village would all assist in making the proposal safer in highway terms. However, none of these measures, either in combination or by themselves, would address pedestrian safety in the rural part of Hawes Lane. The rural part of Hawes Lane is used by people in the village to access the surrounding open countryside. This would still be the case should the appeal proposal be constructed. Therefore, the danger from traffic which is currently experienced by pedestrians in the rural part of the lane would increase should the proposed development go ahead. I accept that pedestrians do not have priority over the use of Hawes Lane, as stated by the appellant, however they need a safe and convenient way of avoiding oncoming cars if the proposed development is to be considered acceptable.
25. I therefore find that the proposal is in conflict with Policy T10 of the LP, as it fails to ensure the safety of pedestrians using the rural part of Hawes Lane. Whilst the Council refers to Policies H16 of the LP and FC1.1 of the CSFR, these policies are not relevant to this issue as the argument the Council has advanced relates wholly to highway safety matters. These policies address, amongst other things, the issue of the 'amenity'/living conditions of neighbouring residential occupiers which are not addressed by the Council in its evidence. As this is an outline application the effect on 'amenity' or living conditions of the surrounding residential occupiers by the development will be considered at a later stage, should planning permission be granted.

*Conclusion on main issues*

26. I find that the development would adversely affect the character and appearance of the locality as the increased traffic using the single-track parts of Hawes Lane would damage the grassed areas and banks, which has been alleged are outside the ownership of the LHA or appellant, alongside the lane to the detriment of its character and appearance. This would go beyond normal wear and tear, as it would affect the land either side of the metalled part of the highway. It might also be damage that, whilst it is visually detrimental to the character and appearance of the lane, does not affect the ability of vehicular traffic to use the lane.
27. I also consider that the increased conflict between vehicles and pedestrians in the rural part of Hawes Lane, where the roadway is lower than the surrounding land, is unacceptable in highway safety terms. The lane is used by people from the village to access the surrounding countryside. The appeal proposal will lead to an increase in traffic using the rural part of the lane. This part of the lane also leads to a local nature reserve, is of restricted width, has grass banks and is lower than the grass verge alongside it. This means that pedestrians using

this part of the lane would have difficulty in avoiding oncoming traffic to the detriment of their safety.

28. Issues have been raised concerning the safety of pedestrians in Heath Road, the standard of the junction between Heath Road and Hawes Lane, the provision of a pedestrian link between the proposed development and the village, the provision of a passing bay on the village part of Hawes Lane, provision of a CMP and the widening of the lane across the frontage of the appeal site. Whilst I have largely agreed that these are all acceptable in either planning or highway safety terms, they are not sufficient, either on their own or in combination to outweigh the harm I have identified.
29. I therefore find for the reasons given above that the appeal proposal is in conflict with saved Policies GP1 and T10 of the LP.

### **Other Matters**

#### *Principle of development*

30. The council officer's report identifies a conflict between the policies of the development plan and the appeal proposal. In particular LP Policy H7, CS Policies CS1 and CS2 and FC2 of the CSFR. This is primarily due to the site lying outside the settlement boundary of Norton and not complying with the list of developments which are defined as being appropriate to a countryside location. The Council considers that these policies are out of date as they are not consistent with the National Planning Policy Framework (the Framework), being more restricted and negatively worded. I have assessed these policies against the requirements of the Framework. I agree that they are inconsistent as they are more restrictive in their approach to new development than the Framework and therefore out of date.

#### *Design, layout and landscaping*

31. As this is an outline application, the drawing submitted with the proposal is for illustrative purposes only. In terms of the principle of development the design, layout and landscape impact demonstrate that a development of 20 houses can be accommodated on the site and meet the requirements of the development plan.

#### *Heritage Issues*

32. Reference is made in the officer's report to the presence of listed buildings in the village centre and a non-designated heritage asset nearby. The report concludes that given the proximity of the heritage asset to the appeal site the proposal will cause a 'negligible level' of harm to the designated asset and 'a very low level of less than substantial harm to the non-designated asset'. Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states, amongst other things, that special regard is to be paid to the desirability of preserving the listed building or its setting. The listed buildings referred to in the evidence are the Dog Inn and Malting Cottage. Both these buildings are on the opposite side of the A1088 and some distance from the appeal site. They are also separated from the appeal site by development. Whilst I have had regard to the duties on decision takers in terms of the 1990 Act, I consider that the appeal site would have no impact on the setting of these listed buildings as they are already surrounded by development, they are some distance from the appeal site on the other side of a busy main road

and would be seen against the back drop of this existing development. The proposed development would therefore preserve their settings.

#### *Archaeology*

33. The County Archaeological unit has advised that there is high potential for the discovery of below ground heritage assets at the site. I am satisfied that any below ground heritage assets are capable of being dealt with by an appropriate condition, should the appeal be allowed.

#### *Flood risk, ecology and biodiversity and contaminated land*

34. I note from the officer's report that it was considered that the submitted Flood Risk Assessment, Ecological Report and Phase 1 Contaminated Land Survey showed that, subject to conditions, the proposal would be acceptable in these regards, I have no reason to disagree.

#### *Community Infrastructure Levy*

35. The report recognises that the appeal proposal would be liable to the Community Infrastructure Levy at the appropriate stage, should planning permission be granted. I am satisfied that this can be dealt with should planning permission be granted.

#### *Affordable Housing*

36. The officer's report and the appellant's statement of case refer to the provision of affordable housing within the appeal proposal. The officer's report refers to planning permission being granted subject to the 'prior agreement of a Section 106 Planning Obligation on appropriate terms'. I have not been supplied with a completed planning obligation made under Section 106 of the Town and Country Planning Act 1990 to secure the provision of the affordable housing. I have no doubt with a commitment on both sides a satisfactory planning obligation could be concluded. I therefore need to give the probability of a satisfactory Section 106 agreement being concluded to deliver affordable housing on the appeal site appropriate weight as a benefit of the proposal, in deciding this appeal.

#### *Overall sustainability of the proposal*

37. The appellant has also argued that the proposed development constitutes sustainable development as it would achieve an environmental, social and economic objective. In particular it would provide economic support for the services currently in the village, it would meet a social objective by providing a range of family homes (including affordable housing) and an environmental objective as the site is in walking distance of local services and public transport. I need to give these factors weight in determining this appeal.

### **Planning Balance**

38. The starting point for the consideration of a planning application is the development plan. Section 38(6) of the 2004 Planning and Compulsory Purchase Act states: 'If regard is to be had to the development plan for the purpose of any determination under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise. The council officer's report identifies a conflict between the development plan policies and the appeal proposal. In particular LP Policy H7,

CS1 and CS2 and FC2 of the CSFR. The Council has stated that these policies are out of date as they are not consistent with the Framework, being more restricted and negatively worded. The reason for refusal issued by the Council refers to Policies T10, GP1 and HC16 of the LP and FC1.1 of the CSFR as being relevant to this appeal.

39. I consider that the development proposal is in conflict with the development plan which contains policies which are relevant to the determination of this appeal, including LP Policies H7, CS1, CS2, GP1, T10 and FC2 of the CSFR. These are the policies of the development plan which are most important to the determination of this appeal.
40. The appellant has referred to two appeal decisions that have found policies of the development plan out of date. I have read these appeal decisions and note that they do find some policies of the development plan out of date. However, some of the policies which are most important to the determination of this appeal are not identified as being out of date in these appeal decisions.
41. Policy T10 recognises, amongst other things, the importance of having regard to pedestrian safety in development proposals. Paragraph 110 of the Framework states 'applications for development should give first priority to pedestrian and cycle movements both within the scheme and within neighbouring areas and create places that are safe secure and attractive which minimise the scope for conflicts between pedestrians, cyclists and vehicles...'. I regard Policy T10 as being up to date for the purposes of this appeal as it is consistent with the Framework.
42. Policy GP1 seeks, amongst other things, to ensure that proposals should maintain or enhance the character of their surroundings. The Framework at Section 12, amongst other things, encourages planning policies to ensure developments are sympathetic to the local character and history and establish or maintain a strong sense of place. The majority of issues that Policy GP1 deals with are for the reserved matters application. However, I consider the appeal proposal will have an adverse effect on the rural part of Hawes Lane by damaging its character and appearance through the introduction of additional traffic which would cause damage to the grassed areas and banks alongside the lane. I therefore consider that Policy GP1 is up to date for the purposes of this appeal as it reflects the Frameworks aim of encouraging developments that are sympathetic to local character and maintain a strong sense of place.
43. It is not in dispute that the Council has a 5-year supply of deliverable housing sites. An appeal decision submitted by the appellant dated 9 January 2020 also accepted that the Council had a 5-year supply of deliverable housing sites. Therefore, it is able to provide for its housing needs elsewhere without the need for the appeal site.
44. The policies concerning the distribution of housing within the District are out of date as they are not consistent with the Framework. However, there are policies of the development plan that are up to date as they are consistent with the Framework, and these are the policies that are some of the most important in determining this appeal. Therefore, in terms of the basket of policies against which the appeal is determined, when taken as a whole they are not out of date. This means that paragraph 11d of the Framework is not engaged. The Council is also able to demonstrate a 5-year supply of deliverable housing sites.

45. In support of the proposal the appellant has argued that it brings benefits. I have set these out at paragraph 37 of this decision, as providing economic support for the services in the village, it would provide a range of family homes and affordable housing and would be within walking distance of public transport routes. However I have found a clear conflict with up to date policies of the development plan and specific harm that would be caused to the character and appearance of Hawes Lane by the increased volume of traffic eroding the rural character of the lane and to the safety of pedestrians using the lane to access the countryside surrounding the village. Accordingly, I find that the harm arising would not be outweighed by the benefits and the proposal would conflict with LP Policies T10 and GP1.

**Conclusion**

46. For the reasons set out above, there are no material considerations that would lead me to take a decision otherwise than in accordance with the development plan and the appeal is therefore dismissed.

*Peter Mark Sturgess*

INSPECTOR

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**Application No:**

DC/20/04256

**Address:**

Land West Of Suffolk House  
Ixworth Road  
Norton



# Site Location

Slide 2

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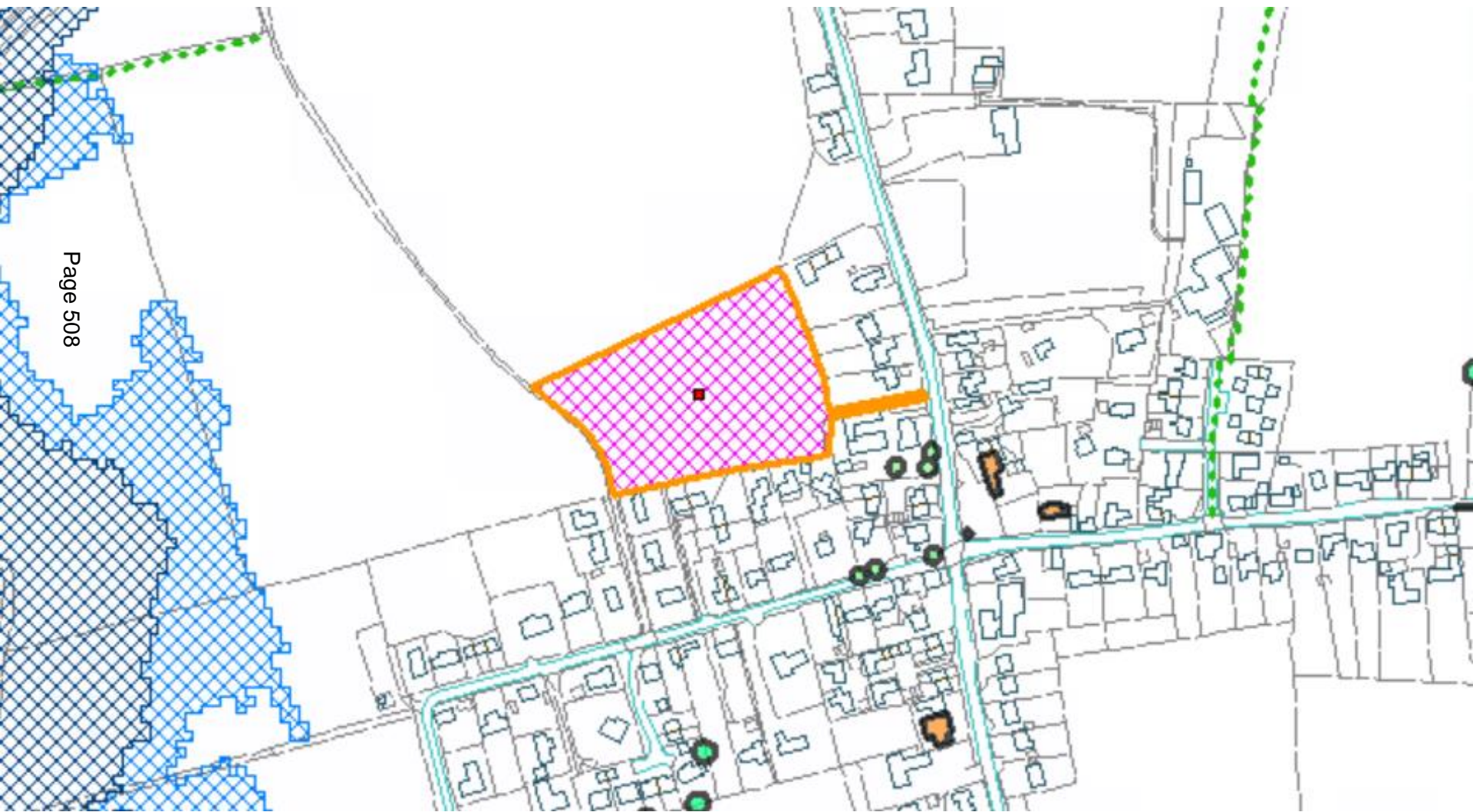




# Constraints Map

Slide 4

- Public Rights of Way
- TPO - Individual TPO/Area of trees/trees
- Grade II
- Flood Zone 2
- Flood Zone 3





## Aerial Map – wider view

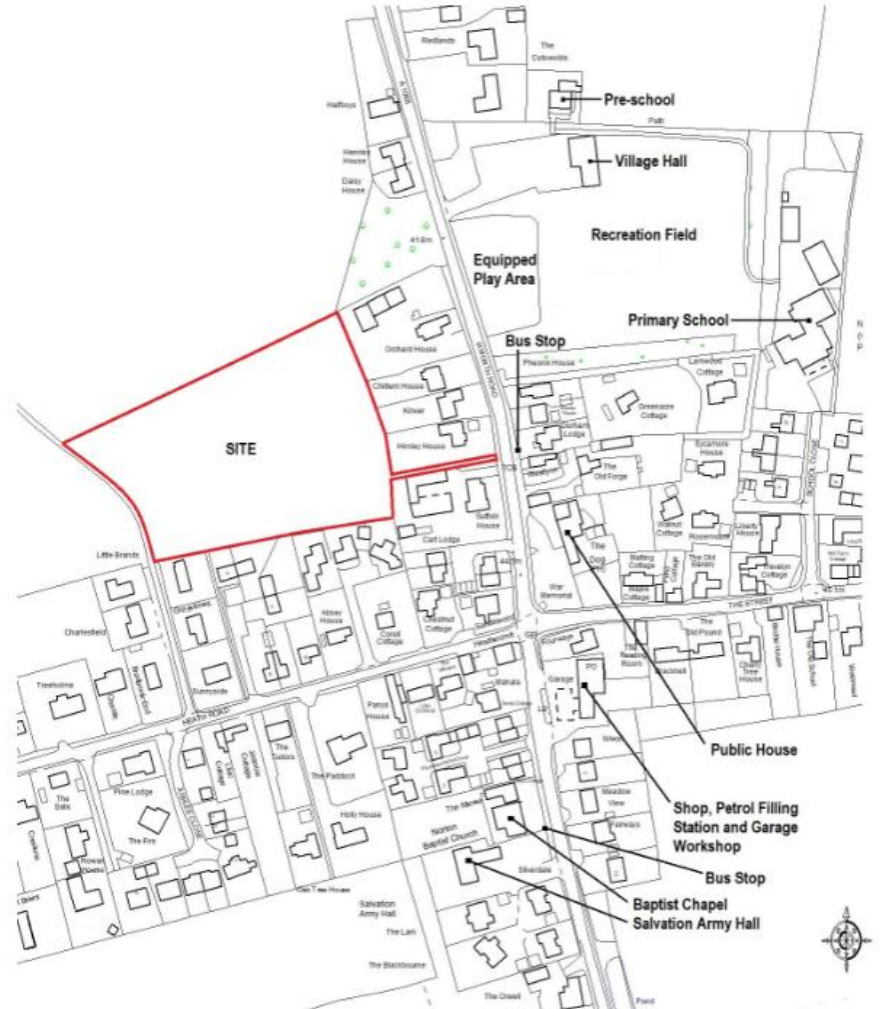
Slide 6



# Site Location Plan



42 Beatrice Avenue Felixstowe IP11 9HB  
 info@philcobboldplanning.co.uk  
 www.philcobboldplanning.co.uk  
 01394 275431



**LAND OFF HAWES LANE (REAR OF SUFFOLK HOUSE), NORTON.**

# Site Layout





# Site Layout



## Proposed Alterations to Hawes Lane



DC/19/01236 – Layout (Refused)

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# Agenda Item 7d

## Committee Report

Item 7D

Reference: DC/20/04429

Case Officer: Alex Scott

Ward: Thurston.

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

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## RECOMMENDATION – REFUSE PLANNING PERMISSION

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### Description of Development

Application for Outline Planning Permission (access to be considered). Town and Country Planning Act 1990 - Erection of 9No dwellings and construction of vehicular access and pedestrian link.

### Location

Land off Hawes Lane, Norton, Suffolk,

**Expiry Date:** 06/01/2021

**Application Type:** OUT - Outline Planning Application

**Development Type:** Minor Dwellings

**Applicant:** Ash Property Consortium Ltd

**Agent:** Philip Cobbold

**Parish:** Norton

**Site Area:** 0.49 ha

**Density of Development:**

Gross Density (Total Site): 18.36 dph

Net Density (Developed Site, excluding open space and SuDs): 18.36 dph

### **Details of Previous Committee / Resolutions and any member site visit:**

Application ref: DC/19/01236, for 20 dwellings, on land which included the current proposal site, was previously considered by MSDC Development Committee A on 16<sup>th</sup> October 2019.

Members resolved to refuse planning permission for the following reasons:

“The proposed development accessing Hawes lane would, if approved, likely result in a significant conflict between cars and pedestrians by construction traffic and during the lifetime of the development and given the design and character of the lane would be detrimental to highway safety and amenity for existing residents. Furthermore the likely impact including number of cars, wear and tear would be visually detriment to the character of the lane. On this basis it is contrary to Policies T10, GP1 and H16 of the Local Plan, FC1.1 of the Focus Review and NPPF including section 12, and Paras 108 and 110.”

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

**Has the application been subject to Pre-Application Advice: No**

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

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

- The application has been referred to Development Committee by the Ward Members, for the reasons as set out in Appendix 1;
- The Chief Planning Officer considers the application to be of a controversial nature having regard to the planning reasoning expressed by the Parish Council and the extent and planning substance of comments received from third parties and the location, scale and nature of the application.

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## **PART TWO – POLICIES AND CONSULTATION SUMMARY**

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### **Summary of Policies (Local Plan and Core Strategy)**

NPPF - National Planning Policy Framework  
FC01 - Presumption in favour of Sustainable Development  
FC01\_1 - Mid Suffolk approach to Delivering Sustainable Development  
FC02 - Provision and distribution of Housing  
CS01 - Settlement Hierarchy  
CS02 - Development in the Countryside & Countryside Villages  
CS05 - Mid Suffolk's Environment  
CS06 - Services and Infrastructure  
GP01 - Design and layout of development  
CL08 - Protecting wildlife habitats  
HB01 - Protection of historic buildings  
HB14 - Ensuring archaeological remains are not destroyed  
H07 - Restricting housing development unrelated to needs of countryside  
H13 - Design and layout of housing development  
H15 - Development to reflect local characteristics  
H16 - Protecting existing residential amenity  
H17 - Keeping residential development away from pollution  
T09 - Parking Standards  
T10 - Highway Considerations in Development  
RT04 - Amenity open space and play areas within residential development  
RT12 - Footpaths and Bridleways

### **Neighbourhood Plan Status**

This application site is not within a Neighbourhood Plan Area.

## **Emerging Joint Local Plan (JLP)**

It is recognised that the JLP has reached Reg 19 stage, but remains as policy document of growing weight, but limited weight at this time.

## **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)**

##### **Norton Parish Council**

Object:

- This is a small single carriageway Road with no public footway;
- Further development would present a serious risk to pedestrians;
- The proposal would have a detrimental effect on the area by means of additional traffic generation and safety;
- Additional passing places would have no safety benefit;
- The proposal would not enable access for Emergency Service Vehicles;
- Concern with regards safety of Heath Road and A1088 junction and recent development in nearby settlements have created more traffic at this junction;
- The proposed pedestrian link to the A1088 presents a danger to pedestrians;
- Question whether drainage and sewerage systems would be sufficient to cope with the proposed development;
- Consider existing School and Health Centre infrastructure could not deal with the proposed development;
- Concern with regards the impact on the Wildlife Nature Reserved;
- The proposal is for self-build properties, with no CIL benefit to the village; Part of the proposal site is outside the village settlement boundary; and
- The proposal clearly lends itself to future applications.

#### **National Consultee (Appendix 4)**

##### **Natural England**

Natural England has no comments to make on this application.

#### **County Council Responses (Appendix 5)**

### **SCC - Highways (Initial Response)**

No Objection subject to conditions:

We have reviewed the data supplied with this application, the summary of our findings are as follows:

- The proposed visibility splays for the development are sufficient for this application.
- The proposal for 9 dwellings would create approximately 5 vehicle movements within the peak hour (1 vehicle every 6 minutes) therefore, the development will not have an impact on the capacity of the highway network in the area.
- The nearest bus stop is on Station Road with services running approximately every 2 hours - the stops are within 100m from the application site with minimal public transport services but the stops are considered acceptable distance to walk to catch public transport.
- The application shows a footway between the site and Ixworth Road which provides a safe link to the bus stops and footway network in the village. A short section of footway on the west side of Ixworth Road is also required with an uncontrolled pedestrian crossing point.
- The Appeal for Planning Permission DC/19/01236 was dismissed as the proposal failed to ensure the safety of pedestrians using the rural part of Hawes Lane. Passing places at approximately 40m intervals have been proposed along Hawes Lane to enable vehicles to pass safely. The Planning Statement with this application has suggested these spaces can also be used by for vehicles and pedestrians to pass.

Taking all the above into account, it is our opinion that this development can achieve safe and suitable access to the site for all users and would not have a severe impact on the road network (NPPF para 108 and 109) therefore we do not object to the proposal.

### **SCC - Highways (Subsequent Response)**

Recommend Refusal - Further to SCC Highways response letter dated 21st October 2020, SCC have reconsidered the highways safety aspects of the application in the light of comments made in respect of appeal reference APP/W3520/W/20/3245218, related to the same site location

- The Planning Inspector clearly felt that the highway safety implications of the appeal site were likely to give rise to a severe highway impacts, contrary to paragraph 109 of the NPPF, caused specifically by the increase in vehicular traffic on Hawes Lane conflicting with the pedestrians walking in the road, given this road has no footways
- The proposed new pedestrian link between the site and the centre of the village is acknowledged, however, this was not considered by the planning inspector to sufficiently mitigate the severe impact and the safety of existing residents in using Hawes Lane to access several well used Public Rights of Way in the area
- The proposed new passing places are acknowledged and while these passing places may give opposing motor vehicle more space to pass one another on the narrow sections of Hawes Lane it is not sufficient to address the key issue of pedestrian safety
- Whilst the current proposal would result in lower trip generation than the appeal proposal, and therefore, the likelihood of conflict between pedestrians would be reduced there is still insufficient evidence to show that the mitigation proposed would adequately address the severe impact identified at the appeal
- **For this reason, SCC recommend that planning permission is refused on highway grounds until an adequate highway mitigation scheme is proposed to fully deal with the highway safety issues identified at the previous appeal - Should further improvements be proposed to adequately address the highways safety matters SCC would be happy to re-consider our position on the development scheme.**



### **SCC - Archaeological Service**

There are no grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets. However, in accordance with the National Planning Policy Framework (Paragraph 199), any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

### **SCC - Fire & Rescue**

No additional water supply for fire fighting purposes is required in respect of this planning application.

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

### **Internal Consultee Responses (Appendix 6)**

#### **MSDC - Heritage Team**

No objection - No Harm to designated heritage asset - Negligible Harm to non-designated heritage asset.

#### **MSDC - Ecology Consultants - Place Services (Initial Response)**

Holding objection due to insufficient ecological information.

#### **MSDC - Ecology Consultants - Place Services (Subsequent Response – following additional information received from the applicant)**

No objection subject to securing ecological mitigation and enhancement measures.

#### **MSDC - Environmental Health - Land Contamination**

No objection to the proposed development from the perspective of land contamination - 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.

#### **MSDC - Strategic Housing (Affordable/Major Dwell/G+T)**

The total no. of dwelling space is less than 0.5 hectares and less than 10 dwellings therefore no affordable contribution is required.

### **B: Representations**

At the time of writing this report at least 29 letters/emails/online comments have been received. It is the officer opinion that this represents 20 objections and 9 supporting comments. A verbal update shall be provided as necessary.

Views are summarised below:-

Comments raising concern or objection summarised:

- The proposal is a tactical back door attempt to soften the initial impact of 20 houses, which is the ultimate aim;
- Proposal would allow for future development to the east of the site;
- Granting of the proposal would give the green light for further houses later;
- The proposal site is outside the settlement boundary of the Village and should not be allowed;
- The Bus Service serving the Village is not regular;
- There is no shortage or need for further houses in Norton;
- The same issues remain present for this application for 9 houses, as with the recently refused application for 20 houses;
- Concerns with regards highway and pedestrian safety due to increased number of vehicle movements;
- Concerns with regards increased vehicle numbers on Hawes Lane;
- Hawes Lane is narrow and proposal would pose a danger to highway users, despite added passing places;
- The existing verges are insufficient width to accommodate the proposed passing places;
- Emergency service vehicles and dustcarts would have difficulty accessing the site due to the highway width;
- Concern with regards pedestrian safety on Hawes Lane - Pedestrians have to climb a high bant to get out of the way of vehicles;
- Consider that if pedestrians on Hawes Lane were to take refuge in the proposed passing bays, as suggested, then this would be dangerous;
- The proposed passing places would remove the grass verges which are the only refuge for pedestrians on Hawes Lane presently;
- Concern with regards the impact on construction vehicles on the highway safety and grass banks and verges of Hawes Lane;
- Consider the proposed pedestrian crossing over Ixworth Road would be dangerous to pedestrians and those crossing to use services such as the Bus Stop, Play Area, Garage and Pub;
- Concern with regards increased vehicle damage to the grass verges of Hawes Lane as a result of the proposal;
- Concern with regards the impact on the character of Hawes Lane;
- Concern with regard the impact on pedestrian safety on Heath Road as there are no pavements;
- Concern with regards the impact of additional vehicles on the safety of the junction of Heath Road and Ixworth Road;
- The proposed footpath along Hawes Lane does not change highway safety concerns on Hawes Lane, Heath Road, Ixworth Road and Norton Road;
- Do not consider proposed passing bays on Hawes Lane would address the highway safety issues raised by the Planning Appeal Inspector;
- The current proposal has not addressed the concerns raised by the planning inspector with regards the impact on the character and amenity of Hawes Lane;
- The proposal would impact wildlife: Owls, Kestrels, Jays, Sparrowhawk, Woodpeckers, Bats and Deer referred to;
- Proposal will impact the nearby nature reserve;
- Proposal will increased air and light pollution;

- The existing village infrastructure is not able to cope with more dwellings - School is at capacity and the existing sewerage system would be unable to cope;
- The proposal for 9 dwellings will avoid the developer from having to build social/affordable housing;
- This phased approach to development will avoid the developer from having to provide affordable housing. Surely this cannot be acceptable;
- This is not infill development;
- Mid Suffolk has a 5 year housing land supply so there is no need for this development;
- The proposed footpath would be adjacent to neighbouring gardens and would impact neighbouring amenity;
- The proposal would impact the amenities of neighbouring properties;
- The proposal is an attempt for the developer to make money at everybody's inconvenience;
- This development has been fought since 13th March 2019;
- A significant number of residents live in fear of the development.

Comments in support summarised:

- The proposal is sustainably located at a large village, within the existing settlement pattern;
- The proposal would help support housing supply both locally and nationally;
- The proposal would help support local services and facilities;
- The proposal would deliver highway and pedestrian improvements for the village.

(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/19/01236

Outline Planning Application (Access to be considered) - Erection of 20 dwellings and construction of vehicular access, pedestrian link and vehicle passing bay.

**DECISION:** REF  
17.10.2019

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## **PART THREE – ASSESSMENT OF APPLICATION**

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### **1. The Site and Surroundings**

- 1.1. The application site is located on the eastern side of Hawes Lane, on the north-western periphery of the village of Norton, a designated 'Primary Village' in the Core Strategy 2008. The site comprises the western part of an undeveloped green field and abuts the village settlement boundary.
- 1.2. Land to the south of the site comprises existing residential properties that form the existing built form and settlement pattern of the village. Further residential properties lie to the east, across the eastern part of the existing field (not proposed to be developed as part of this application). Land to the north and west of the site is in arable use.
- 1.3. The site is not in or near an area designated for special landscape significance, e.g. Special Area of Conservation, Special Landscape Area, or AONB.
- 1.4. There are no protected trees on or adjacent to the subject land. The land is Grade 3 agricultural land. The site is in Flood Zone 1. The nearest bus stop is located east of the site, on Ixworth Road north of the Dog at Norton (service 385).

### **2. The Proposal**

- 2.1. The application seeks Outline Planning Permission, with all matters reserved save for access, for the erection of 9 dwellings, new vehicular access to Hawes Lane, a footpath connection to Ixworth Road, vehicle passing bays on Hawes Lane, and a 1 metre wide footpath adjacent to the eastern side of the rural part of Hawes Lane.
- 2.2. Although matters of appearance, landscaping, layout and scale are not formally submitted for determination, an indicative layout has been submitted to demonstrate how development could be taken forward. The indicative layout suggests a conventional residential layout, with plot sizes generally consistent with those nearby in the village. The indicative layout indicates that all properties proposed would comprise two-storey detached dwellings, with five design variations proposed. The proposed dwellings are also indicated to be served by detached or integral garages.

### **3. The Principle of Development**

- 3.1. The starting point for determination of any planning application is the development plan, as identified in Section 38(6) of the Planning and Compulsory Purchase Act 2004. Determination of an application must be made in accordance with the plan unless material considerations indicate otherwise. The key material consideration regarding the principle of development is the National Planning Policy Framework (NPPF).
- 3.2. The proposal site is outside of the settlement boundary for Norton and is considered to be formally defined as greenfield land. Relevant local plan policies are policy H7 which seeks to restrict housing development unrelated to the needs of the countryside, and core strategy policy CS1 which identifies a settlement hierarchy and CS2 which also seeks to resist development in

the countryside other than those listed in the policy. The NPPF has changed direction since these policies were adopted as detailed further below, so as to affect the weight of these policies in determining this application.

- 3.3. The Core Strategy Focused Review (2012) identified this change in line with the National Planning Policy Framework. Reflecting this policies FC1 - Presumption in favour of sustainable development and FC1.1 - Mid Suffolk approach to delivering sustainable development identify a more positive approach to proposed development.
- 3.4. It should be noted that Core Strategy policy FC2 - Provision and distribution of housing seeks to identify the number of dwellings in Primary Villages (Such as Norton) that should come forward on greenfield sites, and provides that 100 no. should come forward between 2017 to 2022 and a further 100 between 2022 to 2027.
- 3.5. The NPPF identifies in paragraph 213 that the weight attributed to policies should be according to their degree of consistency with the NPPF. The closer the aims of the policy are to the NPPF the greater the weight that can be attributed to them.
- 3.6. The NPPF also identifies that planning decisions should apply the presumption in favour of sustainable development (paragraph 11): “For decision-taking this means: c) approving development proposals that accord with an up-to-date development plan without delay; or d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”
- 3.7. Footnote 7 of the NPPF identifies out-of-date includes the situation where the local planning authority cannot demonstrate a five year supply of deliverable housing sites or where the Housing Delivery Test indicates that the delivery of housing was less than 75% of the housing requirement over the previous three years. In this instance it is considered that the Council is able to demonstrate housing land supply in excess of five years, as set out in the Council’s Housing Land Supply Position Statement, and Joint Annual Monitoring Report, both published in October 2020.
- 3.8. Notwithstanding the Council’s current housing land supply position, the development plan policies most important for determining the application (policies: H7, CS1, CS2 and FC2) are considered to be out-of-date as a result of not being consistent with the aims of the NPPF and, therefore, are accorded significantly less weight than they would have been prior to the publication of the NPPF. This position was identified in the appeal decision for appeal APP/W3520/W/18/3194926 at land at east side of Green Road, Woolpit (September 2018) which is a material consideration. Policy FC1 of the Core Strategy Focused Review repeated the requirements of the former paragraph 14 of the NPPF (2012), which is replaced now with paragraph 11 (NPPF 2019) which is the more relevant consideration, and so this policy is given less weight. Policy FC1.1 seeking to conserve and enhance the local character of different parts of the District, is up-to-date and relevant to this application. These two policies seek to promote the principles of sustainable development.
- 3.9. The presumption in favour of sustainable development should apply in this instance given the above considerations, except for the provisions of paragraph 177 of the NPPF.

- 3.10. It cannot be ignored that the policies most important for determining the application do not accord with the NPPF. Therefore less weight will still be given to these policies as identified above. Whilst tension with the development plan exists and is noted, that tension is considered to be less significant as a consequence, in light of the lesser weight afforded to the most important development plan policies relevant to this application where they are not consistent with the NPPF.
- 3.11. Therefore an assessment against the development plan is made, considering the material consideration of the NPPF and the purpose of the planning system to contribute to the achievement of sustainable development.
- 3.12. The development plan and NPPF share the same approach of contributing to the achievement of sustainable development.
- 3.13. There are three overarching objectives to achieve sustainable development, which are interdependent and need to be pursued as a whole so that opportunities can be taken to secure net gains across different objectives. These objectives are social, environmental and economic. The merits of the scheme against these objectives and the up-to-date requirements of the development plan are considered below, and a conclusion will be drawn as to whether the development is considered to contribute to the achievement of sustainable development.

#### **4. Nearby Services and Connections Assessment of Proposal**

- 4.1. The site is located in the countryside in policy terms, however, it does abut the village settlement boundary. The site is considered to have a strong functional relationship to the village and is not considered isolated in a functional sense. Norton is served by several local services and facilities, which the development would help support and would be supported by.
- 4.2. The village amenities are within walking distance of the site, noting in particular the proximity of the Norton Pre-School and Norton Primary School. The proposal includes a pedestrian link connecting with Ixworth Road, which incorporates a footpath on its eastern side which connects into the broader village footpath network and to local amenities and services. Located on Ixworth Road is a bus stop associated with service 385, providing public transport to settlements along the routes to Stowmarket and Bury St Edmunds. As such, there is the opportunity for residents to choose more sustainable modes of transport other than the private vehicle.
- 4.3. The site is considered to be in a sustainable location for housing given the accessible facilities within walking distance that the village provides, and the bus service on offer locally.

#### **5. Site Access, Parking and Highway Safety Considerations**

- 5.1. As part of their assessment of prior planning application ref: DC/19/01236 on the site (referred to in the opening paragraphs of the report, above), the Planning Inspector, when assessing the subsequent appeal, considered the following:
- 5.2. Saved Policy T10 of the local plan lists, as one of the highway matters in considering development proposals, the suitability of the existing roads in terms of, amongst other things, pedestrian safety. The Inspector considered that the proposed development was in conflict with this policy as it would increase the potential for conflict between pedestrians and vehicles using the rural part of the lane, to the detriment of pedestrian safety.

- 5.3. The Inspector was satisfied that a properly framed and enforceable Construction Management Plan could adequately mitigate any adverse effects on the local road network brought about by construction traffic. The Inspector considered that a suitably worded condition would adequately mitigate the effects the construction of the development would have on the local area.
- 5.4. The Inspector was satisfied that vehicular safety at the entrance to the site, on to Hawes Lane, could be assured, and was confident that with regards to safety of the occupants of vehicles generated by the site, the local road network has the capacity to accommodate them safely, and that the new pedestrian link between the site and the village will give people a safe access to the services in the village and public transport.
- 5.5. The Inspector noted that Hawes Lane is used by pedestrians to access the countryside surrounding the village and observed (on their site visit) a well-used public footpath leading from Hawes Lane into the countryside, with access to a local nature reserve. The Inspector observed that the nature of the rural part of Hawes Lane, from the end of the current built up part of the village to its junction with the Thurston Road, being narrow and lower than the surrounding land, with grass banks, means that pedestrians using Hawes Lane to access the countryside and the nature reserve would have difficulty in moving out of the way of cars. The Inspector considered that the addition of a further 20 houses with associated vehicular movements throughout the day would only make this situation more hazardous for pedestrians and other non-vehicular users of the lane.
- 5.6. The Inspector noted that Heath Road has no footways but noted that it does have housing on either side, which would indicate to motorists that they are likely to encounter pedestrians using the road. The Inspector noted that Heath Road also has a grass verge which is at the same level as the metalled part of the road, which pedestrians could use to avoid vehicles. The Inspector noted that the appeal proposal also made provision for a pedestrian link from the appeal site into the village, which they considered could act as an alternative route to the services of the village for the residents of Heath Road. The Inspector, therefore, did not consider that pedestrian safety in Heath Road would be harmed by the appeal proposal (which is similar to the current proposal).
- 5.7. Whilst the Inspector acknowledged the views of parties that the junction between Heath Road and Hawes Lane has substandard visibility, they considered that it is common in villages to have junctions that do not meet modern highways standards. The inspector also noted that the Local Highway Authority raised no issue with regard to this junction safely accommodating the additional traffic generated by the proposed development. The Inspector therefore saw no issue in this junction's ability to safely accommodate the additional traffic generated.
- 5.8. The inspector considered that the metalled carriageway of Hawes Lane is narrow and, whilst they considered that there are opportunities for vehicles to pass using the verge in the part of the lane within the village, this would be more difficult in the rural part of the lane, where the road surface is lower than the surrounding land and there are grass banks. The Inspector considered that in this part of the lane there might well be a need for cars to reverse to allow oncoming traffic to pass.
- 5.9. With regard to traffic leaving the site and turning left, into the village, rather than right, into the rural lane, the Inspector noted that the Local Highway Authority's view that the right turn might be considered by drivers to avoid the substandard junction with Heath Road. The Inspector considered that this strengthened their view that a significant amount of traffic leaving the site would turn right and use the rural part of Hawes Lane and have a consequent impact on pedestrian safety.

- 5.10. The Inspector considered that the widening of the lane across the frontage of the proposed development, the provision of a passing bay on the lane within the village and the provision of a pedestrian link between the appeal proposal and the centre village would all assist in making the proposal safer in highway terms. However, the Inspector considered that none of these measures, either in combination or by themselves, would address pedestrian safety in the rural part of Hawes Lane. The Inspector stated that the rural part of Hawes Lane is used by people in the village to access the surrounding open countryside, and that this would still be the case should the proposal be constructed. Therefore, the danger from traffic which is currently experienced by pedestrians in the rural part of the lane would increase should the proposed development go ahead. The Inspector accepted that pedestrians do not have priority over the use of Hawes Lane, however it was acknowledged that they need a safe and convenient way of avoiding oncoming cars if the proposed development is to be considered acceptable.
- 5.11. The Inspector found that the appeal proposal was in conflict with local plan policy T10, as it failed to ensure the safety of pedestrians using the rural part of Hawes Lane.
- 5.12. The Inspector concluded that the increased conflict between vehicles and pedestrians in the rural part of Hawes Lane, where the roadway is lower than the surrounding land, is unacceptable in highway safety terms. The lane is used by people from the village to access the surrounding countryside. The Inspector considered that the appeal proposal would lead to an increase in traffic using the rural part of the lane, which also leads to a local nature reserve and is of restricted width, has grass banks and is lower than the grass verge alongside it. This means that pedestrians using this part of the lane would have difficulty in avoiding oncoming traffic to the detriment of their safety.
- 5.13. The Local Highway Authority (at Suffolk County Council), in their second response, have considered the assessment and conclusions of the Planning Inspector with regards highway safety. The LHA acknowledge that the current proposal proposes additional infrastructure within the rural parts of Hawes Lane and, whilst it is acknowledged that this infrastructure may give opposing motor vehicles more space to pass one another on the narrow sections of Hawes Lane it is not sufficient to address the key issue of pedestrian safety. Whilst the current proposal would result in lower trip generation than the appeal proposal, and therefore, the likelihood of conflict between pedestrians would be reduced the LHA consider there is still insufficient evidence to show that the mitigation proposed would adequately address the severe impact identified at the appeal. For this reason, SCC recommend that planning permission is refused on highway grounds. Your officers acknowledge and agree with this assessment.

## **6. Design, Layout and Landscape Impact**

- 6.1. Design, Layout and Landscaping are currently indicative only, and there would be the opportunity, at a reserved matters stage, to assess how the final details impact the existing character and quality of the locality. Significant scrutiny of the proposed layout, against current the design policies of the NPPF and development plan is a matter for the detailed design stage.
- 6.3. The indicative layout provided is considered to satisfactorily demonstrate, that the site can comfortably accommodate the number of dwellings proposed, at a density comparable to existing similar developments adjacent to the south and east of the site.
- 6.3. Policy CS5 of the Core Strategy seeks to protect and conserve landscape qualities taking into account the natural environment and the historical dimension of the landscape as a whole rather



than concentrating solely on selected areas, protecting the District's most important components and encouraging development that is consistent with conserving its overall character.

- 6.4. Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils.
- 6.5. The site does not lie within, nor near any landscape designation. The site is open owing to its undeveloped agricultural nature. It is however well screened on its northern boundary by tall vegetation. The body of the village abuts the site's southern boundary, and lies in close proximity to its eastern boundary. The site is therefore well contained in a visual sense.
- 6.6. Developments of the scale proposed, on sites that are undeveloped, inevitably lead to an obvious landscape change. There will be an urbanising effect and loss of rural character, this is inevitable when developing open countryside. However, the landscape effect is limited by its close visual relationship to the body of the village and the natural boundary offered by the northern screen planting. Officers consider that the proposed dwellings will be appreciated against a backdrop of existing dwellings and that the site does not occupy a prominent position in the landscape. Landscape impacts will therefore be localised.
- 6.7. The appearance of the development will depend to a large extent on matters yet to be determined through approval of the reserved matters. However, the proposed indicative layout shows a general approach to the development that is acceptable. The density is consistent with the neighbouring development pattern. Landscaping, including retention of most existing trees, shrubs and hedges on the site, will be important. Also important will be ensuring that the northern landscape screen is considerably strengthened as this will form the new settlement edge. With open countryside beyond this boundary, an effective vegetation screen is warranted.
- 6.8. Concern have been raised with regards the development layout during the consultation period, contending that it would significantly deviate from the settlement typology which is largely linear. Concerns are also raised with regards the backland nature of the development in the context of the prevailing linear village pattern. However your officers consider that the site fronts Hawes Lane and will not appear as backland development, presenting to this existing streetscene. In any event, whilst the prevailing village development pattern is linear, there is evidence of other backland developments, most notably immediately south of the site. Your officers consider that the development would strengthen the linear form of development along Hawes Lane, consistent with the properties south of the site. The majority of the housing internal to the site will not be visible from outside of the site, owing to the backdrop of the village. The effects on the urban grain of the village resulting from the proposal's deviation from the settlement typology will, as a result, be limited. Your officers do not consider that significant harm to village character would result, should (as expected) a good standard of design and layout be secured at reserved matters stage.
- 6.9. The Appeal inspector concluded that the development would adversely affect the character and appearance of the locality as the increased traffic using the single-track parts of Hawes Lane would damage the grassed areas and banks, which has been alleged are outside the ownership of the LHA or appellant, alongside the lane to the detriment of its character and appearance. The Inspector considered that this would go beyond normal wear and tear, as it would affect the land either side of the metalled part of the highway, which would be visually detrimental to the character and appearance of the lane.

- 6.10. It is noted that the Planning Appeal Inspector considered that the proposal would harm the character and appearance of the surrounding area and therefore was in conflict with local plan policy GP1. This was due to the likelihood of vehicles damaging land adjacent to the highway due to the constrained width of the lane over a prolonged distance and the sunken nature of the lane itself. The rural nature of the lane, lower than the surrounding agricultural land, helps to define the areas character and appearance. Despite the proposed provision of additional infrastructure within the rural part of Hawes Lane, your officers consider this point to still be relevant when considering the current application. Indeed, it is considered that the additional amount of infrastructure proposed in Hawes Lane, in the interest of Highway Safety would, in itself, be harmful to the rural character of the lane and that of the surrounding area.

## **7. Heritage Issues [Including the impact on the character and appearance of Conservation Areas and on the setting and significance of Listed Buildings]**

- 7.1. Policy HB1 of the Local Plan seeks to protect the character and appearance of buildings of architectural or historic interest, particularly protecting the settings of Listed Buildings. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Listed Building or its setting.
- 7.2. As noted by your Heritage officers, the nearest designated heritage assets are located east of Ixworth Road - 2 no. Grade II listed buildings, the Dog Inn and Maltings Cottage. Your Heritage officers do not consider the proposal would result in harm to the designated heritage assets. There is one non-designated heritage asset nearby, Suffolk House, and your officers conclude that the proposal would result in negligible harm to this asset, noting its significance has been already diminished by the more modern development that has occurred around it.
- 7.2. Should members consider that the proposal would result in harm to the significance of the heritage assets, paragraph 196 of the NPPF states that where harm is less than substantial (as would be the case with this proposal) the harm must be weighed against the public benefits of the proposal. The principal public benefits relate to economic and social dimensions of sustainable development. These must all be weighed, together with the identified (negligible) heritage harm, in the planning balance. Your officers consider that the social benefits of the provision of additional housing, and affordable housing, in a sustainable centre of village location outweigh the negligible harm to the significance of heritage assets identified in this instance.
- 7.3. The SCC-Archaeological Unit has assessed the application proposal and advises that there is high potential for the discovery of below-ground heritage assets at the site. SCC-Archaeology recommends that there are no grounds to consider refusal of permission, should a programme of archaeological works be secured by way of conditions. Your officers concur with the recommended approach.

## **8. Impact on Residential Amenity**

- 8.1. 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.

- 8.2. Representation have been received raising concern with regards potential overlooking and loss of light to neighbouring properties. These are elements that will be afforded close scrutiny at the relevant reserved matters stage of the development process. There is nothing in the application to suggest that such elements cannot be suitably resolved. It is also considered that suitable construction management could be secured by way of condition, should members be minded to approve.
- 8.4. Your officers do not consider that increased vehicle movements on the existing highways leading to and from the site would result in significant harm to the amenities currently enjoyed by existing village residents, to the extent that refusal of the application should be considered on such grounds.
- 8.3. Your officers do not, therefore, consider that the application proposal conflicts with saved Plan Policies H13 or H16, or with the provisions of the NPPF, in this regard.

## **9. Flood Risk and Drainage**

- 9.1. The proposal site is located on land located completely within Environment Agency Flood Zone 1 and, as with the remainder of the village, does not lie within close proximity of EA Flood Zones 2 or 3. The site occupies an elevated position up and away from the Black Bourne River valley, to the east, and is well drained. The site is not, therefore considered to be at significant Flood Risk.
- 9.2. The application is supported by a Flood Risk Assessment (FRA) and drainage report which does not indicate future occupants of neighbouring land would be put at significant risk of flooding as a result of the proposed development. Your officers consider that a detailed sustainable surface water drainage scheme can be secured and managed by way of condition, as per standard industry approach.
- 9.3. With regards disposal of Foul Water, the position of Anglian Water is that the foul drainage from the development is in the catchment of Norton (Suffolk) Water Recycling Centre which does not have capacity to treat the flows. Anglian Water have advised that necessary upgrades would be undertaken, to ensure sufficient capacity, should the development be approved. Your officers do not, therefore, consider that the capacity issues identified represent a reason for refusal.

## **10. Biodiversity / Ecology**

- 10.1. Policy CS5 of the Core Strategy requires development to protect, manage and enhance Mid Suffolk's biodiversity. The Conservation of Habitats and Species Regulations 2017 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 these regulations it must 'engage' with the provisions of the Habitats Directive.
- 10.2. The application is supported by an ecology report that has been reviewed by the Council's Ecology Consultants and, following the receipt of amendments to the initial report received, your specialist consultants raise no objection to the proposed development, subject to securing ecological mitigation and enhancement measures by way of condition.
- 10.3. Should the suitable mitigation and enhancement measures be secured and undertaken, the proposal would not result in significant harm to protected and priority species and would not result in a direct and significantly harmful impact on the nearby nature reserve, as indicated in

representations received, and no objection is raised in this regard. Officers agree with the assessment and advice given by your Ecology Consultants, and the recommended conditional approach, should you be minded to approve.

### **11. Land Contamination**

- 11.1. The application is supported by a Phase 1 Contaminated Land Survey. Council's Environmental Protection Team has reviewed the information and raise no objection.

### **12. Planning Obligations / CIL (delete if not applicable)**

- 12.1. The application is liable to CIL which would be managed through the standard independent CIL process triggered at the reserved matters stage.
- 12.2. As noted above, the application is not of a scale such that the LPA is able to seek an affordable housing contribution, as per the current provisions of the NPPF.

### **13. Parish Council Comments**

- 13.1. The majority matters raised by Norton Parish Council have been addressed in the above report.
- 13.2. With regards the issue raised in relation to what is to become of the eastern half of the existing field, not within the current proposal site, and shown to be within the applicant's ownership, and the assertion that this would lend itself to future applications, the LPA can only consider the application currently presented. Should a proposal come forward on the land identified in the future then the LPA would assess the planning merits of such a proposal at the relevant time.

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## **PART FOUR – CONCLUSION**

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### **14. Planning Balance and Conclusion**

- 14.1. Council benefits from a five year housing supply. The tilted balance at paragraph 11(d) of the NPPF is not engaged.
- 14.2. The site is outside the settlement boundary and therefore the proposal conflicts with CS1, CS2 and H7. Having regard to the advanced age of the Mid Suffolk settlement boundaries and the absence of a balanced approach as favoured by the NPPF, the statutory weight to be attached to the above policies is reduced and therefore the conflict is afforded limited weight in the planning balance.
- 14.3. The 9 dwelling contribution to the local housing stock is a social benefit, albeit this consideration are attached less than moderate weight given Council's positive housing supply position. The addition of 9 new dwellings would offer meaningful support for the local services in the village, both during construction and following occupation of the development. The footpath connection to Ixworth Road offers a positive social and environmental value for the local community.

- 14.4. The site is in a sustainable location, offering pedestrian connectivity to local services complemented by a local bus network connecting to settlements nearby. Car dependency will not be essential, limiting environmental harm. The proposal would not be physically, visually or functionally isolated. Paragraph 79 of the NPPF does not engage. The site's sustainable location is afforded positive weight.
- 14.5. The development has the ability to offer biodiversity gains and will result in no significant impact on the nearby nature reserve.
- 14.6. Any developer contributions generated through CIL will be used to ensure existing infrastructure capacity is enhanced to meet additional demand, a neutral to slightly beneficial outcome in the planning balance.
- 14.7. Harm to heritage assets will be negligible. There will be no effect on the village's historic core. The level of harm is deemed less than moderate.
- 14.8. The loss of productive agricultural land is unfortunate but is of such relatively small scale (in the context of the quantum of best and most versatile land in the district) that it is attached only very modest weight.
- 14.9. Matters such as archaeology and water drainage and can be resolved or mitigated to an acceptable level by planning conditions.
- 14.11. Whilst the proposed development of the site itself would result in a moderate level of landscape harm, this would be relatively localised and offset by the backdrop of the village immediately adjacent to it. The development would, however, adversely affect the character and appearance of the locality as the increased traffic using the single-track parts of Hawes Lane would likely damage the grassed areas and banks alongside the lane to the detriment of its character and appearance. This harmful impact in landscape and rural character terms is, considered to weigh significantly negatively in the planning balance, in relation to the social and environmental pillars of sustainable development.
- 14.12. Whilst there is no evidence to substantiate the claims made that the local highway network does not have the capacity to safely absorb the traffic generated by the development, and the proposed access arrangements, and the impact on existing highway junctions, are deemed acceptable, the proposal would result in a severe impact on the safety of pedestrians using the rural parts of Hawes Lane. This is despite the proposed additional infrastructure proposed by the applicant. This harm is considered to weigh significantly negatively in the planning balance, in relation to the social and environmental pillars of sustainable development.
- 14.13. In conclusion, whilst the proposal would result in acknowledged positive benefits in terms of its contribution to housing supply, public footpath link to Ixworth Road, and support for local services and facilities, these benefits are not considered to outweigh the harm identified in relation to highway and pedestrian safety and the impact on the rural character of Hawes Lane and its surrounding landscape. For the reasons set out above, the evidence is such that your officers recommend that planning permission is refused.

## **RECOMMENDATION**

That the application is REFUSED planning permission/listed building consent/other for the following reasons:-

- 1) Policy T10 of the development plan lists, as one of the highway matters in considering development proposals, the suitability of the existing roads in terms of, amongst other things, pedestrian safety. NPPF paragraph 109 also provides 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.

The proposal fails to ensure the safety of pedestrians using the rural part of Hawes Lane, Norton and would increase the potential for conflict between pedestrians and vehicles in this location, to the detriment of highway and pedestrian safety. Such conflict is considered to result in an unacceptable and severe impact on highway safety. The proposal is, therefore, considered contrary to development plan policy T10 and the provisions of the NPPF in this regard.

- 2) Policy GP1 of the development plan provides (inter alia) that proposals should maintain or enhance the character and appearance of their surroundings and that layouts should incorporate and protect important natural landscape features. Furthermore, NPPF paragraph 127 c) provides that planning decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting.

The rural nature of the rural part of Hawes Lane, Norton, is set lower than the surrounding agricultural land, is considered an important landscape feature, and helps to define the area's character and appearance. The proposal would result in harm to the character and appearance of the area and to the rural part of the lane due to the likelihood of vehicles damaging land adjacent to the highway due to the constrained width of the lane over a prolonged distance and the sunken nature of the lane itself. The proposed introduction of additional highway infrastructure to this part of the lane is also considered to result in harm to the character and appearance of this important landscape feature. The proposal is, therefore, considered contrary to development plan policy GP1, and NPPF paragraph 127 c) in this regard.



Application No: DC/20/04429

Location: Land off Hawes Lane, Norton

Appendix 1: Call In Request	<b>Yes</b>	
Appendix 2: Details of Previous Decision	<b>DC/19/01236</b>	
Appendix 3: Town/Parish Council/s	<b>Norton Parish Council</b>	
Appendix 4: National Consultee Responses	<b>Natural England</b>	
Appendix 5: County Council Responses	<b>SCC - Highways</b> <b>SCC - Archaeology</b> <b>SCC - Fire and Rescue</b>	
Appendix 6: Internal Consultee Responses	<b>MSDC - Heritage</b> <b>MSDC - Ecology Consultants</b> <b>MSDC - Environmental Protection - Land Contamination</b> <b>MSDC - Strategic Housing</b>	
Appendix 7: Any other consultee responses	29 letters/emails/online comments received. 20 objections, 9 support and 0 general comment.	
Appendix 8: Application Site Location Plan	<b>Yes</b>	



Babergh and Mid Suffolk District Councils



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.





# Consultee Comments for Planning Application DC/20/04429

## Application Summary

Application Number: DC/20/04429

Address: Land Off Hawes Lane Norton Suffolk

Proposal: Application for Outline Planning Permission (access to be considered).Town and Country Planning Act 1990 - Erection of 9No dwellings and construction of vehicular access and pedestrian link.

Case Officer: Alex Scott

## Consultee Details

Name: Mrs Jillian rowland

Address: Willow Brook Cottage, Ashfield Road, Norton Bury St Edmunds, Suffolk IP31 3NN

Email: Not Available

On Behalf Of: Norton Parish Clerk

## Comments

Despite the change to this application the Council still feel their previous objections apply:

T10 This is a small road. There is strong concern about increased traffic generated by the proposed properties on this small single carriage road. As there is no public footway along Hawes Lane and Heath Road the Council consider that further development in this area would present a serious risk to pedestrians. With additional family housing, and also during construction work, road safety issues exist for children and adults alike using Heath Road which has no footpath. It would have a detrimental effect on the amenity of the area by means of additional traffic generation and safety. The suggested provision of additional passing places would have no safety benefit to pedestrians or vehicles using the Lane.

T10 The single carriage road is very narrow and there is a lack of road width which would not allow access by emergency vehicles, particularly fire service vehicles. It is also believed that the maximum road width falls short of the rural road design guide minimum requirement.

A1088 The junction of Heath Road joining the A1088 has been the subject of several near miss accidents. Visibility of vehicles coming from Ixworth is poor and with additional vehicles and construction vehicles using Heath Road this gives rise to concern for safety reasons. (Policy T10). Increased development in Thurston, Elmswell and Woolpit and the recent smaller developments in the adjoining village of Tostock have also created much more traffic at the crossroads with the A1088.

T10 the proposed pedestrian link to the A1088 and main village exits directly on to the A1088 with no pavement which is a pedestrian danger to oncoming traffic. It is opposite a bus stop and does not allow full visibility of vehicles travelling South from the Ixworth direction, which would present a danger to pedestrians attempting to cross the A1088, particularly any children having to cross the road twice a day for the school.

SC1 - Physical Infrastructure it is questioned whether drainage and sewerage systems in this area would be sufficient to cope with additional properties. The local school (which is already at near maximum capacity) and the local Health Centre would not cope with the additional workload. There is currently a number of sites with approved application so this site would result in a large number of proposed new houses for the village, which the Council feel the infrastructure could not deal with.

The indicative layout of the proposal clearly lends itself to future applications.

The Council is concerned about the proximity of the proposed development to the Wildlife Nature Reserve and the impact additional houses and vehicles would have on this protected area.

Bearing in mind the climate and biodiversity emergency declared it is important that the countryside is preserved. The proposed site is outside the settlement boundary.

The development is stated as self-build which would mean no CIL payable to benefit the village.

# Consultee Comments for Planning Application DC/20/04429

## Application Summary

Application Number: DC/20/04429

Address: Land Off Hawes Lane Norton Suffolk

Proposal: Application for Outline Planning Permission (some matters reserved, access to be considered). Town and Country Planning Act 1990 - Erection of 9 No dwellings and construction of vehicular access and pedestrian link.

Case Officer: Alex Scott

## Consultee Details

Name: Mrs Jillian rowland

Address: Willow Brook Cottage, Ashfield Road, Norton Bury St Edmunds, Suffolk IP31 3NN

Email: rowland@talk21.com

On Behalf Of: Norton Parish Clerk

## Comments

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The development is stated as self-build which would mean no CIL payable to benefit the village.

**From:** SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>  
**Sent:** 04 December 2020 11:03  
**To:** BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>  
**Subject:** Planning Consultation DC/20/04429 Natural England Response

Dear Sir or Madam,

Application ref: DC/20/04429  
Our ref: 336155

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

Corben Hastings  
Support Adviser, Operations Delivery  
Consultations Team  
Natural England  
Hornbeam House, Electra Way  
Crewe, Cheshire, CW1 6GJ  
Tel: 0300 060 3900  
Email: [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)

During the current coronavirus situation, Natural England staff are working remotely and from some offices to provide our services and support our customers and stakeholders. Although some offices and our Mail Hub are now open, please continue to send any documents by email or contact us by phone to

**From:** SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>  
**Sent:** 14 October 2020 10:06  
**To:** BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>  
**Subject:** DC/20/04429 NE Response

FAO Sarah Scott

Dear Ms Scott,

Application ref: DC/20/04429  
Our ref: 330567

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.

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Yours sincerely,

Ben Jones

Operations Delivery  
Consultations Team  
Natural England  
Hornbeam House  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ  
Email: [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)

**[www.gov.uk/natural-england](http://www.gov.uk/natural-england)**

Your Ref: DC/20/04256 & 04429  
Date: 08 December 2020  
Highways Enquiries to: luke.barber@suffolk.gov.uk

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

The Planning Department  
Mid Suffolk District Council  
1<sup>st</sup> Floor, Endeavour House  
8 Russell Road  
Ipswich  
Suffolk  
IP1 2BX

**For the Attention of:** Alex Scott

Dear Alex

**TOWN AND COUNTRY PLANNING ACT 1990  
CONSULTATION RETURN – DC/20/04256 & 04429**

**PROPOSAL:** Application for Outline Planning Permission (some matters reserved, access to be considered). Town and Country Planning Act 1990 - Erection of 20 or 9 No dwellings and construction of vehicular access and pedestrian link.

**LOCATION:** Land Off Hawes Lane, Norton, Suffolk

Further to the Suffolk County Council (SCC) highways response letters dated 21<sup>st</sup> October 2020 (your Ref: DC/20/04256 and DC/20/04429) for 20 dwellings and 9 dwelling respectively, SCC have reconsidered the highways safety aspects of these applications in the light of comments made in respect of appeal reference APP/W3520/W/20/3245218, related to the same site location.

The PINS Planning Inspector clearly felt that the highway safety implications of the appeal site were likely to give rise to a severe highway impacts, contrary to paragraph 109 of the 2019 National Planning Policy Framework (NPPF 2019). This was caused specifically by the increase in vehicular traffic on Hawes Lane conflicting with the pedestrians walking in the road, given this road has no footways. It is acknowledged that the new development would create a pedestrian link from the site, linking Hawes Lane with the A1088 in the centre of the village, so there would be no significant additional pedestrian activity on Hawes Lane arising from the development. However, this was not considered sufficient to mitigate the severe impact, in the considered view of the Inspector on the appeal site. They considered the pedestrian safety of the residents of the existing properties on Hawes Lane and other pedestrians using Hawes Lane to access several well used Public Rights of Way in the area.

The new sites have included some localised widening of Hawes Lane to potentially mitigate these impacts. While these passing places may give opposing motor vehicle more space to pass one another on the narrow sections of Hawes Lane it is not sufficient to address the key issue of pedestrian safety. Therefore, in relation to the 20 dwelling site (DC/20/04256) the severe impact remains. With the smaller site (DC/20/04429) the vehicular trip generation would be lower and therefore the likelihood of conflict between pedestrians would also be reduced. There is still insufficient evidence to show that the mitigation proposed would adequately address the severe impact identified at the appeal. For this reason, SCC would recommend that **planning permission is refused on highway grounds** for both applications, until an adequate highway mitigation scheme is proposed to fully deal with the highway safety issues identified at the previous appeal.

As a general point, SCC fully endorses the approach by BMSDC as proposed in their emerging Joint Local Plan (Pre-Submission (Regulation 19) Consultation Stage) that site allocations should be plan-led in order to fully understand and assess the infrastructure implications including the impacts on the local highway network.

Should further improvements be proposed to adequately address the highways safety matters be proposed and SCC be reconsulted on by the LPA, we would be happy to re-consider our position on these development schemes.

Yours sincerely,

**Mr Luke Barber**  
**Principal Engineer**  
**Development Management**  
**Strategic Development**



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

Email: [planning@babberghmidsuffolk.gov.uk](mailto: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: Sarah Scott

Dear Sarah,

**TOWN AND COUNTRY PLANNING ACT 1990**

**CONSULTATION RETURN: DC/20/04429**

**PROPOSAL:** Application for Outline Planning Permission (some matters reserved, access to be considered).Town and Country Planning Act 1990 - Erection of 9No dwellings and construction of vehicular access and pedestrian link.

**LOCATION:** Land Off Hawes Lane, Norton, 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:

We have reviewed the data supplied with this application, the summary of our findings are as follows:

- The proposed visibility splays for the development are sufficient for this application.
- The proposal for 9 dwellings would create approximately 5 vehicle movements within the peak hour (1 vehicle every 6 minutes) therefore, the development will not have an impact on the capacity of the highway network in the area.
- The nearest bus stop is on Station Road with services running approximately every 2 hours - the stops are within 100m from the application site with minimal public transport services but the stops are considered acceptable distance to walk to catch public transport.
- The application shows a footway between the site and Ixworth Road which provides a safe link to the bus stops and footway network in the village. A short section of footway on the west side of Ixworth Road is also required with an uncontrolled pedestrian crossing point.
- The Appeal for Planning Permission DC/19/01236 was dismissed as the proposal failed to ensure the safety of pedestrians using the rural part of Hawes Lane. Passing places at approximately 40m intervals have been proposed along Hawes Lane to enable vehicles to pass safely. The Planning Statement with this application has suggested these spaces can also be used by for vehicles and pedestrians to pass.

Taking all the above into account, it is our opinion that this development can achieve safe and suitable access to the site for all users and would not have a severe impact on the road network (NPPF para 108 and 109) therefore we do not object to the proposal.

## CONDITIONS

Should the Planning Authority be minded to grant planning approval the Highway Authority in Suffolk would recommend they include the following conditions and obligations:

**Visibility Condition:** Before the access is first used visibility splays shall be provided with an X dimension of 2.4m and a Y dimension of 60m 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.

**Access Condition:** Before the development is commenced, details of the access and associated works, (including layout, levels, gradients, surfacing and means of preventing surface water discharge on the highway), shall be submitted to and approved in writing by the Local Planning Authority.

**Reason:** To ensure that roads/footways are constructed to an acceptable standard.

**Highway Condition:** Before commencement, the developer shall provide details and construct highway improvements including road widening and passing places as indicated on Drawing No 100-225/004A in accordance with Suffolk County Council specification which shall first have been submitted to and approved by the Local Planning Authority.

**Reason:** To ensure that suitable highway improvements are provided to access the application site.

**Footway Condition:** Before any dwelling is first occupied, the developer shall provide details and construct the footway between the site and Ixworth Road, the footway on west side of Ixworth Road and pedestrian crossing point which shall first have been submitted to and approved by the Local Planning Authority.

**Reason:** To ensure that suitable footways are provided to access the application site and to connect the sites with public rights of way and footway network.

**Parking Condition:** Before the development is commenced details of the areas to be provided for the manoeuvring and parking of vehicles including electric vehicle charging units and secure cycle storage 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 and used for no other purpose.

**Reason:** To enable vehicles to enter and exit the public highway in forward gear in the interests of highway safety.

**Bin Condition:** Before the development is commenced 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.

**Construction Management Plan Condition:** Before the development hereby permitted is commenced a Construction Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. Construction of the development shall not be carried out other than in accordance with the approved plan. The Construction Management Plan shall include the following matters:

- Means of access for construction traffic
- haul routes for construction traffic on the highway network and monitoring and review mechanisms.
- provision of boundary hoarding and lighting
- details of proposed means of dust suppression
- details of measures to prevent mud from vehicles leaving the site during construction
- details of deliveries times to the site during construction phase
- details of provision to ensure pedestrian and cycle safety
- programme of works (including measures for traffic management and operating hours)
- parking and turning for vehicles of site personnel, operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials

- maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase.

Yours sincerely,

**Samantha Harvey**

**Senior Development Management Engineer**

Growth, Highways and Infrastructure

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

From: Matthew Baker <Matthew.Baker@suffolk.gov.uk>

Sent: 03 December 2020 09:12

To: Alex Scott <Alex.Scott@babberghmidsuffolk.gov.uk>; BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>

Subject: RE: MSDC Planning Re-consultation Request - DC/20/04429

Dear Alex

I have looked at the revised site plans, dated 30th November 2020. The revised plans do not affect our previous advice.

Please do get in contact if you or the applicant have any questions.

Kind regards,

Matthew

Matthew Baker  
Archaeological Officer

Suffolk County Council Archaeological Service, Bury Resource Centre, Hollow Road, Bury St Edmunds, IP32 7AY

Tel.: 01284 741329

Mob.: 07707649302

Email: [matthew.baker@suffolk.gov.uk](mailto:matthew.baker@suffolk.gov.uk)

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

Suffolk Heritage Explorer: <https://heritage.suffolk.gov.uk> Follow us on Twitter: @SCCArchaeology

Like us on Facebook: @SCCArchaeologicalService Follow us on Instagram: @SCCArchaeology If you are contacting me about Development Management please quote the planning application number where possible.

Growth, Highways and Infrastructure  
Bury Resource Centre  
Hollow Road  
Bury St Edmunds  
Suffolk  
IP32 7AY

Philip Isbell  
Corporate Manager - Development Manager  
Planning Services  
Babergh and Mid Suffolk District Councils  
Endeavour House  
8 Russell Road  
Ipswich IP1 2BX

Enquiries to: Matthew Baker  
Direct Line: 01284 741329  
Email: [Matthew.Baker@suffolk.gov.uk](mailto:Matthew.Baker@suffolk.gov.uk)  
Web: <http://www.suffolk.gov.uk>

Our Ref: 2020\_04429  
Date: 19<sup>th</sup> October 2020

For the Attention of Sarah Scott

Dear Mr Isbell

### **Planning Application DC/20/04429/OUT – Land Off Hawes Lane, Norton: Archaeology**

This site lies in an area of archaeological potential recorded on the County Historic Environment Record (HER), close to the historic core of the Village, which has medieval origins. Archaeological investigations in the village have identified finds and features of medieval date (HER ref nos. NRN 024 & NRN 033). Ixworth Road, which lies c.60m east of the development site is thought to have Roman origins (NRN 008). Furthermore, cropmarks have been identified in the fields to the immediate west of the proposed development site, which include pre-modern field systems, trackways and a ring-ditch (NRN 015). The ring-ditch is likely to be a Bronze Age funerary monument, further Bronze Age activity can be seen in the area to the north with the finds spot of a Bronze Spear (NRN 006).

As a result, there is high potential for the discovery of below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.

There are no grounds to consider refusal of permission in order to achieve preservation *in situ* of any important heritage assets. However, in accordance with the *National Planning Policy Framework* (Paragraph 199), any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

In this case the following two conditions would be appropriate:

1. No development shall take place within the area indicated [the whole site] 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.

2. 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 part 1 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, in accordance with Core Strategy Objective SO 4 of Mid Suffolk District Council Core Strategy Development Plan Document (2008) and the National Planning Policy Framework (2012).*

**INFORMATIVE:**

*The submitted scheme of archaeological investigation shall be in accordance with a brief procured beforehand by the developer from Suffolk County Council Archaeological Service.*

I would be pleased to offer guidance on the archaeological work required and, in our role as advisor to Mid Suffolk District Council, the SCC Archaeological Service will, on request of the applicant, provide a specification for the archaeological work required at this site. In this case, an archaeological evaluation will be required to establish the potential of the site and decisions on the need for any further investigation (excavation before any groundworks commence and/or monitoring during groundworks) will be made on the basis of the results of the evaluation.

Further details on our advisory services and charges can be found on our website: <http://www.suffolk.gov.uk/archaeology/>

Please do get in touch if there is anything that you would like to discuss or you require any further information.

Yours sincerely,

Matthew Baker

Archaeological Officer  
Suffolk County Council Archaeological Service

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/F305912  
Enquiries to: Water Officer  
Direct Line: 01473 260588  
E-mail: Fire.BusinessSupport@suffolk.gov.uk  
Web Address: <http://www.suffolk.gov.uk>

Date: 21/10/2020

Dear Sirs,

**LAND OFF HAWES LANE, NORTON, SUFFOLK, IP31 3LS**  
**Planning Application No: DC/20/04429/OUT**

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**

No additional water supply for fire fighting purposes is required in respect of this planning application.

Suffolk Fire and Rescue Service recommends that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the provision of an automatic fire sprinkler system. (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@philcobboldplanning.co.uk](mailto:info@philcobboldplanning.co.uk)

Enc : Sprinkler Letter



**From:** Tegan Chenery  
**Sent:** 09 December 2020 11:39  
**To:** Alex Scott  
**Subject:** DC/20/04429 - Heritage response

Hello Alex,

DC/20/04429 – Land off Hawes Lane, Norton

This is an outline application for the erection of 9 dwellings and construction of vehicular access and pedestrian link, with access only to be considered. I note that this application site forms the western part of another current outline application (DC/20/04256) for 20 dwellings with only access to be considered.

The issues of heritage concern relate to the potential impact of the proposal on the setting of the nearby Grade II listed 'The Dog Inn' and 'Maltings Cottage' (as named on the National Heritage Listed for England) to the east of Ixworth Road. In addition, heritage concerns relate to the non-designated heritage asset 'Suffolk House' – which is a probably 19<sup>th</sup> century gault brick dwelling. Its associated flint boundary wall and outbuilding(s) also contribute to the character of the historic village core and the rural setting.

This scheme follows a previous outline application for 20 dwellings (DC/19/01236) which was refused and then dismissed at Appeal. I acknowledge the Inspector's comments noted in the Appeal decision, where they state that there would be 'no impact' on the setting of the designated heritage assets.

Due to the current proposal site now being reduced in area and moved to the west away from the listed buildings, I consider the level of harm I previously identified to have been reduced.

In the previous scheme in 2019 I considered that there would be a negligible level of harm to the setting and subsequently the significance of the two listed buildings – The Dog Inn and Maltings Cottage. This would now be reduced to *no harm*.

I also previously considered there would be a very low level of less than substantial harm to Suffolk House, a non-designated heritage asset. This would now be considered a *negligible level of harm*.

**Tegan Chenery BA(Hons) MSt**  
Heritage and Design Officer  
**Babergh and Mid Suffolk District Councils - Working Together**



02 December 2020

Alex Scott  
Mid Suffolk District Council  
Endeavour House  
8 Russell Road  
Ipswich IP1 2BX

By email only

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*Thank you for requesting advice on this outline application from Place Services' ecological advice service. This service provides advice to planning officers to inform Mid Suffolk District Council planning decisions with regard to potential ecological impacts from development. Any additional information, queries or comments on this advice that the applicant or other interested parties may have, must be directed to the Planning Officer who will seek further advice from us where appropriate and necessary.*

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**Application:** DC/20/04429  
**Location:** Land Off Hawes Lane Norton Suffolk  
**Proposal:** Application for Outline Planning Permission (some matters reserved, access to be considered). Town and Country Planning Act 1990 - Erection of 9No dwellings and construction of vehicular access and pedestrian link.

Dear Alex,

Thank you for re-consulting Place Services on the above outline application.

**No objection subject to securing ecological mitigation and enhancement measures**

**Summary**

We have reviewed the Updated ecology report (MHE Consulting Ltd, November 2020) relating to the likely impacts of development on designated sites, protected and Priority species & habitats.

We are satisfied that there is sufficient ecological information available for determination.

This provides certainty for the LPA of the likely impacts on protected and Priority species & habitats and with appropriate mitigation measures secured, the development can be made acceptable.

The updated ecology report (MHE Consulting Ltd, November 2020) advises the removal of the two short lengths of roadside species-poor hedgerow will be compensated by the proposed site landscaping which includes some native hedgerow and tree planting. The new sections of hedgerow should be species-rich using a native species mix. Therefore, further hedgerow planting will need to be demonstrated at reserved matters stage within an amended Proposed Site Plan & Block Plan, which will need to be proportionate for the loss of the proposed hedgerow removal.

The mitigation measures identified in the Updated ecology report (MHE Consulting Ltd, November 2020) should be secured and implemented in full. This is necessary to conserve and enhance protected



and Priority Species. This should include where possible, hedgehog gaps in fencing to allow hedgehogs to forage within gardens of the new dwellings.

We recommend that a Wildlife Friendly Lighting Strategy is implemented for this application. Therefore, technical specification should be submitted prior to occupation, which demonstrates measures to avoid lighting impacts to foraging / commuting bats, which are likely present within the local area. This should summarise the following measures will be implemented:

- Light levels should be as low as possible as required to fulfil the lighting need.
- Warm White lights should be used at <3000k. This is necessary as lighting which emit an ultraviolet component or that have a blue spectral content have a high attraction effects on insects. This may lead in a reduction in prey availability for some light sensitive bat species.
- The provision of motion sensors or timers to avoid the amount of 'lit-time' of the proposed lighting.
- Lights should be designed to prevent horizontal spill e.g. cowls, hoods, reflector skirts or shields.

We also support the proposed reasonable biodiversity enhancements, which have been recommended to secure measurable net gains for biodiversity, as outlined under Paragraph 170d of the National Planning Policy Framework 2019. The reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Strategy.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

Impacts will be minimised such that the proposal is acceptable subject to the conditions below based on BS42020:2013.

Submission for approval and implementation of the details below should be a condition of any planning consent.

### **Recommended conditions**

#### **1. CONCURRENT WITH RESERVED MATTERS: ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS**

*"All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Updated ecology report (MHE Consulting Ltd, November 2020) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.*

*This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW,) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details."*



**Reason:** To conserve Protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 and s17 Crime & Disorder Act 1998.

**2. CONCURRENT WITH RESERVED MATTERS: BIODIVERSITY ENHANCEMENT STRATEGY**

*“A Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the local planning authority, following the details contained within the Updated ecology report (MHE Consulting Ltd, November 2020).*

*The content of the Biodiversity Enhancement Strategy shall include the following:*

- a) Purpose and conservation objectives for the proposed enhancement measures;*
- b) detailed designs to achieve stated objectives;*
- c) locations of proposed enhancement measures by appropriate maps and plans;*
- d) persons responsible for implementing the enhancement measures;*
- e) details of initial aftercare and long-term maintenance (where relevant).*

*The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.”*

**Reason:** To enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

**3. CONCURRENT WITH RESERVED MATTERS: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME**

*“A lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.*

*All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.”*

**Reason:** To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

Please contact us with any queries.

Yours sincerely,

**Hamish Jackson ACIEEM BSc (Hons)**

Ecological Consultant

[placeservicesecology@essex.gov.uk](mailto:placeservicesecology@essex.gov.uk)



03 November 2020

Alex Scott  
Mid Suffolk District Council  
Endeavour House  
8 Russell Road  
Ipswich IP1 2BX

By email only

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*Thank you for requesting advice on this outline application from Place Services' ecological advice service. This service provides advice to planning officers to inform Mid Suffolk District Council planning decisions with regard to potential ecological impacts from development. Any additional information, queries or comments on this advice that the applicant or other interested parties may have, must be directed to the Planning Officer who will seek further advice from us where appropriate and necessary.*

---

**Application:** DC/20/04429  
**Location:** Land Off Hawes Lane Norton Suffolk  
**Proposal:** Application for Outline Planning Permission (some matters reserved, access to be considered). Town and Country Planning Act 1990 - Erection of 9No dwellings and construction of vehicular access and pedestrian link.

Dear Alex,

Thank you for consulting Place Services on the above outline application.

#### **Holding objection due to insufficient ecological information**

##### **Summary**

We have reviewed the Ecological Survey (MHE Consulting Ltd, November 2018) provided by the applicant, relating to the likely impacts of development on designated Sites, protected and Priority species & Habitats.

We are not satisfied that sufficient ecological information is currently available for determination of this application. This is because the Ecological Survey (MHE Consulting Ltd, November 2018) is out of date to accompany this application, following the Chartered Institute of Ecology and Environmental Management (CIEEM) - Advice note on the Lifespan of Ecological Reports and Surveys (April 2019) - <https://cieem.net/wp-content/uploads/2019/04/Advice-Note.pdf>. This is due to the last update field survey being undertaken over 23 months ago in November 2018.

Therefore, it is recommended that the professional ecologist will need to undertake a site visit and may also need to update desk study information for this application. An addendum to the ecological report should then be provided, with appropriate justification on the validity of the report. In addition, the addendum must also consider whether further ecological considerations will be required from this amended application.



This further information is required to provide the LPA with certainty of impacts on protected and Priority species and enable it to demonstrate compliance with its statutory duties, including its biodiversity duty under s40 NERC Act 2006.

We look forward to working with the LPA and the applicant to provide the additional information to overcome our holding objection.

Please contact us with any queries.

Yours sincerely,

**Hamish Jackson ACIEEM BSc (Hons)**

Ecological Consultant

[placeservicesecology@essex.gov.uk](mailto:placeservicesecology@essex.gov.uk)

**Place Services provide ecological advice on behalf of Mid Suffolk District Council**

Please note: This letter is advisory and should only be considered as the opinion formed by specialist staff in relation to this particular matter.

**From:** Nathan Pittam <Nathan.Pittam@babberghmidsuffolk.gov.uk>  
**Sent:** 04 December 2020 09:32  
**To:** Sarah Scott <Sarah.Scott@babberghmidsuffolk.gov.uk>  
**Cc:** BMSDC Planning Mailbox <planning@babberghmidsuffolk.gov.uk>  
**Subject:** DC/20/04429. Land Contamination

Dear Sarah

**EP Reference : 284529**  
**DC/20/04429. Land Contamination**  
**Land off, Hawes Lane, Norton, BURY ST EDMUNDS, Suffolk.**  
**Re-Consultation - Application for Outline Planning Permission (some matters reserved, access to be considered).Town & Country Planning Act 1990- Erection of 9No dwellings and construction of vehicular access**

Many thanks for your request for comments in relation to the above application. I can confirm that I have no additional comments to make other than those made on 15<sup>th</sup> October 2020.

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](mailto:Nathan.pittam@babberghmidsuffolk.gov.uk)  
Work: 01449 724715  
websites: [www.babergh.gov.uk](http://www.babergh.gov.uk) [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)

**From:** Nathan Pittam <Nathan.Pittam@babberghmidsuffolk.gov.uk>  
**Sent:** 15 October 2020 11:49  
**To:** Sarah Scott <Sarah.Scott@babberghmidsuffolk.gov.uk>  
**Cc:** BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>  
**Subject:** DC/20/04429. Land Contamination

Dear Sarah

**EP Reference : 282488**  
**DC/20/04429. Land Contamination**  
**Land off, Hawes Lane, Norton, BURY ST EDMUNDS, Suffolk.**  
**Application for Outline Planning Permission (some matters reserved, access to be considered).Town and Country Planning Act 1990 - Erection of 9No dwellings and construction of vehicular access and pedestrian link.**

Many thanks for your request for comments in relation to the above application. Having reviewed the application and supporting Phase I report by Bingham: Hall Associates 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**

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# Consultation Response Pro forma

## Mid Suffolk

<b>1</b>	<b>Application Number</b>	DC/20/04429 – Land Off Hawes Lane, Norton, Suffolk.	
<b>2</b>	<b>Date of Response</b>	03/11/2020	
<b>3</b>	<b>Responding Officer</b>	Name:	SACHA TILLER
		Job Title:	HOUSING ENABLING
		Responding on behalf of...	HOUSING STRATEGY
<b>4</b>	<b>Recommendation</b> (please delete those N/A)  Note: This section must be completed before the response is sent. The recommendation should be based on the information submitted with the application.	No further comments on this application for the following reasons.  The total no. of dwelling space is less than 0.5 hectares and less than 10 dwellings therefore no affordable contribution is required.  Should this change then planning permission should be re-sought.	
<b>5</b>	<b>Discussion</b> Please outline the reasons/rationale behind how you have formed the recommendation. Please refer to any guidance, policy or material considerations that have informed your recommendation.	Planning application purports to erection of 9 dwellings with a site size of 0.49 hectares.  <b>CONTRIVED SITE</b> We have also been consulted on site: DC/20/04256 this site is for 20 dwellings and potentially includes parts of the site DC/20/04429. We would like it noted that should DC/20/04429 be approved and the adjoining site also be put forward for planning these sites will both need to be jointly assessed for affordable housing as they will be over the policy threshold of 10 units, 0.5 hectares.	
<b>6</b>	<b>Amendments, Clarification or Additional Information Required</b> (if holding objection)  If concerns are raised, can they be overcome with changes? Please ensure any requests are proportionate		
<b>7</b>	<b>Recommended conditions</b>	Should this change then planning permission should be re-sought.	

Please note that this form can be submitted electronically on the Councils website. Comments submitted on the website will not be acknowledged but you can check whether they have been received by reviewing comments on the website under the application reference number. Please note that the completed form will be posted on the Councils website and available to view by the public.



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# Appeal Decision

Site visit made on 26 May 2020

by **Peter Mark Sturgess BSc (Hons), MBA, MRTPI**

an Inspector appointed by the Secretary of State.

Decision date: 14/7/20

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**Appeal Ref: APP/W3520/W/20/3245218**

**Land off Hawes Lane, Norton, Bury St. Edmunds, Suffolk IP31 3LS**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by Ash Property Consortium Ltd against the decision of Mid Suffolk District Council.
  - The application Ref DC/19/01236, dated 26 February 2019, was refused by notice dated 17 October 2019.
  - The development proposed is erection of 20 dwellings construction of vehicular access and pedestrian link.
- 

## Decision

1. The appeal is dismissed.

## Application for costs

2. An application for costs was made by Ash Property Construction Ltd against Mid Suffolk District Council. This application is the subject of a separate Decision.

## Procedural Matters

3. The application was submitted in outline with all matters reserved apart from access. I have dealt with the appeal on this basis and have treated the layout details shown on drawing number 100-225/003B, dated 20 December 2020, as being for illustrative purposes only.

## Background and Main Issues

4. The Council's reason for refusal refers to the 'amenity for existing residents'. However, it is clear from the evidence in this regard, that this matter relates to highway safety rather than the living conditions of the occupiers of nearby dwellings. Against this background I consider the main issues to be the effect of the proposal on the character and appearance of Hawes Lane and the effect of the proposal on highway safety.

## Reasons

### *Character and appearance of the area*

5. The site lies on the north western edge of the village of Norton. To the north and west of the site is agricultural land with the bulk of the village lying to the south and east. There is a sharp transition between the developed part of the lane and the longer part which crosses agricultural land to the north.

6. The appeal site has the appearance of an uncultivated paddock with a line of tall trees along its north-eastern boundary. Its boundary with Hawes Lane is well vegetated with trees and bushes.
7. Hawes Lane is a rural single-track road which connects Heath Road to the south with Thurston Road to the north. At its southern end it gives access to 5 dwellings and has a grass verge on both sides which is level with the road surface. Outside the built area of the village it adopts a rural character, remains single-track and is lower than the fields either side, with a near vertical face to the road edge and banks in some places, until it reaches a wooded area to its western side where it is possible for vehicles to pass. It would be difficult in the sunken part of the lane for cars to pull on to the verge and pass oncoming traffic, due to the height of some of the banks alongside it. I noted on my site visit that the lane was being used to access the adjacent arable land by large agricultural machinery. However, I saw no evidence of vehicles currently damaging the verge or bank along the lane.
8. The vehicular traffic generated by the appeal site would use Hawes Lane exclusively to gain access to the proposed dwellings. Turning a lane used to access around 5 dwellings and agricultural machinery into one used to access at least 25 dwellings, plus the agricultural machinery.
9. The proposal would widen the lane across its frontage and provide a passing bay in Hawes Lane, between the appeal site and its junction with Heath Road. Whilst this would change the character of the lane in front of the appeal site, the lane would retain its rural/single track character to the north of the appeal site and residential/single lane character to the south.
10. The character of Hawes Lane is derived from its single lane nature and the land either side. Where it is located within the built-up area of the village it has grass verges either side, level with the metalled part of the road. The verge at present exhibits no obvious signs of being used by vehicles. In all likelihood, despite the provision of a passing place drivers accessing the development will use the grass verges to avoid oncoming traffic as the verge is easily accessible from the carriageway. The introduction of the passing bay would make little difference as traffic is able to pass in this part of the lane by accessing the grass verges.
11. In the rural part of the lane cars will, either erode the near vertical edges either side of the metalled part of the road or attempt to mount the grass banks in order to pass oncoming vehicles. The local highway authority (LHA) has advised that drivers might take this route to avoid the junction of Hawes Lane and Heath Road, which has substandard visibility, potentially exacerbating the harm caused by the additional traffic in this part of the lane. This will damage the grass banks either side of the lane to the detriment of its character and appearance. This is more than just 'wear and tear' to the road surface for which the LHA would be responsible, it would affect land either side of the road, which appears to be outside the limits of the public highway. Moreover, it has not been demonstrated through the evidence that the verge is under the control of either the LHA or the appellant. I note what the appellant has said regarding how this approach might affect the consideration of other proposals but taking this proposal on its merits I consider it would cause harm to the character and appearance of Hawes Lane.

12. The development plan for the area includes the 'Mid Suffolk Local Plan 1998 – saved policies (LP)', the 'Mid Suffolk Core Strategy Development Plan Document – September 2008' (CS) and the 'Mid Suffolk Core Strategy – Focused Review – December 2012' (CSFR). Saved Policy GP1 and T10 of the LP seek to ensure that new development that damages the character of the area surrounding a development will be resisted and that safety for users of the public highway is maintained.
13. A note appended to Policy T1 advises that the policy should be read in conjunction with Policy GP1 which sets out the design matters to be addressed in all new developments. This is an outline application and therefore most of the design matters referred to in Policy GP1 are not relevant. However, it is necessary to examine the impact of the traffic generated by the development on the surrounding roads, as this will be fixed by the number of dwellings permitted should this appeal be allowed. It is this traffic that could have an impact on the character and appearance of the area in the vicinity of the appeal site.
14. Policy GP1, as well as setting general guidance criteria which new development will be expected to meet, also expects development to maintain or enhance the character and appearance of the surrounding area. I consider that the appeal proposal is in conflict with this policy as the additional traffic generated would damage the character and appearance of the rural part of Hawes Lane from which the appeal site is accessed. This is set out in paragraph 11 above. This view is reinforced by the explanation to Policy GP1 which defines, amongst other things, sustainable development in terms of making sure that new development does not harm or detract from what already exists.
15. I find that the appeal proposal would harm the character and appearance of the surrounding area and therefore is in conflict with Policy GP1 of the LP. This is due to the likelihood of vehicles damaging land adjacent to the highway due to the constrained width of the lane over a prolonged distance and the sunken nature of the lane itself. The rural nature of the lane, lower than the surrounding agricultural land, helps to define the areas character and appearance.

#### *Highway safety*

16. As I stated in the background and main issues section above, I consider that this main issue relates to highway safety rather than the amenity/living conditions of the existing residents. I have therefore addressed the highway safety issues raised in the evidence in this section.
17. Saved Policy T10 of the LP lists, as one of the highway matters in considering development proposals, the suitability of the existing roads in terms of, amongst other things, pedestrian safety. I consider that the proposed development is in conflict with this policy as it would increase the potential for conflict between pedestrians and vehicles using the rural part of the lane, to the detriment of pedestrian safety.
18. Reference has been made by the appellant to the need for a construction management plan (CMP) to manage the impacts of the construction of the development on the local road network. I am satisfied that a properly framed and enforceable CMP could adequately mitigate any adverse effects on the local road network brought about by construction traffic. I note a condition has been

suggested by the LHA to ensure an effective CMP is delivered should planning permission be granted. I am satisfied that such a condition would adequately mitigate the effects the construction of the development would have on the local area.

19. I note that the LHA has raised no highway concerns, subject to appropriate conditions. However, the conditions themselves do not address the issue of pedestrian safety in the rural part of Hawes Lane. I am satisfied that vehicular safety at the entrance to the site, on to Hawes Lane, can be assured. I am also confident that with regards to safety of the occupants of vehicles generated by the site, the local road network has the capacity to accommodate them safely, and that the new pedestrian link between the site and the village will give people a safe access to the services in the village and public transport.
20. Hawes Lane is used by pedestrians to access the countryside surrounding the village. I observed on my site visit a well-used public footpath leading from Hawes Lane into the countryside. This is reinforced by the representations received by local residents, some of whom have indicated that the lane is used to access a local nature reserve. The appellant describes this as 'hearsay', however from my observations and examining the representations received I can understand how Hawes Lane could be used by local people in this way. The nature of the rural part of Hawes Lane, from the end of the current built up part of the village to its junction with the Thurston Road, being narrow and lower than the surrounding land, with grass banks, means that pedestrians using Hawes Lane to access the countryside and the nature reserve would have difficulty in moving out of the way of cars. The addition of a further 20 houses with associated vehicular movements throughout the day can only make this situation more hazardous for pedestrians and other non-vehicular users of the lane.
21. Both the Council, in their statement, and the appellant have referred to highway safety in Heath Road. I note Heath Road has no footways. However, it does have housing either side, which would indicate to motorists that they are likely to encounter pedestrians using the road. It also has a grass verge which is at the same level as the metalled part of the road, which pedestrians could use to avoid vehicles. The appeal proposal also makes provision for a pedestrian link from the appeal site into the village, which could act as an alternative route to the services of the village for the residents of Heath Road. I therefore do not consider that pedestrian safety in Heath Road would be harmed by the appeal proposal.
22. It is agreed between the parties that the junction between Heath Road and Hawes Lane has substandard visibility. It is common in villages to have junctions that do not meet modern highways standards. Moreover, the LHA has considered the appeal proposal from a highway safety point of view and has raised no issue with regard to this junction safely accommodating the additional traffic generated by the proposed development. I therefore see no issue in its ability to safely accommodate the additional traffic generated.
23. The appellant in his response to the Council's statement, at paragraph 5.5, has acknowledged that the metalled carriageway of Hawes Lane is narrow. He also states that there are opportunities for vehicles to pass using the verge as they have always done. Whilst I accept that this is possible in the part of the lane within the village this would be more difficult in the rural part of the lane,

where the road surface is lower than the surrounding land and there are grass banks. In this part of the lane there might well be a need for cars to reverse to allow oncoming traffic to pass. With regard to traffic leaving the appeal site and turning left, into the village, rather than right, into the rural lane, the LHA has stated that the right turn might be considered by drivers to avoid the substandard junction with Heath Road. This strengthens my view that a significant amount of traffic leaving the appeal site will turn right and use the rural part of Hawes Lane and have a consequent impact on pedestrian safety.

24. The widening of the lane across the frontage of the proposed development, the provision of a passing bay on the lane within the village and the provision of a pedestrian link between the appeal proposal and the centre village would all assist in making the proposal safer in highway terms. However, none of these measures, either in combination or by themselves, would address pedestrian safety in the rural part of Hawes Lane. The rural part of Hawes Lane is used by people in the village to access the surrounding open countryside. This would still be the case should the appeal proposal be constructed. Therefore, the danger from traffic which is currently experienced by pedestrians in the rural part of the lane would increase should the proposed development go ahead. I accept that pedestrians do not have priority over the use of Hawes Lane, as stated by the appellant, however they need a safe and convenient way of avoiding oncoming cars if the proposed development is to be considered acceptable.
25. I therefore find that the proposal is in conflict with Policy T10 of the LP, as it fails to ensure the safety of pedestrians using the rural part of Hawes Lane. Whilst the Council refers to Policies H16 of the LP and FC1.1 of the CSFR, these policies are not relevant to this issue as the argument the Council has advanced relates wholly to highway safety matters. These policies address, amongst other things, the issue of the 'amenity'/living conditions of neighbouring residential occupiers which are not addressed by the Council in its evidence. As this is an outline application the effect on 'amenity' or living conditions of the surrounding residential occupiers by the development will be considered at a later stage, should planning permission be granted.

*Conclusion on main issues*

26. I find that the development would adversely affect the character and appearance of the locality as the increased traffic using the single-track parts of Hawes Lane would damage the grassed areas and banks, which has been alleged are outside the ownership of the LHA or appellant, alongside the lane to the detriment of its character and appearance. This would go beyond normal wear and tear, as it would affect the land either side of the metalled part of the highway. It might also be damage that, whilst it is visually detrimental to the character and appearance of the lane, does not affect the ability of vehicular traffic to use the lane.
27. I also consider that the increased conflict between vehicles and pedestrians in the rural part of Hawes Lane, where the roadway is lower than the surrounding land, is unacceptable in highway safety terms. The lane is used by people from the village to access the surrounding countryside. The appeal proposal will lead to an increase in traffic using the rural part of the lane. This part of the lane also leads to a local nature reserve, is of restricted width, has grass banks and is lower than the grass verge alongside it. This means that pedestrians using

this part of the lane would have difficulty in avoiding oncoming traffic to the detriment of their safety.

28. Issues have been raised concerning the safety of pedestrians in Heath Road, the standard of the junction between Heath Road and Hawes Lane, the provision of a pedestrian link between the proposed development and the village, the provision of a passing bay on the village part of Hawes Lane, provision of a CMP and the widening of the lane across the frontage of the appeal site. Whilst I have largely agreed that these are all acceptable in either planning or highway safety terms, they are not sufficient, either on their own or in combination to outweigh the harm I have identified.
29. I therefore find for the reasons given above that the appeal proposal is in conflict with saved Policies GP1 and T10 of the LP.

### **Other Matters**

#### *Principle of development*

30. The council officer's report identifies a conflict between the policies of the development plan and the appeal proposal. In particular LP Policy H7, CS Policies CS1 and CS2 and FC2 of the CSFR. This is primarily due to the site lying outside the settlement boundary of Norton and not complying with the list of developments which are defined as being appropriate to a countryside location. The Council considers that these policies are out of date as they are not consistent with the National Planning Policy Framework (the Framework), being more restricted and negatively worded. I have assessed these policies against the requirements of the Framework. I agree that they are inconsistent as they are more restrictive in their approach to new development than the Framework and therefore out of date.

#### *Design, layout and landscaping*

31. As this is an outline application, the drawing submitted with the proposal is for illustrative purposes only. In terms of the principle of development the design, layout and landscape impact demonstrate that a development of 20 houses can be accommodated on the site and meet the requirements of the development plan.

#### *Heritage Issues*

32. Reference is made in the officer's report to the presence of listed buildings in the village centre and a non-designated heritage asset nearby. The report concludes that given the proximity of the heritage asset to the appeal site the proposal will cause a 'negligible level' of harm to the designated asset and 'a very low level of less than substantial harm to the non-designated asset'. Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states, amongst other things, that special regard is to be paid to the desirability of preserving the listed building or its setting. The listed buildings referred to in the evidence are the Dog Inn and Malting Cottage. Both these buildings are on the opposite side of the A1088 and some distance from the appeal site. They are also separated from the appeal site by development. Whilst I have had regard to the duties on decision takers in terms of the 1990 Act, I consider that the appeal site would have no impact on the setting of these listed buildings as they are already surrounded by development, they are some distance from the appeal site on the other side of a busy main road

and would be seen against the back drop of this existing development. The proposed development would therefore preserve their settings.

#### *Archaeology*

33. The County Archaeological unit has advised that there is high potential for the discovery of below ground heritage assets at the site. I am satisfied that any below ground heritage assets are capable of being dealt with by an appropriate condition, should the appeal be allowed.

#### *Flood risk, ecology and biodiversity and contaminated land*

34. I note from the officer's report that it was considered that the submitted Flood Risk Assessment, Ecological Report and Phase 1 Contaminated Land Survey showed that, subject to conditions, the proposal would be acceptable in these regards, I have no reason to disagree.

#### *Community Infrastructure Levy*

35. The report recognises that the appeal proposal would be liable to the Community Infrastructure Levy at the appropriate stage, should planning permission be granted. I am satisfied that this can be dealt with should planning permission be granted.

#### *Affordable Housing*

36. The officer's report and the appellant's statement of case refer to the provision of affordable housing within the appeal proposal. The officer's report refers to planning permission being granted subject to the 'prior agreement of a Section 106 Planning Obligation on appropriate terms'. I have not been supplied with a completed planning obligation made under Section 106 of the Town and Country Planning Act 1990 to secure the provision of the affordable housing. I have no doubt with a commitment on both sides a satisfactory planning obligation could be concluded. I therefore need to give the probability of a satisfactory Section 106 agreement being concluded to deliver affordable housing on the appeal site appropriate weight as a benefit of the proposal, in deciding this appeal.

#### *Overall sustainability of the proposal*

37. The appellant has also argued that the proposed development constitutes sustainable development as it would achieve an environmental, social and economic objective. In particular it would provide economic support for the services currently in the village, it would meet a social objective by providing a range of family homes (including affordable housing) and an environmental objective as the site is in walking distance of local services and public transport. I need to give these factors weight in determining this appeal.

### **Planning Balance**

38. The starting point for the consideration of a planning application is the development plan. Section 38(6) of the 2004 Planning and Compulsory Purchase Act states: 'If regard is to be had to the development plan for the purpose of any determination under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise. The council officer's report identifies a conflict between the development plan policies and the appeal proposal. In particular LP Policy H7,



CS1 and CS2 and FC2 of the CSFR. The Council has stated that these policies are out of date as they are not consistent with the Framework, being more restricted and negatively worded. The reason for refusal issued by the Council refers to Policies T10, GP1 and HC16 of the LP and FC1.1 of the CSFR as being relevant to this appeal.

39. I consider that the development proposal is in conflict with the development plan which contains policies which are relevant to the determination of this appeal, including LP Policies H7, CS1, CS2, GP1, T10 and FC2 of the CSFR. These are the policies of the development plan which are most important to the determination of this appeal.
40. The appellant has referred to two appeal decisions that have found policies of the development plan out of date. I have read these appeal decisions and note that they do find some policies of the development plan out of date. However, some of the policies which are most important to the determination of this appeal are not identified as being out of date in these appeal decisions.
41. Policy T10 recognises, amongst other things, the importance of having regard to pedestrian safety in development proposals. Paragraph 110 of the Framework states 'applications for development should give first priority to pedestrian and cycle movements both within the scheme and within neighbouring areas and create places that are safe secure and attractive which minimise the scope for conflicts between pedestrians, cyclists and vehicles...'. I regard Policy T10 as being up to date for the purposes of this appeal as it is consistent with the Framework.
42. Policy GP1 seeks, amongst other things, to ensure that proposals should maintain or enhance the character of their surroundings. The Framework at Section 12, amongst other things, encourages planning policies to ensure developments are sympathetic to the local character and history and establish or maintain a strong sense of place. The majority of issues that Policy GP1 deals with are for the reserved matters application. However, I consider the appeal proposal will have an adverse effect on the rural part of Hawes Lane by damaging its character and appearance through the introduction of additional traffic which would cause damage to the grassed areas and banks alongside the lane. I therefore consider that Policy GP1 is up to date for the purposes of this appeal as it reflects the Frameworks aim of encouraging developments that are sympathetic to local character and maintain a strong sense of place.
43. It is not in dispute that the Council has a 5-year supply of deliverable housing sites. An appeal decision submitted by the appellant dated 9 January 2020 also accepted that the Council had a 5-year supply of deliverable housing sites. Therefore, it is able to provide for its housing needs elsewhere without the need for the appeal site.
44. The policies concerning the distribution of housing within the District are out of date as they are not consistent with the Framework. However, there are policies of the development plan that are up to date as they are consistent with the Framework, and these are the policies that are some of the most important in determining this appeal. Therefore, in terms of the basket of policies against which the appeal is determined, when taken as a whole they are not out of date. This means that paragraph 11d of the Framework is not engaged. The Council is also able to demonstrate a 5-year supply of deliverable housing sites.

45. In support of the proposal the appellant has argued that it brings benefits. I have set these out at paragraph 37 of this decision, as providing economic support for the services in the village, it would provide a range of family homes and affordable housing and would be within walking distance of public transport routes. However I have found a clear conflict with up to date policies of the development plan and specific harm that would be caused to the character and appearance of Hawes Lane by the increased volume of traffic eroding the rural character of the lane and to the safety of pedestrians using the lane to access the countryside surrounding the village. Accordingly, I find that the harm arising would not be outweighed by the benefits and the proposal would conflict with LP Policies T10 and GP1.

**Conclusion**

46. For the reasons set out above, there are no material considerations that would lead me to take a decision otherwise than in accordance with the development plan and the appeal is therefore dismissed.

*Peter Mark Sturgess*

INSPECTOR

## MEMBER REFERRAL TO COMMITTEE

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

Planning application reference	<b>DC/20/04429 – Hawes Lane</b>
Parish	<b>Norton</b>
Member making request	<b>Harry Richardson</b>
Please describe the significant policy, consistency or material considerations which make a decision on the application of more than local significance	<b>Lack of consistency between the proposed development and the outcome of the Planning Inspectorate Appeals decision ref. APP/W3520/W/20/3245218</b>
Please detail the clear and substantial planning reasons for requesting a referral	<b>Specifically, the proposed development conflicts with the findings of the Appeal decision regarding character and appearance of the area (Policy GP1 of the existing Local Plan), and of highways safety (Policy T10)</b>
Please detail the wider District and public interest in the application	<b>Local opposition to multiple planning applications widely reported in the local media; numerous comments on the planning portal from individuals outside of the immediate Parish / Ward / District</b>
If the application is not in your Ward please describe the very significant impacts upon your Ward which might arise from the development	<b>N/A</b>
Please confirm what steps you have taken to discuss a referral to committee with the case officer	<b>Discussed over the phone on 30/10/2020 and via email.</b>

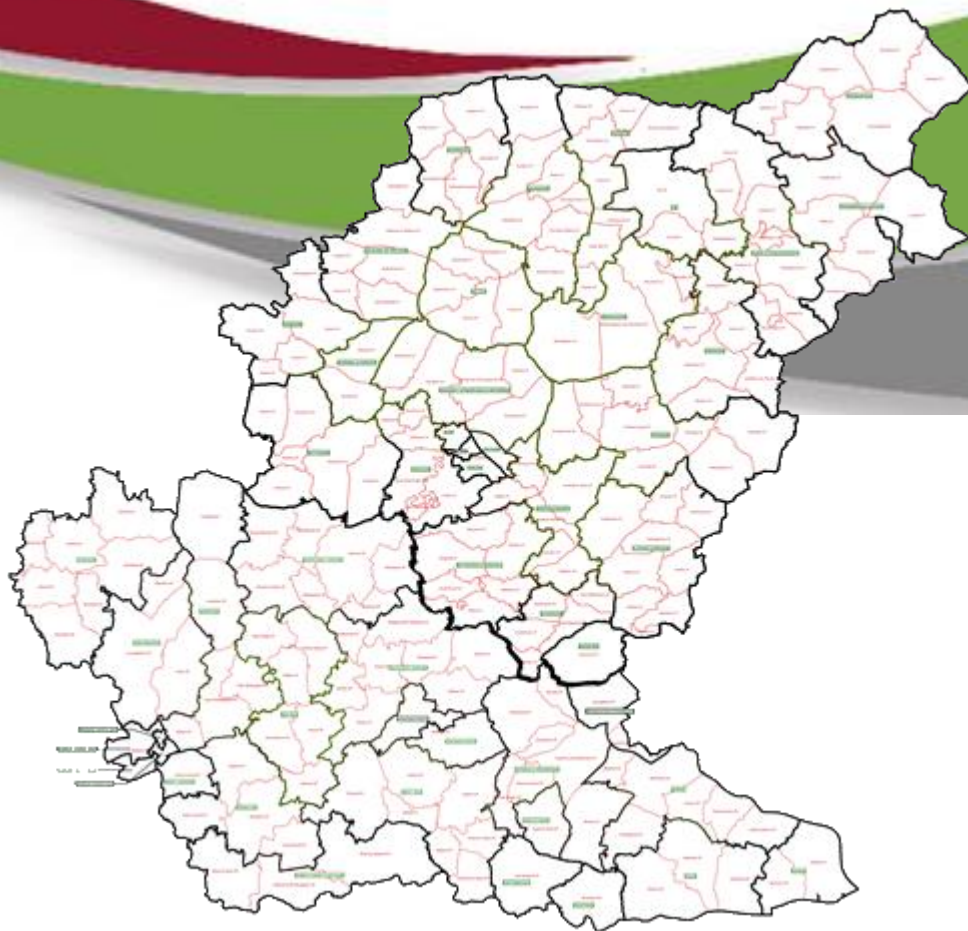
## MEMBER REFERRAL TO COMMITTEE

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

Planning application reference	DC/20/04429
Parish	Norton
Member making request	Wendy Turner
Please describe the significant policy, consistency or material considerations which make a decision on the application of more than local significance	Conflict with the local plan policies of T10 and GP1. The development conflicts with the rural character of Hawes Lane. The application is outside the settlement boundary and is considered in the countryside. This would impact on local people as well as the wider public who use this route for relaxation and exercise.
Please detail the clear and substantial planning reasons for requesting a referral	The application was refused at appeal and the same reasons cited by the inspector for the application to be refused still hold (see inspectors report APP/W3520/W/20/3245218). Hawes Lane is a narrow country lane and even with passing places is not suitable for the increased traffic. The Inspector at his decision paragraph 26 acknowledges that this land may be outside of the ownership of the Highway Authority and certainly not in the ownership of the applicant. The passing bays are correctly described as indicative as there is no surety that they can actually be delivered.
Please detail the wider District and public interest in the application	
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	I have spoken to the planning officer who recommended that I called it to committee.

**Application No:**  
DC/20/04429

**Address:**  
Land Off Hawes Lane,  
Norton



# Site Location

Slide 2

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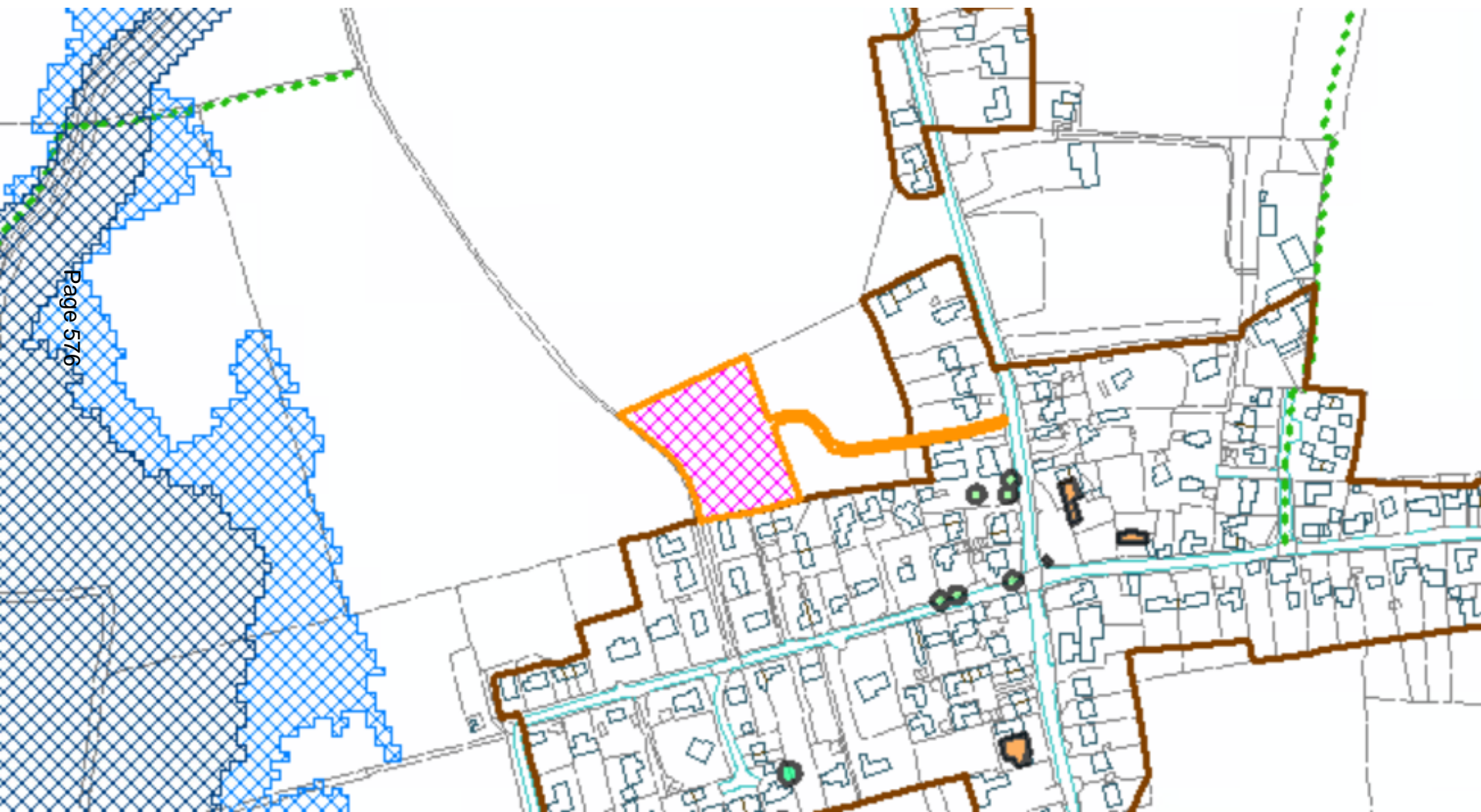




# Constraints Map

- Built Up Area Boundaries
- Grade II
- Flood Zone 2
- Flood Zone 3
- TPO - Individual TPO/Area of trees/trees

Slide 4



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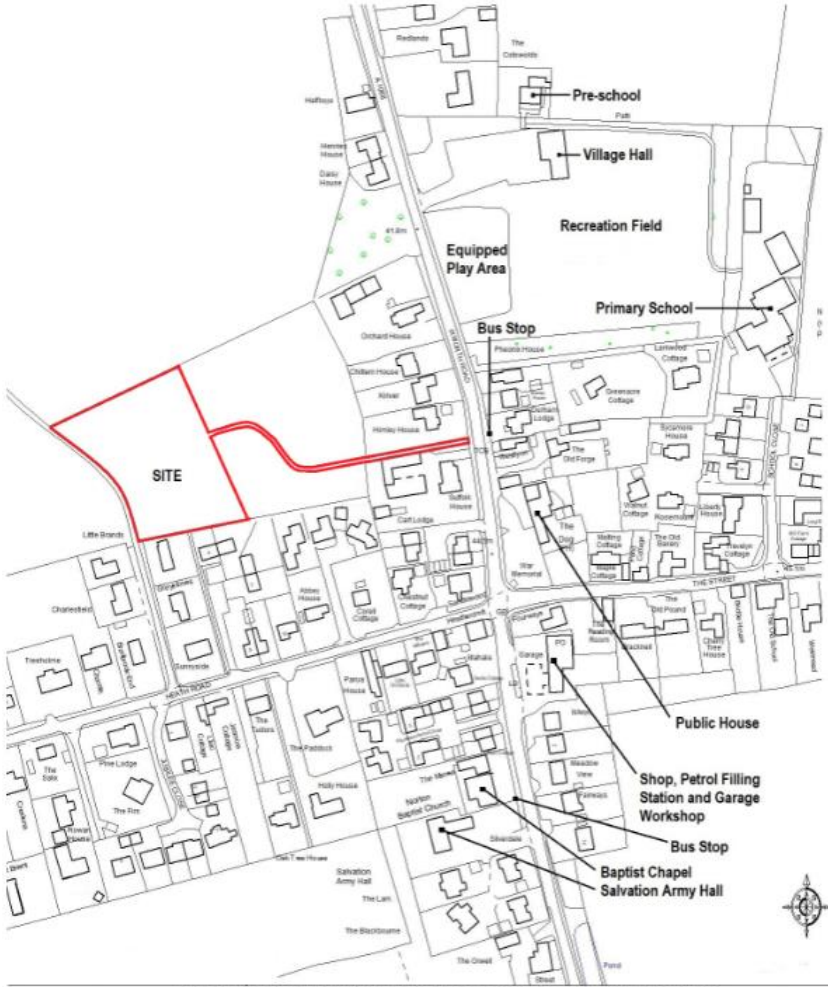


# Site Location Plan



**Phil Cobbold**  
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**LAND OFF HAWES LANE (REAR OF SUFFOLK HOUSE), NORTON.**

Phil Cobbold BA PGDip MRTPI - Member of the Royal Town Planning Institute - Chartered Town Planner

Phil Cobbold Planning Ltd

Registered in England No.09701814

Registered Office: 42 Beatrice Avenue Felixstowe IP11 9HB

# Site Layout



# Site Layout

Slide 9



### Proposed Alterations to Hawes Lane



**DC/19/01236 – Layout (Refused)**

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- Key**
- Site Boundary
  - Indicative Visibility Splay
  - ▨ Indicative Highways Widening to 4.1m

House Type	Size (sqm)
Pannockwick R	1772

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