

Public Document Pack



COMMITTEE:	DEVELOPMENT CONTROL COMMITTEE B
DATE:	WEDNESDAY, 31 MARCH 2021 9.30 AM
VENUE:	VIRTUAL TEAMS VIDEO MEETING

Councillors	
<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 in person 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/20/13 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 3 MARCH 2021**

To Follow.
- 6 **TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION SCHEME**

- 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, 28 April 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

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

Introduction to Public Meetings

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

Domestic Arrangements:

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

Evacuating the building in an emergency: Information for Visitors:

If you hear the alarm:

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

Mid Suffolk District Council

Vision

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

Strategic Priorities 2016 – 2020

1. Economy and Environment

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

2. Housing

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

3. Strong and Healthy Communities

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

Strategic Outcomes

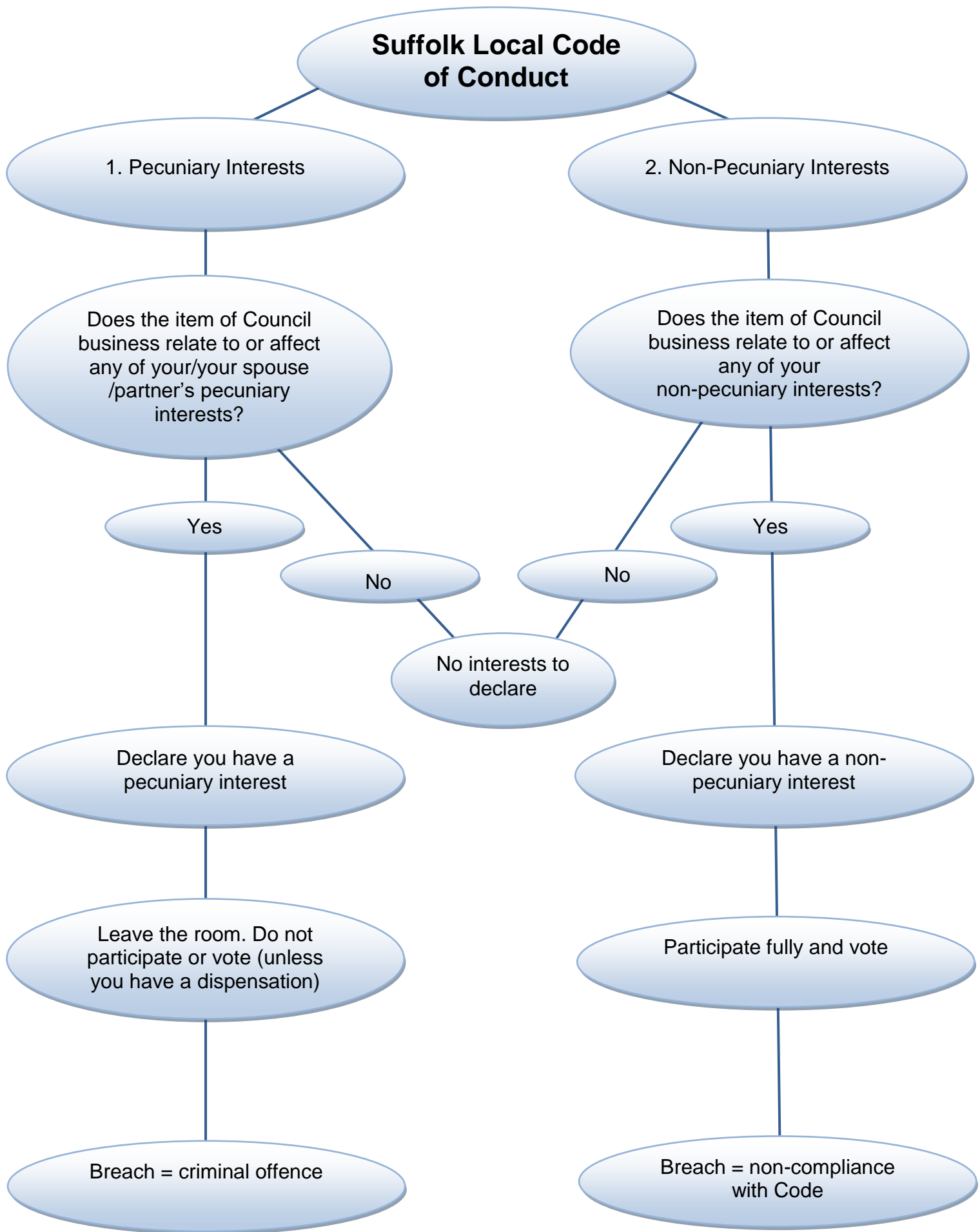
Housing Delivery – More of the right type of homes, of the right tenure in the right place

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

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

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

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



Agenda Item 7

MID SUFFOLK DISTRICT COUNCIL

DEVELOPMENT CONTROL COMMITTEE B

31 March 2021

INDEX TO SCHEDULED ITEMS

<u>ITEM</u>	<u>REF. NO</u>	<u>SITE LOCATION</u>	<u>MEMBER/WARD</u>	<u>PRESENTING OFFICER</u>	<u>PAGE NO</u>
7A	DC/20/04723	Site 3C and 3D Land South of Gun Cotton Way, Stowmarket, Suffolk	Cllr Dave Muller & Cllr Terence Carter / Stow Thorney	Gemma Walker	13-172
7B	DC/20/04572	Land Rear of Six Bells, Church Road, Felsham, Suffolk	Cllr Penny Otton / Rattlesden	John Pateman-Gee	173-238
7C	DC/20/04987	Anchor Storage, Eye Road, Kenton, Stowmarket, Suffolk, IP14 6JJ	Cllr Kathie Guthrie / Debenham	Alex Scott	239-356
7D	DC/20/05595	The Angel Inn, 5 High Street, Debenham, Stowmarket, Suffolk, IP14 6QL	Cllr Kathie Guthrie / Debenham	Alex Scott	357-434
7E	DC/20/05596	The Angel Inn, 5 High Street, Debenham, Stowmarket, Suffolk, IP14 6QL	Cllr Kathie Guthrie / Debenham	Alex Scott	435-506

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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 or 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 at least 24 hours before the start of the meeting.
2. The meeting will be live streamed and will be available to view on the Council's YouTube page as detailed below:
https://www.youtube.com/channel/UCSWf_0D13zmegAf5Qv_aZSg

Recording of proceedings:

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

Roll Call:

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

Disclosable Pecuniary Interests:

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

Questions and Debate:

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

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

Voting:

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

Confidential items:

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

Agenda Item 7a

Committee Report

Item 7A

Reference: DC/20/04723

Case Officer: Gemma Walker

Ward: Stow Thorney.

Ward Member/s: Cllr Terence Carter. Cllr Dave Muller.

RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS

Description of Development

Full Planning Application - Residential Development of No141 dwellings (49 affordable dwellings) with associated access, landscaping amenity space and parking.

Location

Site 3C And 3D Land South Of, Gun Cotton Way, Stowmarket, Suffolk

Expiry Date: 14/01/2021

Application Type: FUL - Full Planning Application

Development Type: Major Small Scale - Dwellings

Applicant: Bellway Homes Ltd (Eastern Counties)

Agent: Strutt And Parker

Parish: Stowmarket

Site Area: 3.5ha

Density of Development: 40.2dph

Details of Previous Committee / Resolutions and any member site visit:

The application was considered by Development Control Committee B on 3rd March 2021 and deferred for the following reason:

To allow officers to explore potential provision of a LEAP in accord with policy RT4.

Discussions have been undertaken with the applicant in consultation with SCC Floods and Public Realm and a scheme including an equipped playground has now been provided. This includes a swing, slide, balancing logs and play boulders, along with a circular path suitable for bike or scooter riding and a mown path around a wildflower grassland area.

The area is situated on land forming part of the SUDs scheme, however in consultation with SCC Flood and Water it has been confirmed that the amendment to the SUDs to include the play area would not be unacceptable.

Public Realm raise no objection on this basis.

An additional condition has been added to the recommendation to ensure the implementation of the play area.

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/19/04589 and DC/20/01121

PART ONE – REASON FOR REFERENCE TO COMMITTEE

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

It is a major application for in excess of 15 residential dwellings.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

NPPF - National Planning Policy Framework
FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
FC02 - Provision And Distribution Of Housing
FC03 – Supply of Employment Land
CS01 - Settlement Hierarchy
CS03 - Reduce Contributions to Climate Change
CS04 - Adapting to Climate Change
CS05 - Mid Suffolk's Environment
CS06 - Services and Infrastructure
CS09 - Density and Mix
SB2 - Development appropriate to its setting
GP01 - Design and layout of development
H2 - Housing Development in towns
HB14 - Ensuring archaeological remains are not destroyed
H13 - Design and layout of housing development
H14 - A range of house types to meet different accommodation needs
H15 - Development to reflect local characteristics
H16 - Protecting existing residential amenity
H17 - Keeping residential development away from pollution
CL08 - Protecting wildlife habitats
T09 - Parking Standards
T10 - Highway Considerations in Development
RT04 - Amenity open space and play areas within residential development
RT12 - Footpaths and Bridleways

Stowmarket Area Action Plan:

Policy 4.1 – Presumption in Favour of Sustainable Development
Policy 4.2 – Providing a Landscape Setting for Stowmarket

Policy 6.1 – Housing and Waste Storage
Policy 7.1 – Sustainable Employment Sites
Policy 7.8 – Cedars Park Employment Site
Policy 8.2 – A14 Trunk Road
Policy 9.1 – Biodiversity Measures
Policy 9.5 – Historic Environment

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)**

Stowmarket Town Council

The Town Council objects to the grant of planning consent on the following grounds:

The current proposal would constitute over-development of the site being significantly larger than the previous proposal for 116 properties which was submitted in 2018.

The density of development is very high and provides little space for relief and amenity space. There are also likely to be parking and congestion problems arising from the narrow network of roads providing access to properties on the site.

The quality of the design is poor and fails to fulfil the requirement of the National Planning Policy Framework in adding to the character of the area.

Part of the proposed development is extremely close to Gun Cotton Way with the apartment blocks appearing over-bearing within their context.

The local road network would come under further pressure from the cumulative effect of housing development and recent commercial development. In addition, the Cedars Park Primary School is over-subscribed and this will mean that schoolchildren will have to undertake lengthy journeys to access other schools. Local health centres will also come under further strain.

The ecology of the site is recognised as being diverse and there are no credible plans in place to explain how different species seen on the site will find new habitats.

National Consultee (Appendix 4)

Natural England

No comment

Highways England

No objection

Anglian Water

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.

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.

The sewerage system at present has available capacity for these flows.

The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. In order to complete an accurate capacity assessment we require a strategy showing the proposed discharge rate. We also require evidence to confirm compliance with the surface water hierarchy. We would therefore recommend that the applicant needs to consult with Anglian Water and the Lead Local Flood Authority (LLFA).

We request a condition requiring a drainage strategy covering the issue(s) to be agreed.

Anglian Water would therefore recommend the following planning condition if the Local Planning Authority is mindful to grant planning approval.

Surface Water Disposal (Section 4)

CONDITION No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

REASON To prevent environmental and amenity problems arising from flooding.

Officer Note: Further surface water drainage details have been submitted and subsequently this has been agreed with the LLFA.

East Suffolk Internal Drainage Board

The site is near to the Internal Drainage District (100) of the East Suffolk Internal Drainage Board (IOB) and is within the Board's Watershed Catchment (meaning water from the site will eventually enter the 100).

I note that the applicant intends to discharge surface water to a sewer within the watershed catchment of the Board's 100. I recommend that you satisfy yourselves that this proposal is in line with the drainage hierarchy (as per best practice) and is viable in this location. We request that this discharge is facilitated in line with the Non-Statutory technical standards for sustainable drainage systems (SuDS), specifically S2 and S4. Resultantly we recommend that the discharge from this site is attenuated to the Greenfield Runoff Rates wherever possible.

The reason for our recommendation is to promote sustainable development within the Board's Watershed Catchment therefore ensuring that flood risk is not increased within the Internal Drainage District (required as per paragraph 163 of the National Planning Policy Framework).

NHS

There are 2 GP practices within a 2km radius of the proposed development, One of these practices does not have sufficient capacity for the additional growth resulting from this development and cumulative development growth in the area and the other is currently under review of its capacity. Therefore a developer contribution, via CIL processes, towards the capital funding to increase capacity within the GP Catchment Area would be sought to mitigate the impact.

Suffolk Wildlife Trust

We are concerned about the identified lack of management of the chalk grassland and we query why this is the case. The Wildlife Protected Area within site 3D was a translocation site for chalk grassland, which was within the previously designated County Wildlife Site. As identified within the ecological report, management of this area for chalk grassland was identified to partially offset the loss of this habitat in other areas. Therefore, management measures are required to ensure that the outcome is not a significant loss in biodiversity. Whilst we note there are limited management recommendations within the ecological report, we believe that these are of insufficient detail to achieve the original biodiversity objectives for this area. Consequently, we strongly advise that a 10 year management plan is provided that includes an annual condition assessment of the grassland, with also a series of reptile surveys specified within the life of the plan.

County Council Responses (Appendix 5)

Highways

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

Further to my initial comments of the 12th November 2020 the Applicants Consulting Engineers have been in correspondence with SCC and the revised submission is at a stage where the Highway Authority can now recommend approval subject to the following conditions which relate to the listed drawings:

Drawing No. 4891-WSP-00-ZZ-DR-CE-1003/P04 - General Arrangement Sheet 1
Drawing No. 4891-WSP-00-ZZ-DR-CE-1004/P04 - General Arrangement Sheet 2
Drawing No. BW225-PL-02_Development Layout_Rev_V - Layout.

Infrastructure

The table below would form the basis of a future bid to the District Council for CIL funds if planning permission is granted and implemented.

Service Requirement	Contribution per dwelling	Capital Contribution
Education - Primary	£3,918.98	£552,576.00
Education – Secondary	£3,709.57	£523,050.00
Education – Sixth Form	£843.09	£118,875.00
Libraries	£216.00	£30,456.00
Waste	£136.00	£19,176.00
Total	£8,823.64	£1,244,133.00

The table below should be secured by a planning obligation if planning permission is to be granted.

Service Requirement	Contribution per dwelling	Capital Contribution
New Early Years Setting build cost	£1,890.81	£266,604.00
Primary school transport contribution	£683.69	£96,400.00
Total	£2,574.50	£363,004.00

Flood and Water Management

Suffolk County Council, as Lead Local Flood Authority (LLFA), have reviewed application ref DC/20/04723.

Note LLFA is only commenting on the surface water drainage

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

- Flood Risk Assessment & Drainage Strategy Ref 4891-FRA-001 Rev 3 P04
- Proposed Foul and Surface Water Drainage Strategy Sheet 1 Ref 4891-wsp-00-zz-dr-ce-1015 P09
- Proposed Foul and Surface Water Drainage Strategy Sheet 2 Ref 4891-wsp-00-zz-dr-ce-1016 P06
- Location Plan BW225-LP-01_Location Plan_rev00
- Flood Risk Assessment Addendum Dated 29th January 2021

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

Strategy for disposal of surface water
Surface water drainage verification report
Construction Surface Water Management Plan

Archaeology

This site lies in an area of archaeological potential recorded on the County Historic Environment Record (HER). Archaeological investigations conducted in other phases of Cedars Park identified significant remains occupation and settlement remains dating from the Iron-Age and Roman periods, including human burials (SUP 020). It is reasonable to expect that further evidence for occupation of this date will be identified within the proposed development area. 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.

Fire and Rescue

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.

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.

Internal Consultee Responses (Appendix 6)

Strategic Housing

A major development proposal for 141 residential dwellings. This application triggers the requirement for an affordable housing contribution under local policy of 35%.

This equates to 49.35 affordable dwellings.

This development offers 49 affordable housing units split across both phases.

Strategic Planning Policy and Infrastructure

It is important to note that the proposed development (considering both Areas C and D) currently benefits from planning permission, albeit there is a proposed increase in the total number of dwellings. The net increase is for 25 dwellings, as detailed below: -

Area 3C (Western section of the site)

DC/18/01163: Full Planning permission, granted 19/12/2018, for the erection of 68 dwellings with access roads, footpaths, landscaping, drainage and parking. This site is also part of the Pre-Submission Regulation 19 Joint Local Plan (November 2020), as land allocation LA033.

Area 3D (Eastern section of the site)

4556/16: Hybrid planning application, granted 08/01/2018, consisting of full planning permission for the erection of 48 dwellings and outline planning permission for 3 commercial units (1 no. Class A3, 1 no. Class A4 and 1 no. Class A3/A5) with 'appearance' and individual plot landscaping as reserved matters.

68 dwellings + 48 dwellings = 116 dwellings benefiting from planning permission

The new planning application is for a total of 141 dwellings; therefore, the proposal consists of an addition of 25 dwellings, over what is already benefiting from planning permission in principle.

1. Policy position

As referred above, the western section of the site is identified in the Pre-Submission Regulation 19 Joint Local Plan (November 2020) as land allocation LA033 for 68 dwellings. The eastern section of the site granted full permission for 48 dwellings in January 2018 is included within the baseline of the Joint Local Plan and is within the Settlement Boundary for Stowmarket.

The relevant Development Plan policies to consider are:

- the National Planning Policy Framework (2019)
- the site-specific policy LA033 of the Pre-Submission Regulation 19 Joint Local Plan (November 2020)
- 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)
- the Stowmarket Area Action Plan (SAAP, 2013)
-

2. Infrastructure Delivery Plan (IDP) position

The IDP of September 2020 provides an updated position from the previous IDP of July 2019, and it sets out both Babergh and Mid Suffolk's infrastructure requirements and priorities. It was published on the 12th November 2020 as evidence which supports the Pre-Submission Regulation 19 Joint Local Plan. The IDP is an iterative document which is updated annually to reflect the changes in infrastructure capacities, requirements and priorities.

For the purpose of this response, and to understand the impact on infrastructure capacity of the 25 additional dwellings proposed, 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 Joint Local Plan land allocations in the Stowmarket area:

- 4455/16, Land to the South of Union Road, Onehouse – 300 dwellings, currently under construction. This site is part of the Joint Local Plan allocation LA036.
- DC/20/01110, Land to The South of Union Road, Onehouse – 146 dwellings, Outline planning application awaiting decision. This site is adjacent to the above site and is also part of the Joint Local Plan allocation LA036.
- DC/18/03111 and 5007/16, Land North of Chilton Leys, Chilton Leys – 600 dwellings, currently under construction. This site is part of the Joint Local Plan allocation LA034.
- DC/19/01482, Land between Gipping Road and Church Road ("Trinity Meadows") – granted full permission on 25/09/2020 for 93 dwellings. This site is also part of the Joint Local Plan allocation LA112.
- DC/19/02484, Stowmarket Middle School, Walnut Tree Walk – granted full permission on 26/08/2020 for 38 dwellings. This site is also part of the Joint Local Plan allocation LA037.

- DC/20/01036, Land north of Stowupland Road and east of Newton Road ('Ashes Farm') Outline planning application awaiting decision for 300 dwellings. This site is the eastern section of allocation LA035 (allocation for 575 dwellings).

Other Joint Local Plan site allocations:

- LA038 Land south of Creting 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 05/11/2020 requires Section 106 developer contributions towards the new setting planned on Ashes Farm for provision of this development.

In terms of primary school education, the IDP refers to Trinity CEVAP School in Stowmarket as able to expand to provide for additional provision in Stowmarket. The catchment primary school for this site is Cedars Park, however, as explained in the County Council response of the 05/11/2020, there is no capacity at Cedars Park and there is no opportunity to expand the school within its own grounds. Therefore, the primary school children deriving from this site are to be provided for at Trinity Church of England Voluntary Aided Primary School. It is expected that the additional pupils emanating from this development would displace some of the children coming from out of the catchment area over time. A financial contribution towards the delivery of the primary school expansion in the form of CIL will be required.

Due to the inability for children under the age of 8 to walk safely to school, a Section 106 developer contribution towards school travel is also required. The school transport policy is that free school transport is provided for children under the age of 8 who live more than 2 miles from their nearest/catchment school. For children over 8 years it is over 3 miles. The shortest distance to walk from the site to Trinity primary school is to use the A1120 and the crossing of the Gipping Way at the roundabout, however due to an Appeal in 2014 this is assessed as not being a safe route to school. The alternative route west along Gun Cotton Way and Navigation Approach is under 3 miles and therefore can be walked safely by children over the age of 8, i.e. from year 4 of primary education. This is the reason why the County Council is looking to secure contributions for earlier years (from Reception to Year 3) over 4 years of education.

In terms of Secondary and Post 16 education, Stowupland High School is the catchment school. Stowupland High School recently benefited from the Phase 1 build of a new Sixth Form block which is providing additional capacity for both the Secondary and Sixth Form education. This Phase 1 is shown in the IDP together with the Phase 2 expansion project to provide for the cumulative planned and committed growth within the catchment area. This proposed development together with other Joint Local Plan site allocations and existing commitments within the school catchment area are expected to require the Phase 2 master plan expansion as referred in the IDP.

- Transport

The County Council Highways response of the 12/11/2020 refers to the need for further details and revised drawings. There is also the mention of more pedestrian and cycle connectivity and a need for a pedestrian footway link between the site and the existing bus stops on Gun Cotton Way.

The IDP states that within Stowmarket, contributions towards new footway links would be expected, and specifically that for this site, as part of land allocation LA033, that provision of a controlled pedestrian crossing may be required.

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.

Longer term improvements to facilitate safe walking and cycling in Stowmarket are also identified in the Prioritised Rolling Five Year Plan for Cycling (SCC, June 2020), where a number of improvements are proposed in Stowmarket.

- Health

The nearest practices are Stow Health and Combs Ford (Combs Ford Surgery), where the IDP states that mitigation will be required for this locality in order to accommodate committed growth and planned growth of the Joint Local Plan. To this effect, the response from the Clinical Commissioning Group of the 11/11/2020 requires developer contribution, in the form of CIL, to meet the cost of additional capital funding for health service provision arising.

- 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. 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, in the form of CIL. This is also reflected in the County Council response of the 05/11/2020.

- 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, through the CIL process. This is reflected in the County Council response.

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.

The additional proposed growth is understood to be provided for in terms of infrastructure, as detailed above. It is also acknowledged that the site is within a sustainable location of Stowmarket. The above-mentioned mitigation will be essential in ensuring that this proposed development enables sustainable growth, as without this, the infrastructure required would not be mitigated.

Landscape

Based on the additional information received and on-going liaison with the applicants landscape architect we have no objection to this application being approved. However, we would advise the following planning conditions are considered:

Landscape and Ecological Management Plan
Landscape Scheme

Ecology

We have reviewed the Update Ecological Appraisal (Southern Ecological Solutions Ltd, September 2020), provided by the applicant, 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 designated sites, protected species and Priority Species / Habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

Therefore, the measures contained within the Update Ecological Appraisal should be secured and implemented in full. This is necessary to conserve and enhance Protected and Priority Species. However, to avoid any potential impacts to Protected and Priority Species during the construction phase, it is recommended that the finalised measures should be outlined within a Biodiversity Method Statement, which should be submitted as a condition of any consent.

Furthermore, a wildlife friendly lighting scheme will need to be provided for this application as recommended by Update Ecological Appraisal (Southern Ecological Solutions Ltd, September 2020). This will need to be secured as a condition of any consent to avoid impacts to foraging and commuting bat species.

We have reviewed the submitted planning documents and note that no specification of soft landscaping has been provided to accompany this application. Therefore, this will need to be outlined and specification should be in line with British Standards. The application should incorporate Native Species planting and any tree planting should preferably reflect the local variation in tree species.

However, it is highlighted that we support the proposed reasonable biodiversity enhancements measure contained within the Update Ecological Appraisal (Southern Ecological Solutions Ltd, September 2020). These have been recommended to secure measurable net gains for biodiversity, as outlined under Paragraph 170[d] & 175 [d] of the National Planning Policy Framework 2019. Therefore, the management and aftercare of the finalised bespoke enhancement measures and soft landscaping should be included within a Landscape and Ecological Management Plan.

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.

Environmental Health Land Contamination

Having reviewed the application and supporting geoenvironmental report by RSK (reference 1920953 R01 (00) dated December 2020 I can confirm that I have no objection to the proposed development from the perspective of land contamination.

The RSK report recommends limited additional ground gas monitoring but on balance of evidence these works should not be required by means of condition. However should the applicant wish to undertake these works we would be willing to review the findings and hold these on record against the properties. 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.

Environmental Health Noise, Odour, Light and Smoke

Updated comments:

In relation to the pre-occupation noise testing, I have discussed this with the acoustic consultant and agree with the contents of this section based on an agreement that the glazing and ventilation meets the noise assessment recommendations.

Please re consult EP on the new full CMP when this is submitted to ensure that it meets the requirements we would expect of a full CMS in terms of noise/light/dust/smoke.

Officer Note: A Construction Management Plan condition is proposed, and the details would be agreed as part of that condition in consultation with EH Officers.

Updated comments:

I have had a discussion with Lovans acoustic consultants regarding my suggested conditions as his client has been in contact with them. I had asked for the following as a condition

- I would suggest that a condition requiring pre-occupation independent testing would be required to ensure that WHO and BS8233 internal values are met.

Following discussion This condition can be removed from my recommendations providing that the developer submits documentation by way of technical sheets as evidence that the glazing and ventilation to be installed along with the fencing complies with the requirements in the Lovans report.

Initial Comments:

The application sites 3C and 3D are within close proximity to the road and/or existing commercial premises and therefore there is potential for significant loss of amenity at new dwellings.

The application includes an Environmental Noise Assessment (ENA) prepared by LOVEN acoustics ('Proposed Residential Development Cedars Park, Gun Cotton Way, Stowmarket Sites 3C and 3D), report number LA/1704/01aR/ML, dated 21 September 2020.

The ENA identifies that noise from road traffic and customer traffic noise are the dominant noise sources at the application site. A noise survey has been carried out at locations representative of proposed housing.

The assessment identifies that daytime and night-time ambient noise levels at dwellings on part of the site will mean that internal WHO and BS8223 guideline values for both daytime and night-time will be exceeded.

In order to militate against this noise, a scheme of glazing is given in section 6 of the ENA .

This is summarised in Table 6. Which gives Predicted internal noise levels and indicative glazing and ventilation recommendations. Table 7 shows indicative glazing and ventilation required to meet the requirements to mitigate the noise.

I therefore recommend the following condition:

- All bedrooms and living rooms on the facades highlighted in section 6, Table 6 of the Environmental Noise Assessment (ENA) prepared by LOVEN acoustics ('Proposed Residential Development Cedars Park, Gun Cotton Way, Stowmarket Sites 3C and 3D), report number LA/1704/01aR/ML,

dated 21 September 2020 shall be constructed with the relevant glazing scheme as specified in section 6 of that report. All; trickle vents fitted must comply with the Noise Insulation Regulations 1975 and the Approved Document F.

There are also concerns about the outside amenity area noise levels at some of the plots on the sites. I would recommend that a condition is added to any permissions granted. I would suggest the following:

- A noise barrier around the gardens of the plots identified in section 6 and erected as specified in Section 6 to the recommendations in Table 8 of the Environmental Noise Assessment (ENA) prepared by LOVEN acoustics ('Proposed Residential Development Cedars Park, Gun Cotton Way, Stowmarket Sites 3C and 3D), report number LA/1704/01aR/ML, dated 21 September 2020 report, will be required to ensure the noise levels in the gardens will be below the WHO limit of 55dB LAeq,16hour.
- I would suggest that a condition requiring pre-occupation independent testing would be required to ensure that WHO and BS8233 internal values are met.

Finally as the site is in proximity to existing dwellings, it is essential that a Construction Management Plan be in place to minimise loss of amenity arising from construction of the development as follows:.

- No development shall commence until a Construction and Environmental Management Plan (CEMP), to cover both demolition/site clearance and construction phases of the development, has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall be undertaken in accordance with best practice guidelines and BS: 5228:2009 + A1:2014 (and any revisions thereof). The plan shall include details of operating hours, scheduled timing/phasing of development for the overall construction period, means of access, traffic routes, vehicle parking and manoeuvring areas (site operatives and visitors), loading and unloading of plant and materials, location and management of wheel washing facilities, external lighting, location and nature of compounds and storage areas (including maximum storage heights), waste removal, location and nature of temporary buildings and boundary treatments, dust management, noise management (both in terms of workers and local residents, and to include noise limit at the nearest sensitive residential property, or agreed representative accessible monitoring point) and waste/litter management during the construction phases of the development. Thereafter, the approved construction plan shall be fully implemented and adhered to during the construction phases of the development hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Note: the Construction Management Plan shall be submitted in phases for each phase of construction so as to take account of protection measures for both newly constructed (and occupier) dwellings as well as those dwellings which existed prior to commencement/

- No burning shall take place on site during the site clearance/demolition or construction phases of the development.

Environmental Health Air Quality

No objection to the proposed development from the perspective of Local Air Quality Management.

Environmental Health Sustainability

I have viewed the applicant's documents relevant to this topic and I welcome their mention of a fabric first approach in the Energy Statement repeated in the Planning Statement. There is also mention of electric vehicle charging points in the Planning statement.

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.

Additional Comments:

I have viewed the additional documents posted by the applicant on 18th January. In particular the Applicant Agent's response to my previous consultation comments and subsequently the revised documents posted, the Sustainability Statement and Sustainability Plan.

I am pleased that the applicant has confirmed compliance with the Suffolk Parking Guidance and will install electric vehicle charging points at the dwellings as shown on Bw225-pl- 08_sustainability plan rev a.

The contents of the sustainability statement meet the requirements of the of Council's core strategy and the NPPF in terms of sustainability However it is unfortunate that the construction design of the dwellings could not be improved to meet the requirement of the Councils' declaration of a Climate Emergency.

Waste Services

No objection to this application.

Public Realm

Public Realm Officers are supportive of the proposals for ecological enhancements along the already existing wildlife protection area. It is disappointing that there are no formal areas of public open space or play areas associated with this phase of development. Existing play provision may not have been designed to accommodate the additional use that will inevitably result from this development and the location of play facilities on the far side of the busy arterial road through the site is an added risk.

Arboricultural Officer

I have no objection to this application subject to it being undertaken in accordance with the measures outlined in the accompanying arboricultural report, an appropriate condition should be used for this purpose. Although a number of trees are proposed for removal they are generally of limited amenity and their loss will have negligible impact within the wider landscape. If you are minded to recommend approval we will also require a detailed Arboricultural Method Statement in order to help avoid harm being caused to the trees scheduled for retention, this can be dealt with under condition.

Mid Suffolk Disability Forum

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 this 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 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.

No surfaces of footpaths, driveways or roads, should be of loose gravel, cobbles or uneven setts. Surfaces should be firm, durable, and level.

The Stowmarket Society

- (1) There is no equipped play area for this large development. Where are children to play?
- (2) The layout is generally unsatisfying with little consideration given to townscape and creation of a sense of place or consideration of the impact of the sloping valley-side site. In particular we felt that the cul-de-sac at the back of Costa's could benefit from a closing feature.
- (3) The three storey flats block at the eastern end of the site is most unfortunate. While its design is deadly dull, the ostentatious placing of this tall block right on the skyline adds to its injurious impact over a wide swathe of the local countryside.
- (4) Materials are critically important and should be chosen with care from Suffolk vernacular traditions. Some modern bricks and roof tiles do the overall development no favours.

B: Representations

At the time of writing this report at least 3 letters/emails/online comments have been received. It is the officer opinion that this represents 3 objections, 0 support and 0 general comment. A verbal update shall be provided as necessary.

Views are summarised below:-

Impact on wildlife
Do not want more houses
Add to noise and cause disruption
Condenses space for residents
Impacts on amenity
Design of apartment blocks
Design of internal roads
Insufficient capacity of doctors surgeries and dental provision
Local school capacity
Impact on traffic

Objections were also received from Cedars Park Residents Association, summarised below:

Increase in residential development, fails to balance quality and space
Apartment blocks are situated on Guncotton Way, imposing to established residents

Apartment blocks have austere appearance and fail to fit in with surrounding properties
 Concern over on-road parking
 Of the two local surgeries one is reportedly full and the other not easily accessible
 Shortage of NHS dental provision
 Local schools are also full

In summary, this development should be declined pending review of density, design, impacts on traffic and accessibility of necessary local facilities.

(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 (Relevant)

REF: DC/18/01163	Full Planning Application - Erection of 68No. dwellings with access roads, footpaths, landscaping, drainage and parking.	DECISION: GTD 19.12.2018
REF: DC/18/01831	Discharge of Conditions Application for 4556/16 - Condition 6 (Highways - Footway and Cycleways), Condition 8 (Provision of Roads and Footpaths), Condition 36 (Provision of Roads and Footpaths) and Condition 47 (Urban Drainage System).	DECISION: GTD 06.11.2018
REF: DC/18/01485	Application for advertisement consent - Installation of a freestanding 6m totem sign. (MCDONALDS SITE ONLY)	DECISION: GTD 26.07.2018
REF: DC/18/05416	Planning Application - Installation of 2 no. digital Customer Order Displays (COD) with associated overhead canopies, erection of play frame and goal post height restrictor.	DECISION: GTD 06.02.2019
REF: 0488/00/	CONSTRUCTION OF EXTENSION TO ROAD 1 A AND CONSTRUCTION OF PRINCIPAL BALANCING POND.	DECISION: GTD 16.05.2001
REF: 0556/93	EARTHWORKS AND INFRASTRUCTURE WORKS; LANDSCAPING (INCLUDING SURFACE WATER BALANCING POND AND PUMPING STATION FOR FOUL SEWAGE).	DECISION: GTD 13.10.1993
REF: DC/18/04947	Application for variation of condition following grant of planning permission Town	DECISION: GTD 08.02.2019

and Country planning act 1990. Planning (Listed Buildings and Conservation Areas) Act 1990 - Relating to 0019/17(Erection of six commercial units for B1 or B8 business units) - Conditions 2 (Approved plans and documents), 3 (Provision of footway) , 4 (Provision of access) and 19 (Landscaping scheme).

REF: 0019/17	Erection of six commercial units for B1 or B8 business units.	DECISION: GTD 26.10.2017
REF: 2375/15	Outline application with all matters reserved except access for erection of 52 dwellings and commercial use of land (4975 sqm) for B1 (office only), A1 (Pharmacy only) and/or D1 (Doctor's Surgery only).	DECISION: REF 06.04.2016
REF: 0711/11	Construction of one warehouse and five trade units with associated offices and carparking.	DECISION: GTD 16.12.2011
REF: 2463/05	Construction of 1 x warehouse and 5 x trade units with associated office and car parking.	DECISION: GTD 29.03.2007
REF: DC/18/00875	CONDITIONS 5, 11, 12, 15, 17, 18, 19, 21, 24, 26 FOR COSTA ONLY and CONDITIONS 41, 45 and 53 ARE FOR HOUSING ONLY.	DECISION: GTD 10.08.2018
REF: DC/18/00881	Submission of details under Outline Planning Permission 4556/16 - Appearance and Individual plot landscaping for 3 commercial units (1 no. Class A3, 1 no. Class A4 and 1 no. Class A3/A5) Part 1 Costa Drive Thru (only).	DECISION: GTD 30.07.2018
REF: DC/18/01480	Submission of details under Outline Planning Permission 4556/16 - Appearance and Individual plot landscaping for 3 commercial units (1 no. Class A3, 1 no. Class A4 and 1 no. Class A3/A5) Part 2 McDonald's Restaurant (Only)	DECISION: GTD 27.07.2018
REF: DC/18/02629	Submission of details under Outline Planning Permission 4556/16 - Appearance and Individual plot landscaping for 3 commercial units (1 no. Class A3, 1 no. Class A4 and 1 no. Class A3/A5) Part 3 Marstons Inns and Taverns (only).	DECISION: GTD 14.09.2018

REF: 4556/16	Hybrid planning application consisting of full planning permission for the erection of 48 dwellings and outline planning permission for 3 commercial units (1 no. Class A3, 1 no. Class A4 and 1 no. Class A3/A5) with 'appearance' and individual plot landscaping as reserved matters.	DECISION: GTD 08.01.2018
REF: 0056/94/OL	RESIDENTIAL DEVELOPMENT AND CREATION OF EMPLOYMENT AREAS FOR USES WITHIN CLASSES B1 AND B8, WITH LAYOUT AND CONSTRUCTION OF NEW ACCESS ROADS AND ASSOCIATED INFRASTRUCTURE (DUPLICATE OF OL/25/94).	DECISION: GTD 30.08.1995
REF: DC/18/01484	Application for advertisement consent - Installation of six fascia signs. (MCDONALDS SITE ONLY)	DECISION: GTD 19.07.2018
REF: DC/18/01488	Application for Advertisement Consent- Erection of various site signage including 1 gateway height restrictor, 9 freestanding signs, 1 side by side directional, 3 banner units and 15 dot signs. (MCDONALDS SITE ONLY)	DECISION: GTD 20.07.2018
	Discharge of Conditions Application for 4556/16 - Condition 6 (Highways - Footway and Cycleways), Condition 8 (Provision of Roads and Footpaths), Condition 36 (Provision of Roads and Footpaths) and Condition 47 (Urban Drainage System).	DECISION: GTD 06.11.2018
REF: 0437/93/	LAYOUT AND CONSTRUCTION OF ROUNDABOUT AND ASSOCIATED ROADWORKS	DECISION: GTD 09.07.1993
REF: 0025/93/A	DISPLAY OF TWO NON-ILLUMINATED INFORMATION PANELS.	DECISION: GTD 05.07.1994
REF: 0729/93/	ERECTION OF FOODSTORE WITH ASSOCIATED CAR PARKING SPACES, PETROL FILLING STATION AND LAYOUT AND CONSTRUCTION OF NEW VEHICULAR ACCESS FROM CEDARS LINK ROAD (SUBMISSION OF RESERVED MATTERS UNDER OL/174/92).	DECISION: GTD 10.11.1993
REF: 0174/92/OL	ERECTION OF FOODSTORE (UP TO 50,000 SQ FT GROSS) UP TO 500 CAR PARKING SPACES; PETROL FILLING	DECISION: GTD 23.07.1993

STATION AND LAYOUT AND
CONSTRUCTION OF NEW VEHICULAR
ACCESS FROM CEDARS LINK ROAD.

REF: DC/19/01181	Planning Application. Erection of 6 persons office (Portakabin)	DECISION: GTD 02.05.2019
REF: 1764/13	Alterations to internal access road, formation of new hardstanding, siting of new security Portakabin, associated car parking, weighbridge and a new waste treatment plant	DECISION: GTD 03.09.2013
REF: 1629/12	Metal (Ferro-molybdenum) processing buildings, offices, engineering/maintenance building, warehousing for raw materials and finished product	DECISION: LU 25.10.2012
REF: 0285/79	Erection of warehouse for general store and small office	DECISION: GTD 10.05.1979
REF: 1117/07	Relocation of existing chimney and bagging facility and construction of new bagging building.	DECISION: GTD 04.07.2007
REF: 2196/05	A. Removal of existing cooling area and welfare facilities. Formation of new cooling area and tipping area. B. Formation of new welfare facilities as extensions to existing office building. C. New W.C Block within manufacturing area.	DECISION: GTD 04.05.2006

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1 This application relates to Phase 3C and 3D of development at Cedars Park, Stowmarket. The sites are situated to the south of Gun Cotton Way, the distributor road linking the A1120 and B1115 Relief Road.
- 1.2 Phase 3C is positioned to the north-east of a balancing pond and lagoons associated with the Sewage Treatment Plant. Area 3C has a number of public footpaths crossing it. These footpaths link the area with the existing Cedars Park residential estate to the north of the development site.
- 1.3 Phase 3D is located to the south-western end of the development site. Phase 3D is to the north of the metal fabricator Climax Molybdenum UK (Ltd) and south of Tesco. Area 3D included land west of the area shown in the above plan initially, and which has consent for commercial units. To the east of the commercial units is the A1120 leading towards the A14. On the eastern side of the A1120 is an open



Plans from DC/18/01163 (3C) and 4556/16 (3D)

2. The Proposal

2.1. The proposal is for a development of 141 dwellings, including 49 affordable units. The proposal provides the following mix, compared to the extant permissions:

Unit Size	Approved	%	Proposed	%
1 Bed	6	5	10	7
2 Bed	43	37	56	40
3 Bed	44	38	62	44
4 Bed	23	20	13	9
Total	116	100	141	100

2.3 The proposed layout is similar to the extant permissions, utilising the same access points, but with changes to the design and internal road layout to facilitate the proposed amendments, with the proposal accommodating an additional 25 dwellings.



Layout Plan DC/20/04723

2.4 Each one bedroom property is provided with 1 parking space and a shared visitor space. Two and three bedroom properties each have at least 2 parking spaces, whilst four bedroom properties each have 3 parking spaces.

2.5 Triple parking space layout is provided to some plots, however where this is the case the parking space in the triple position is additional, over and above the requirements, such that without the triple space there are sufficient parking spaces provided to comply with the current Suffolk Parking Guidance 2015.

2.6 The average density across the application site is 40.3 dwellings per hectare (141 dwellings/3.5 hectares).

2.7 Various house types are proposed across the site, using different brick details and porch styles to differentiate across the site. Houses are two storey, although some bungalows are also proposed to plots (84 and 85). House types are: Joiner, Thespian, Chandler, Quilter, Silversmith, Scriviner, Sculptor, Baker, Tillman, Halstead, Woodcarver and Ploughwright. House types as previously consented were described as 'A', 'B' etc. so in type are not directly comparable, further details of the designs are assessed in the report below.

2.8 The apartment blocks are plots 12-17 located at the eastern end of the site (Block A), plots 57-65 adjacent to the northern boundary and Gun Cotton Way (Block B). The design of the flats has been amended. The flats are three storey, but utilise a dropped eaves level to minimise the height. Materials proposed include a mix of brick types and cladding in order to break up building.

2.9 Materials proposed are brick in clumber red mix, kimbolten red multi or village golden thatch, with tiles in sunrise blend, brown or slate grey. Weatherboarding is proposed in cream or white. These materials are used across three character areas, one to the site frontage, one in the core, and the third to the edge of the development. All three character areas use a mix of red and buff brick, with boarding being introduced in core streets areas.

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 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).

3.2 Mid Suffolk currently benefits from a housing land supply in excess of five-year, as set out in the Council's Housing Land Supply Position Statement and Joint Annual Monitoring Report, both published in October 2020. There is, therefore, no requirement for the Council to determine what weight to attach to all the relevant development plan policies in the context of the tilted balance test, whether they are policies for the supply of housing or restrictive 'counterpart' policies, such as countryside protection policies. This

said, there is a need for Council to determine whether relevant development policies generally conform to the NPPF. Where they do not, they will carry less statutory weight.

3.3 The NPPF requires the approval of proposals that accord with an up to date development plan without delay, or where there are no policies, or the policies which are most important are out of date, granting permission unless the NPPF policies provide a clear reason for refusal, or adverse impacts of doing so would demonstrably outweigh the benefits. The age of policies itself does not cause them to cease to be part of the development plan or become “out of date” as identified in paragraph 213 of the NPPF. Significant weight should be given to the general public interest in having plan-led decisions even if the particular policies in a development plan may be old, and weight can be attributed to policies based on their compliance with the requirements of the NPPF.

3.4 Policies CS1 and CS2 of the Core Strategy, and saved Policy H2 of the Local Plan are policies most important for determining the application. Policy CS1 identifies a settlement hierarchy as to sequentially direct development, forming part of a strategy to provide for a sustainable level of growth. The Policy identifies categories of settlement within the district, with Towns representing the most preferable location for development, followed by the Key Service Centres, Primary then Secondary Villages. Local Plan Policy H2 seeks to control development with regards to scale, character, landscape setting.

3.5 The site is within the Stowmarket Area Action Plan (2013) and allocated for employment purposes in the Local Plan (1998). The western section of the site is identified in the emerging Joint Local Plan (JLP) as land allocation LA033 for 68 dwellings. The eastern section of the site with consent for 48 dwellings is included within the baseline of the JLP.

3.6 Both Local Plan Policies and the SAAP allocate the site for employment and expect to promote and encourage appropriate use classes on the allocated employment land to meet future needs in the district. Nonetheless the site is also within the settlement boundary for Stowmarket, designated under CS1 as a Town where most residential development will be directed, and allocated in part in the JLP. The site is well connected and considered a sustainable location for new dwellings.

3.7 Paragraph 22 of the NPPF identifies that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.

3.8 The proposal does not provide employment land expected in the allocation, however this has previously been considered acceptable and as noted there is extant consent for residential development on the site.

3.9 The existing planning permissions in respect of 3C and 3D are material considerations and have established the principle of residential development at the application site. Both permissions are extant and provide valid fall-back opportunities for development of 116 properties. Given the current market and demand for smaller units Bellway Homes are seeking to provide more units, with a reduction in the amount of larger units and increase in the amount of smaller units.

3.10 In light of the site location, within the settlement boundary, in a sustainable location and the extant consents the principle of the proposal is considered to be acceptable.

4. Sustainability, Nearby Services and Connections

4.1 The site is within the settlement boundary of Stowmarket and is well connected to local services, being immediately adjacent to Tesco and the neighbouring commercial development. There are two bus stops along the west bound side of Gun Cotton Way which provide direct links to Stowmarket town centre. The main service is the Stowmarket - Stowupland route and bus services from Stowmarket also link to other major towns in Suffolk including Ipswich, Bury St Edmunds and Cambridge.

4.2 The Stowmarket railway station which is on the London-Norwich line is one kilometre walking distance west of the site. Train services run every day with access to main areas.

4.3 The site is well served in terms of access to footpaths and cycle paths. There is a combined footpath and cycle way encircling the site which links to the town centre. Additional footpaths within the site will ensure there are good pedestrian links with the existing network.

4.4 With regards to on site sustainability measures the application is accompanied by a Sustainability Report. This confirms details including materials, energy efficiency and efficient water use, with eco-sanitary ware and flow restriction devices for example. Water butts are also provided to each detached, end terrace and semi-detached house, and can be secured by condition. A condition to secure the final scheme of measures and their implementation would also be appropriate.

4.5 Electric vehicle parking by way of ducting etc will allow for the installation of a wall-mounted charging facility for electrical vehicle charging, points will be provided to properties that have parking spaces on plot. This can be secured by means of a condition.

4.5 Secure cycle storage is provided in the curtilage of each plot, with sheds provided for homes without a garage. A covered and secure cycle store is proposed for the apartment blocks. Again this can be secured by means of condition.

5. Site Access, Parking And Highway Safety Considerations

5.1 Paragraph 32 of the NPPF confirms that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

5.2 The Highway Authority does not object on highway safety grounds, but has recommended conditions to make the proposal acceptable. The local highway network is considered to have capacity to accommodate the anticipated increase in traffic generated by the proposed development.

5.3 The level of parking provision is considered standard compliant. Where triple parking is proposed this is in excess of parking standard requirements, and as such the parking to standard is provided without triple parking.

5.4 Although not requested by SCC Highways it is proposed that the travel plan requirements and contributions sought under the extant consents will continue to be sought for this proposal.

6. Design And Layout

6.1. The proposed development has been amended from that approved to create some smaller units, with a reduction in the number of larger 4 bedroom properties and an increase in 1, 2 and 3 bedroom properties. The amendment with regards to property size and design is not considered to be unacceptable.

6.2 The proposed design takes opportunities to reflect parts of the neighbouring Cedars Park development, whilst using design detailing to create characters areas of its own. Properties are predominantly two storey,

with some bungalows, with the apartment properties at plots 12-17 located at the eastern end of the site (Block A), plots 57-65 adjacent to the northern boundary adjacent to Gun Cotton Way (Block B).

6.3 The design and appearance proposed is different to that approved under 4556/16 and DC/18/01163. Notwithstanding the differences resulting from an additional 25 dwellings on the site the proposal creates a unified design across the two parts of the site. The extant consents proposed 'New England' style on one part of the site and 'Arts and Crafts' on the other. The proposal subject to this application creates a coherent style across both parts of this site, using design details to reflect changes through the site.

6.4 In particular the main difference between the consented and proposed scheme are materials, 4556/16 proposed weatherboarding with brick plinth in a 'New England' style. DC/18/01163 proposed an 'Arts and Crafts' style, with buff/yellow bricks with a contrasting engineering blue brick for plinths.

6.5 The proposed palette of materials includes facing brick in clumber red mix, kimbolten red multi or village golden thatch, with tiles in sunrise blend, brown or slate grey. Weatherboarding is proposed in cream or white. These materials are used across three character areas. The design and materials are considered to be acceptable, in keeping with the character of the surrounding area, creating a cohesive design across this locality.

6.6 Differences in the character areas include front boundary treatments/garden areas, porches and brick detail. For example the same house type is differentiated through the site by different finishes, one having a pitched front porch with arched brick window details and another having a flat roofed porch design and alternative window detailing. Overall the design and appearance is considered to provide a cohesive design, in keeping with its surroundings.

6.7 As noted above the proposal includes two apartment blocks, Block A at the eastern end of the site, and Block B on 3C, adjacent to the roundabout to Gun Cotton Way. Following concerns raised by the Town Council, Stowmarket Society and Cedars Park Residents Association in respect of the apartment blocks these have been amended.

6.8 Block A, at the eastern end of the site, adjacent to the neighbouring commercial development, remains a three-storey design but utilises the roof space to reduce the overall height. The design also successfully uses the eaves level dormer windows and materials to break up the bulk of the building.

6.9 Block B, is adjacent to the northern boundary at Gun Cotton Way. Again, the design was amended, with the third storey using the roof space, creating eaves level dormer windows and using materials to break up the bulk of the building.

6.10 Whilst both apartment blocks remain three storey this is much as the approved designs, with apartments in the same locations, whilst the design appropriately reduces this impact. Noting the location of the blocks, one adjacent to the commercial area and the other providing a landmark at the site entrance, along with the approved schemes, the three-storey design is considered to be appropriate, not overly dominant but providing features within the site.

6.11 With regards to the layout of the development, compared to the approved scheme, the access points remain the same, and the overall road layout is similar. Area 3D is almost identical to the extant permission, with some changes to the orientation of houses. The changes to Area 3C are also predominantly related to the orientation of houses but includes some minor changes to the roads. The road which had looped through the site is removed, spilt into a minor access for houses. Overall, the changes proposed to the layout are considered to be acceptable.

7. Landscape Impact, Trees, Ecology, Biodiversity And Protected Species

7.1. Due to the topography and existing boundary landscaping the site is well contained and relates to the existing built-up area of Cedars Park. In terms of the likely visual impact on the surrounding landscape, the proposals are located on a development site which links the existing developed area of Cedars Park with the industrial hinterland of northern Stowmarket and the A1120 to the east. As such the development will have a limited impact on the wider landscape and is not unacceptable in this regard.

7.2 The proposal includes some landscaping details, however on the advice of our Landscape Consultant conditions to secure a Management Plan and the full details of the landscaping scheme are proposed. Similarly our Arboricultural Officer raises no objection to the proposal, subject to conditions, which are also proposed.

7.3 With regards to ecology, area 3D of the site is designated as Cedars Park Grassland County Wildlife Site (CWS). At the time of designation (2010) the site consisted of a large area of unimproved/semi-improved calcareous grassland which contained a variety of plant species associated with boulder clay substrate. The site also included some wet areas and areas of scrub which added to the diversity of habitats present. It also supports small populations of common lizard and slow worm.

7.4 An application in 2014 (ref.2372/14) was granted permission for engineering operations and ground modelling to include raising of ground level from boulder clay subsoil on the western part of site 3D. The works were to create a wildlife protection area suitable for reptiles so that the area can be used as a receptor site, as well as a receptor for translocated turves from parts of the wider site which currently support boulder clay flora. This is to allow the rest of the site to come forward for development.

7.5 The application seeks to retain the Wildlife Protection Area. It is proposed to create a detention basin within the western-most corner of the site within the Wildlife Protection Area. This is as per the extant permissions and it is not considered that the creation of a detention basin in this area would significantly undermine the Wildlife Protection Area and that this section of land would remain as a protected area mitigating the loss of the County Wildlife Site and ensuring the conservation of protected species.

7.6 Our Ecology Consultant confirms that the measures contained within the Update Ecological Appraisal should be secured and implemented in full. This is necessary to conserve and enhance Protected and Priority Species. However, to avoid any potential impacts to Protected and Priority Species during the construction phase, it is recommended that the finalised measures should be outlined within a Biodiversity Method Statement, which should be submitted as a condition of any consent, along with wildlife sensitive lighting scheme and the specification of soft landscaping. Ecology confirm that the measures have been recommended to secure measurable net gains for biodiversity.

7.9 The reptile mitigation previously secured is proposed to be continued via S106.

8. Land Contamination, Flood Risk, Drainage and Waste

8.1. Environmental Health have confirmed that there is no objection to the proposed development from the perspective of land contamination.

8.2 The site is in a flood zone 1 and therefore is an acceptable site for residential and commercial use. Details regarding surface water drainage were submitted with the application and additional details following comments from SCC Floods. The drainage system for this site includes a detention basin in the western-most corner. SCC Floods are satisfied with the proposed scheme and recommend approval subject to conditions.

8.3 The site is located close to the Stowmarket Sewage Treatment works, but is over 400m away as per the extant permissions and this is considered unlikely to harm the sensitive end use. There is no change in circumstances in terms of operation of the works.

8.4 The site is located close to busy roads and commercial uses. An Environmental Noise assessment was submitted with the application. The report found that with acoustic glazing and ventilation systems to the dwellings any noise impact would be sufficiently mitigated. Environmental Health have reviewed the report and advise that conditions offer appropriate mitigation.

9. Heritage Issues

9.1. Along Gun Cotton Way views of the St Peter and St Mary's church spire are visible. The church spire provides a landmark identifying the centre of Stowmarket and its historic core. Due to the tree border to the south and topography of the land, the application site provides limited views of the spire. As such the proposed development is not considered to harm any heritage assets.

10. Impact On Residential Amenity

10.1. The business units subject to the extant consent are considered to be a suitable distance from proposed properties as to not adversely affect neighbour amenity. Furthermore, the proposed residential units will not harm the amenity of the existing dwellings due to the degree of separation.

10.2 It is considered appropriate to control the hours of construction and secure by condition a construction management plan.

11. Planning Obligations

11.1. Extant consent exists for site 3C (DC/18/01163), and 3D (4556/16) and each secure relevant infrastructure requirements by way of S106 agreements.

11.2 4556/16 secures the provision of affordable housing, school transport, land management, reptile mitigation strategy, travel plan and contributions, commercial units phased alongside residential development.

11.3 DC/18/01163 secures affordable housing, school transport, management of open space, travel plan and contributions.

11.4 The current application would replace the current consents and need its own S106 agreement to secure appropriate mitigation for all houses on the site, noting that this equates to an additional 25 dwellings proposed over and above that consented.

11.5 As confirmed by Strategic Housing 49 dwellings split across both phases are required, and this will be secured by S106.

11.6 The NHS has confirmed that the GP facilities would require a developer contribution via CIL process to provide for capacity within the catchment area.

11.7 SCC confirm that primary, secondary, 6th form education, libraries and waste would require funding via CIL. Early Years and Primary school transport contribution would be required via S106. Early Years of £266,604.00 and Primary Transport of £96,400.00

11.8 The S106 will therefore seek affordable housing, early years contribution, school transport contribution, management of open space travel plan and contributions, reptile mitigation and to control the implementation of either extant consents or this proposal.

12. Town Council Comments

12.1 The Town Council objected to this application on several grounds, some of which are addressed in the report above, where these are not specifically addressed or additional information can be provided this is set out below.

12.2 Over-development/density – The site currently has consent for 116 dwellings, with the current proposal for 141 dwellings. This equates to an average density of 40.3 dwellings per hectare. This is in compliance with Core Strategy CS9 which requires at least 30 dwellings per hectare, whilst higher densities of at least 40 dwellings per hectare may be achieved in more sustainable locations. Given the location of the site this density is considered to be acceptable, in compliance with CS9 and the requirements of the NPPF for effective use of land.

12.3 Primary school provision – As required by SCC and as per the extant permissions the application would provide funding for primary school transport via S106. Early Years provision would also require a contribution to ensure appropriate provision. The development would also provide funding via CIL.

12.4 Local health provision – The NHS have been consulted and confirm that there are 2 GP practices in proximity to the site, one of which does not have capacity, but that a developer contribution via CIL would be acceptable to mitigate the impact and improve these sites.

PART FOUR – CONCLUSION

13. Planning Balance and Conclusion

13.1. The application site retains extant permissions for 116 dwellings, such that the principle of residential development on the site has been considered acceptable, and considerations relate to the additional 25 properties, and changes to the design and layout compared to the approved details.

13.2 The additional dwellings proposed result in a site density of 40.3 dwellings per hectare, in compliance with CS9 and the requirements of the NPPF to make effective use of land.

13.3 The proposed design and layout is in keeping with the surrounding residential development nearby and offers benefits in creating a cohesive scheme across the two parts of this site.

13.4 Increased demand on local infrastructure will be managed through S106 and CIL contributions. A section 106 agreement would secure affordable housing provision, early years contributions, primary school transport contribution, an open space management plan, provision of a travel plan and reptile mitigation.

13.5 Overall the proposal is considered to be acceptable, not to result in harm, and with impacts adequately mitigated and secured either by condition of S106 obligations.

RECOMMENDATION

That authority be delegated to the Chief Planning Officer to grant 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

This shall include:

- . Properties must be built to current Homes England requirements and meet the NDSS requirements.
- . The council is granted 100% nomination rights to all the affordable units on first lets and minimum of 100% of relets.
- . The affordable units to be constructed 'tenure blind'
- . All flats must be in separate blocks and capable of freehold transfer to an RP.
- . Adequate parking and cycle storage provision is made for the affordable housing units.
- . Commuted sum option available to be paid instead of on site provision should the LPA agree to such request.
- Early Years contribution £266,604.00
- Primary School Transport contribution £96,400.00
- Management of public open space
- Travel plan and contributions
- Reptile mitigation
- Implementation of either extant consents or this proposal

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

- Standard time limit
- Approved Plans
- Phasing Condition
- Swift boxes installation scheme to be agreed
- Hedgehog fencing scheme to be agreed
- Water, energy and resource efficiency measures (as Environment Health officer recommends) and to include provision of water butts
- Materials
- Construction Management Plan to be agreed
- Construction working hours to be between 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 Saturdays with no works on Sundays or bank holidays
- Level access to enable wheelchair access for all dwellings/buildings.
- Provision of fire hydrants
- Details as required in ENA for glazing and noise barrier
- No burning on site during the site clearance/demolition or construction phases of the development.
- Final details of glazing, ventilation and fencing as Lovans report
- Archaeological programme of work and investigation

- Biodiversity Method Statement to be agreed
- Landscape and Ecological Management Plan to be agreed prior to first occupation
- Wildlife sensitive lighting design scheme
- Landscaping scheme to be agreed and implemented
- Arboricultural report implementation
- Arboricultural Method Statement to be agreed
- Electric Vehicle Charging Scheme
- Provision of secure cycle storage
- Footway and cycleway facilities provided as shown on plans
- Estate roads and footpaths to be agreed as plans
- Provision of carriageways and footways
- New estate road junctions with Gun Cotton Way
- Accesses onto the new estate roads shall be properly surfaced
- Garages/parking spaces provided
- Strategy for disposal of surface water and report
- Construction Surface Water Management Plan
- Provision of refuse recycling bin storage and collection points
- Removal of permitted development rights
- Surface water management strategy
- Implementation of play area

(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
- Flood and Water Drainage informative

(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 grounds.



Application No: DC/20/04723

Location: Site 3C And 3D Land South Of, Gun Cotton Way, Stowmarket, Suffolk

Appendix 1: Call In Request	<i>N/a</i>	
Appendix 2: Details of Previous Decision	<i>DC/18/01163 4556/16</i>	
Appendix 3: Town/Parish Council/s	<i>Stowmarket Town Council</i>	
Appendix 4: National Consultee Responses	<i>Natural England Anglian Water East Suffolk IDB NHS SWT</i>	
Appendix 5: County Council Responses	<i>Highway Authority Infrastructure Lead Local Flood Authority Archaeological Service Fire and Rescue Service</i>	
Appendix 6: Internal Consultee Responses	<i>Strategic Housing Strategic Planning and Infrastructure Place Services Landscape Place Services Ecology Environmental Health (Land Contamination) Environmental Health (Noise)</i>	



Babergh and Mid Suffolk District Councils



	<i>Environmental Health (Air Quality)</i> <i>Environmental Health (Sustainability)</i> <i>Waste Services</i> <i>Public Ream Officer</i> <i>Arboricultural Officer</i> <i>Mid Suffolk Disability Forum</i> <i>The Stowmarket Society</i>	
Appendix 7: Any other consultee responses	N/a	
Appendix 8: Application Site Location Plan	Yes	
Appendix 9: Application Plans and Docs	Yes	
Appendix 10: Further information	No	

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



From: Sarah Parramint
Sent: 06 November 2020 09:23
To: BMSDC Planning Area Team Blue
Subject: Planning representations

Dear Sir/madam

I am pleased to be able to submit (attached) the views of Stowmarket Town Council's Planning Committee in respect of the following planning applications:

- DC.20.04284
- DC.20.04358
- DC.20.04491
- DC.20.04500
- DC.20.04534
- DC.20.04550
- DC.20.04693
- **DC.20.04723**
- DC.20.04749
- DC.20.04734

Kind regards - Sarah

Sarah Parramint
Corporate Support Officer

Ref. No.	Details	Site and Applicant	Resolution
DC/20/04723	Residential Development of No141 dwellings (49 affordable dwellings) with associated access, landscaping amenity space and parking.	Site 3C And 3D Land South Of, Gun Cotton Way for Bellway Homes Ltd (Eastern Counties)	<p>The Town Council objects to the grant of planning consent on the following grounds:</p> <p>The current proposal would constitute over-development of the site being significantly larger than the previous proposal for 116 properties which was submitted in 2018.</p> <p>The density of development is very high and provides little space for relief and amenity space. There are also likely to be parking and congestion problems arising from the narrow network of roads providing access to properties on the site.</p> <p>The quality of the design is poor and fails to fulfil the requirement of the National Planning Policy Framework in adding to the character of the area.</p> <p>Part of the proposed development is extremely close to Gun Cotton Way with the apartment blocks appearing over-bearing within their context.</p> <p>The local road network would come under further pressure from the cumulative effect of housing development and recent commercial development. In addition, the Cedars Park Primary School is over-subscribed and this will mean that schoolchildren will have to undertake lengthy journeys to access other schools. Local health centres will also come under further strain.</p>

			The ecology of the site is recognised as being diverse and there are no credible plans in place to explain how different species seen on the site will find new habitats.
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From: Clarke, Julian <Julian.Clarke@naturalengland.org.uk>
Sent: 30 October 2020 11:26
To: BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>
Subject: DC/20/04723 Consultee Response

Dear Sir or Madam,

Application ref: DC/20/04723
Our ref: 332273

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,

Julian Clarke
Consultations
Natural England
Hornbeam House, Electra Way
Crewe Business Park
Crewe, Cheshire CW1 6GJ



Developments Affecting Trunk Roads and Special Roads

Highways England Planning Response (HEPR 16-01)

Formal Recommendation to an Application for Planning Permission

From: Martin Fellows
Operations (East)
planningee@highwaysengland.co.uk

To: Mid Suffolk District Council

CC: growthandplanning@highwaysengland.co.uk

Council's Reference: DC/20/04723

Referring to the planning application referenced above, dated 26 October 2020, Full Planning Application - Residential Development of No141 dwellings (49 affordable dwellings) with associated access, landscaping amenity space and parking, Site 3C And 3D Land South Of, Gun Cotton Way, Stowmarket, Suffolk. Notice is hereby given that Highways England's formal recommendation is that we:

- a) offer no objection;
- ~~b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – Highways England recommended Planning Conditions);~~
- ~~c) recommend that planning permission not be granted for a specified period (see Annex A – further assessment required);~~
- ~~d) recommend that the application be refused (see Annex A – Reasons for recommending Refusal).~~

Highways Act Section 175B is / is not relevant to this application.¹

¹ Where relevant, further information will be provided within Annex A.

Date: 10 November 2020

Signature:

Name: Mark Norman
Pp Simon Willison

Position: Spatial Planning Manager

Highways England:
Woodlands, Manton Lane
Bedford MK41 7LW

shamsul.hoque@highwaysengland.co.uk On behalf of Simon Willison

Annex A

HIGHWAYS ENGLAND has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

This response represents our formal recommendations with regard DC/20/04723 and has been prepared by Simon Willison.

We have reviewed the Transport Assessment prepared by WSP, document reference number. 70064891-WSP-TA-CPS-001 and dated October 2020. Whilst the geographic scope of the assessment does not extend to the Strategic Road Network, there is an indication of the level of additional traffic which the proposed development is estimated to generate on the A1120 northern arm at the roundabout with Gun Cotton Way, just west of the proposed development. The eventual direction of travel beyond the A1120 is not specified, however there are three route options at A14 Junction 50 – the A14 west towards Bury St Edmunds/Cambridge, the A14 east towards Ipswich, and the A1120 north towards Stowupland. We do not consider there will be an overriding direction of travel therefore additional development trips could be quite spread out over these route options.

Furthermore, the estimated traffic volumes both in the AM peak hour (+29 two-way trips) and the PM hour (+23 two-way trips) are not significant and we therefore do not consider it will have a material impact on the operation of the Strategic Road Network. In conclusion therefore, we offer no objection to the planning application.

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

AW Site Reference: 165542/1/0106710

Local Planning Authority: Mid Suffolk District

Site: Site 3C And 3D Land South Of Gun Cotton Way Stowmarket Suffolk

Proposal: Full Planning Application - Residential Development of No141 dwellings (49 affordable dwellings) with associated access, landscaping amenity space and parking

Planning application: DC/20/04723

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

This response has been based on the following submitted documents: Flood Risk Assessment and Drainage Strategy. 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.

The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. In order to complete an accurate capacity assessment we require a strategy showing the proposed discharge rate. We also require evidence to confirm compliance with the surface water hierarchy. We would therefore recommend that the applicant needs to consult with Anglian Water and the Lead Local Flood Authority (LLFA). We request a condition requiring a drainage strategy covering the issue(s) to be agreed.

Section 5 - Suggested Planning Conditions

Anglian Water would therefore recommend the following planning condition if the Local Planning Authority is mindful to grant planning approval.

Surface Water Disposal (Section 4)

CONDITION No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority. REASON To prevent environmental and amenity problems arising from flooding.

FOR THE ATTENTION OF THE APPLICANT - if Section 3 or Section 4 condition has been recommended above, please see below information:

Next steps

Desktop analysis has suggested that the proposed development will lead to an unacceptable risk of flooding downstream. We therefore highly recommend that you engage with Anglian Water at your earliest convenience to develop in consultation with us a feasible drainage strategy.

If you have not done so already, we recommend that you submit a Pre-planning enquiry with our Pre-Development team. This can be completed online at our website <http://www.anglianwater.co.uk/developers/pre-development.aspx>

Once submitted, we will work with you in developing a feasible mitigation solution.

If a foul or surface water condition is applied by the Local Planning Authority to the Decision Notice, we will require a copy of the following information prior to recommending discharging the condition:

Surface water:

- Feasible drainage strategy agreed with Anglian Water detailing the discharge solution, including:
 - Development hectare size
 - Proposed discharge rate (Our minimum discharge rate is 5l/s. The applicant can verify the site's existing 1 in 1 year greenfield run off rate on the following HR Wallingford website -<http://www.uksuds.com/drainage-calculation-tools/greenfield-runoff-rate-estimation> . For Brownfield sites being demolished, the site should be treated as Greenfield. Where this is not practical Anglian Water would assess the roof area of the former development site and subject to capacity, permit the 1 in 1 year calculated rate)
 - Connecting manhole discharge location
- Sufficient evidence to prove that all surface water disposal routes have been explored as detailed in the surface water hierarchy, stipulated in Building Regulations Part H (Our Surface Water Policy can be found on our website)

Our Ref: 20_03328_P
Your Ref: DC/20/04723

29th September 2020

Dear Sir/Madam

RE: Full Planning Application - Residential Development of No141 dwellings (49 affordable dwellings) with associated access, landscaping amenity space and parking at Site 3C And 3D Land South Of Gun Cotton Way Stowmarket Suffolk

The site is near to the Internal Drainage District (IDD) of the East Suffolk Internal Drainage Board (IDB) and is within the Board's Watershed Catchment (meaning water from the site will eventually enter the IDD). Maps are available on the Board's webpages showing the Internal Drainage District (https://www.wlma.org.uk/uploads/ESIDB_Index_plan.pdf) as well as the wider watershed catchment (https://www.wlma.org.uk/uploads/ESIDB_Watershed.pdf).

I note that the applicant intends to discharge surface water to a sewer within the watershed catchment of the Board's IDD. I recommend that you satisfy yourselves that this proposal is in line with the drainage hierarchy (as per best practice) and is viable in this location. We request that this discharge is facilitated in line with [the Non-Statutory technical standards for sustainable drainage systems \(SuDS\)](#), specifically S2 and S4. Resultantly we recommend that the discharge from this site is attenuated to the Greenfield Runoff Rates wherever possible.

The reason for our recommendation is to promote sustainable development within the Board's Watershed Catchment therefore ensuring that flood risk is not increased within the Internal Drainage District (required as per paragraph 163 of the [National Planning Policy Framework](#)). For further information regarding the Board's involvement in the planning process please see our [Planning and Byelaw Strategy](#), available online.

Kind Regards,

Emma

Emma Robertson
Sustainable Development Officer
Water Management Alliance



Jane Marson (Chairman) Michael Paul (Vice-Chairman)
Phil Camamile (Chief Executive)



Cert No. GB11990

Cert No. GB11991



**Ipswich and East Suffolk
Clinical Commissioning Group**

Endeavour House
8 Russell Road
Ipswich
Suffolk
IP1 2BX

Email address: planning.apps@suffolk.nhs.uk
Telephone Number – 01473 770000

Your Ref: DC/20/04723

Our Ref: IESCCG/001020/STO

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

11/11/2020

Dear Sirs,

Proposal: Full Planning Application - Residential Development of No141 dwellings (49 affordable dwellings) with associated access, landscaping amenity space and parking.

Location: Site 3C And 3D Land South Of, Gun Cotton Way, Stowmarket, 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 up to 149 residential dwellings, which is 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 therefore expect these impacts to be fully assessed and mitigated by way of a developer contribution secured through the Community Infrastructure Levy (CIL).

Review of Planning Application

3. There are 2 GP practices within a 2km radius of the proposed development, One of these practices does not have sufficient capacity for the additional growth resulting from this development and cumulative development growth in the area and the other is currently under review of its capacity. Therefore a developer contribution, via CIL processes, towards the capital funding to increase capacity within the GP Catchment Area would be sought to mitigate the impact.

High quality care for all, now and for future generations

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.

The primary healthcare services directly impacted by the proposed development and the current capacity position is shown in Table 1.

Table 1: Summary of capacity position for healthcare services closest to the proposed development.

Premises	Weighted List Size ¹	NIA (m ²) ²	Capacity ³	Spare Capacity (NIA m ²) ⁴
Stowhealth	18,548	1487.70	21,696	216
Combs Ford Surgery	8,612	455.40	6,641	-135
Total	27,160	1,943.10	28,337	81

Notes:

1. The weighted list size of the GP Practice based on the Carr-Hill formula, this figure more accurately reflects the need of a practice in terms of resource and space and may be slightly lower or higher than the actual patient list.
2. Current Net Internal Area occupied by the Practice.
3. Based on 120m² per 1750 patients (this is considered the current optimal list size for a single GP within the East DCO) Space requirement aligned to DH guidance within "Health Building Note 11-01: facilities for Primary and Community Care Services"
4. Based on existing weighted list size.

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 Combs Ford Surgery and/or Stowhealth, servicing the residents of this development, would be sought from the CIL contributions collected by the District Council. *(the capacity figures at Stowhealth are currently under review but due to the pandemic is currently on hold)*
6. Although, due to the unknown quantities associated with CIL, it is difficult to identify an exact allocation of funding, it is anticipated that any funds received as a result of this development will be utilised to extend the above mentioned surgery. 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 CIL 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.
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



Gemma Walker
Planning Department
Babergh and Mid Suffolk District Council
Endeavour House
8 Russell Road
Ipswich, IP1 2BX

12th November 2020

Dear Gemma,

RE: DC/20/04723 - Residential Development of No141 dwellings (49 affordable dwellings) with associated access, landscaping amenity space and parking. Site 3C And 3D, Land South Of Gun Cotton Way, Stowmarket

Thank you for sending us details of this application, we have the following comments:

We have read the Update Ecological Appraisal (SES, September 2020) and we have outstanding concerns regarding the management of the Wildlife Protected Area.

We are concerned about the identified lack of management of the chalk grassland and we query why this is the case. The Wildlife Protected Area within site 3D was a translocation site for chalk grassland, which was within the previously designated County Wildlife Site. As identified within the ecological report, management of this area for chalk grassland was identified to partially offset the loss of this habitat in other areas. Therefore, management measures are required to ensure that the outcome is not a significant loss in biodiversity. Whilst we note there are limited management recommendations within the ecological report, we believe that these are of insufficient detail to achieve the original biodiversity objectives for this area. Consequently, we strongly advise that a 10 year management plan is provided that includes an annual condition assessment of the grassland, with also a series of reptile surveys specified within the life of the plan.

Please do not hesitate to contact us should you require anything further.

Yours sincerely

Jacob Devenney
Planning and Biodiversity Adviser

Your Ref:DC/20/04723
Our Ref: SCC/CON/0347/21
Date: 28 January 2021
Highways Enquiries to: Highways.DevelopmentControl@suffolk.gov.uk



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

Email: planning@babberghmidsuffolk.gov.uk

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

For the attention of: Gemma Walker - MSDC

Dear Gemma Walker - MSDC,

TOWN AND COUNTRY PLANNING ACT 1990

CONSULTATION RETURN: DC/20/04723

PROPOSAL: Agent's covering letter and additional information received by LPA 18/01/2021, ref:
Full Planning Application - Residential Development of 141 dwellings (49 affordable dwellings) with
associated access, landscaping amenity space and parking.

LOCATION: Site 3C And 3D Land South Of, Gun Cotton Way, Stowmarket, Suffolk.

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

Further to my initial comments of the 12th November 2020 the Applicants Consulting Engineers have been in correspondence with SCC and the revised submission is at a stage where the Highway Authority can now recommend approval subject to the following conditions which relate to the listed drawings:

Drawing No. 4891-WSP-00-ZZ-DR-CE-1003/P04 - General Arrangement Sheet 1
Drawing No. 4891-WSP-00-ZZ-DR-CE-1004/P04 - General Arrangement Sheet 2
Drawing No. BW225-PL-02_Development Layout_Rev_V - Layout.

Condition: Before any of the hereby approved new dwellings are first occupied the new footway and cycle-way facilities along the Gun Cotton Way site frontage shall be provided and open for use in accordance with details which shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure that the footways and cycle-way are available for use for new residents to allow safe access to neighbourhood facilities

ER 1 - Condition: Before the development is commenced, 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.

ER 2 - 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.

Reason: To ensure that satisfactory access is provided for the safety of residents and the public.

ER 3 - Condition: The new estate road junctions with Gun Cotton Way inclusive of cleared land within the sight splays to these junctions must be formed prior to any other works commencing or delivery of any other materials.

Reason: To ensure a safe access to the site is provided before other works and to facilitate off street parking for site workers in the interests of highway safety.

AL 8 - Condition: Prior to the new dwellings hereby permitted being first occupied, the vehicular accesses onto the new estate roads shall be properly surfaced with a bound material for a minimum distance of 6.0 metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the local planning authority.

Reason: To ensure appropriate surfacing to the vehicular accesses and driveways in the interests of highway safety.

P 5 - Condition: The garages / parking spaces for each dwelling shall be made available for use prior to the occupation of the dwelling and shall thereafter be retained for these purposes. Notwithstanding the provisions of Article 3, Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no development shall be carried out in such a position as to preclude vehicular access to those car parking spaces.

Reason: In the interests of highway safety and to ensure adequate vehicular parking provision within the site is provided and maintained.

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

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

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

NOTE: Public Utility apparatus may be affected by this proposal. The appropriate utility services should be contacted to reach agreement on any necessary alterations which have to be carried out at the expense of the developer. Those that appear to be affected are all utilities.

NOTE: 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.

NOTE: The existing street lighting system on Gun Cotton Way may be affected by this proposal.

NOTE: 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,

Martin Egan
Highways Development Management Engineer
Growth, Highways and Infrastructure

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

Email: planning@babberghmidsuffolk.gov.uk

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

For the attention of: Gemma Walker - MSDC

Dear Gemma Walker - MSDC

TOWN AND COUNTRY PLANNING ACT 1990

CONSULTATION RETURN: DC/20/04723

PROPOSAL: Full Planning Application - Residential Development of No141 dwellings (49 affordable dwellings) with associated access, landscaping amenity space and parking.

LOCATION: Site 3C And 3D Land South Of, Gun Cotton Way Stowmarket Suffolk

ROAD CLASS:

Notice is hereby given that the County Council as Highway Authority make the following comments:

The Highway Authority has no objection in principle to the residential development of Areas 3C and 3D at Gun Cotton Way. However, the submitted details are not wholly acceptable for the following reasons and revised drawings will need to be submitted in order for formal highway conditions to be issued:

Drawing Number BW225-PL-03/Rev00 and PL-02/RevR.

Area 3C

1. The area known as 3C should have a 2.0 metre wide footway provided along the entire Gun Cotton Way frontage connecting to the existing cycleway which surrounds the development site. The current proposal shows a 3.5m wide cycleway alongside Gun Cotton Way (separated from the road edge by a 2m wide grass verge) around the Apartment Block area. This will result in the removal of 7 existing trees. In order to be able to retain these trees I suggest installing a 3m wide shared use cycleway instead positioned against the road edge.
2. It would be preferable if there was more pedestrian and cycle connectivity from the site to the cycleway / footpath which surrounds three sides of the site.
3. A pedestrian footpath link is needed between the site and the existing bus stop on Gun Cotton Way.
4. Access visibility splays are required for the private driveway serving Apartment Block B, Plots 57 – 67, particularly looking towards the roundabout on Gun Cotton Way. The Applicant should consider / establish a forward visibility splay for traffic approaching this access from the roundabout.

5. All the shared surface roads will need a 2.0m wide service strip on one side and a 1.0m strip may be acceptable on the other. Two 1.0m wide strips are not sufficient to accommodate all the site services and street lighting columns.
6. The shared surface road serving Plots 98 – 110 may be reduced in width to 4.8 metres if desired. This may help (5) above.
7. The access to the pumping station and Plots 76 – 77 is very large and is out of place on a short cul-de-sac. This access is larger than the main junction onto the spine road. Is it possible to re-consider the pump station position or reduce the access to it?
8. There are some areas where visitor car parking spaces will be needed and are not currently proposed. The Applicant should consider the areas of Plots 68 – 75, 87 – 89 and 133 – 139 where nothing is provided.
9. I would suggest that 2 of the visitor parking spaces opposite Plot 96 are not necessarily required.

Area 3D

10. The position of Plot 5 will obstruct visibility from the private driveway serving Plots 1 – 5 and forward visibility for vehicles approaching from the roundabout. These visibility splays should be shown and be kept clear of any obstructions.
11. Visitor car parking needs to be considered to serve Plots 6 – 11, 31 – 38 and 49 – 56.
12. The car parking spaces for Plot 43 will overhang the road and service strip so additional driveway length is required here.

Landscaping

Care is to be taken when designing the landscaping; ensure all private garden hedging is not in the access visibility splays and are planted with sufficient offset from footways and service strips to ensure growth doesn't overhang the highway thereby over time reducing the footway width.

Please inform the Applicant of my comments and I shall await suitably revised details.

Yours sincerely,

Martin Egan

Highways Development Management Engineer

Growth, Highways and Infrastructure

Your ref: DC/20/04723
 Our ref: 59989
 Date: 05 November 2020
 Enquiries to: Peter Freer
 Tel: 01473 264801
 Email: peter.freer@suffolk.gov.uk

By e-mail only:

Daniel.Cameron@babberghmidsuffolk.gov.uk

FAO Daniel Cameron

Dear Daniel,

Re: Stowmarket, Phases 3C & 3D Cedars Park, land South of Gun Cotton Way IP14 5UD - Erection of 141 dwellings.

This proposal is to increase the unit numbers from 116 to 141 dwellings through a new full application. I set out below Suffolk County Council’s response, which provides our infrastructure requirements associated with this proposal.

Summary Table – CIL contributions

The table below would form the basis of a future bid to the District Council for CIL funds if planning permission is granted and implemented.

Service Requirement	Contribution per dwelling	Capital Contribution
Education - Primary	£3,918.98	£552,576.00
Education – Secondary	£3,709.57	£523,050.00
Education – Sixth Form	£843.09	£118,875.00
Libraries	£216.00	£30,456.00
Waste	£136.00	£19,176.00
Total	£8,823.64	£1,244,133.00

Summary Table – S106 contributions

The table below should be secured by a planning obligation if planning permission is to be granted. Justification is identified in the proceeding sections of this letter.

Service Requirement	Contribution per dwelling	Capital Contribution
New Early Years Setting build cost	£1,890.81	£266,604.00
Primary school transport contribution	£683.69	£96,400.00
Total	£2,574.50	£363,004.00

The National Planning Policy Framework (NPPF) paragraph 56 sets out the requirements

of planning obligations, which are that they must be:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and,
- 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.

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 [Stowmarket Area Action Plan](#) adopted in 2013 allocated these sites for employment under SAAP Policy 7.8 which is also covered by saved Local Plan policy SDA 6 and policy FC3 of the 2012 Core Strategy Focused Review.

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

Mid Suffolk District Council have produced a position statement for the area which includes a list of infrastructure projects or types of infrastructure that it intends will be, or may be, wholly or partly funded by CIL. This will be superseded by the Infrastructure Funding Statement to be published 31st December 2020. The current position statement is dated 1st September 2019. This will be superseded by the district's Infrastructure Funding Statement.

The county council and the District Council have a shared approach to calculating infrastructure needs, in the adopted [Developers Guide to Infrastructure Contributions in Suffolk](#).

The details of the impact on local infrastructure serving the development is set out below and will form the basis of developer contributions funding:

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) publication '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 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 temporary education needs where relevant, such as temporary school provision and any associated school transport costs before a permanent new school opens within a development site."

In paragraph 15 of the DfE guidance 'Securing developer contributions for education' 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 local schools are Stowmarket Cedars Park Community Primary School and Stowupland High School in Sixth form. Based on existing school forecasts, SCC will have no surplus places available at the local primary school and high secondary school including sixth form.

SCC would anticipate the following minimum pupil yields from this development

based on the indicative housing mix including flats (4 x 1 bed houses excluded from the calculation):

School level	Minimum pupil yield:	Required:	Cost per place £ (2020):
Primary school age range, 5-11:	32	32	17,268
Secondary school age range, 11-16:	22	22	23,775
Secondary school age range, 16+:	5	5	23,775

Total education contributions:	£1,194,501.00
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The local catchment schools are Cedar Park Primary School and Stowupland High School.

Primary School

Based on existing forecasts when taking into account displaced children living in Cedars Park that attend Stowupland Freemans Primary School, SCC will have no surplus places available at the catchment primary school on Cedars Park. Due to site constraints there is no ability to further expand this school. Therefore primary age pupils are most likely to secure a place at Trinity Church of England Voluntary Aided Primary School which can be expanded.

The most recent scorecard is 2019 and the national average school expansion build cost per pupil for primary schools is £17,268 (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 (£17,268 / 1.00) produces a total of £17,268 per pupil for permanent expansion of primary schools.

Primary School – transport contributions

The school transport policy is that the County Council will provide transport when a child under 8 years of age and lives more than 2 miles from their nearest or catchment school. For children over 8 years it is over 3 miles.

A school transport appeal in 2014 found the length of the A1120 is not safe and the crossing of Gipping Way at the roundabout has not safe sections. An alternative route west along Gun Cotton Way and Navigation Approach is under 3

miles so children in NCY4 and above will not qualify for travel. Therefore free travel would be provided to those who are under 8 years.

Our approach to school transport cost is directly related to the number of children likely to be living in the dwellings and is set out in the final section on page 2 of the "[update on developer contribution costs for early years and education](#)", published on the SCC Developers Guide to Infrastructure Contributions in Suffolk webpage. On average the current cost (May 2020) of transporting a school pupil from home to school is £6.34 per day (return) or £1,205 per annum. The calculation of school transport contributions is based on 190 days per year over 7 years for primary school pupils.

To discount those pupils who will be 8 years and over we can use the following calculation:

32 pupils arising / 7 school year groups = 5. Under 8s applicable year groups Reception, NCY1, 2 and 3. Therefore 4 year groups x 5 pupils = 20 pupils

Therefore the school transport contribution can be calculated as 20 x £1,205 x 4 years = **£96,400**. Contribution to be spent on providing school transport for pupils arising from this development or other children living in the catchment that are displaced by this development, or alternatively towards making the shortest route safe.

The securing of a School Transport Contribution by the approaches as set out above have been confirmed in appeal decisions, as a matter of principle, to be compliant with Regulation 122 of the CIL Regulations. Decision examples include (Planning Inspectorate 7 digit case reference numbers): 3179674, 3161733, 3182192, and 3173352.

Secondary School/Sixth Form

The local catchment secondary school including sixth form provision is Stowupland High School. The school has no surplus places and the strategy for secondary school provision is therefore for contributions towards expanding Stowupland High School.

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) 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.** Education for early years should be considered as part of addressing the requirements of the NPPF Section 8: ‘Promoting healthy and safe communities’

Education for early years should be considered as part of addressing the requirements of the NPPF Section 8: ‘Promoting healthy and safe communities’. It is the responsibility of SCC to ensure that there is sufficient local provision under the Childcare Act 2006. The Childcare Act in Section 7 sets out a duty to secure free early years provision and all children in England receive 15 free hours free childcare. Through the Childcare Act 2016, from September 2017 families of 3 and 4 year olds may now be able to claim up to 30 hours a week of free childcare.

From this development proposal SCC would anticipate the following pre-school places arising:

	Minimum number of eligible children:	Required:	Cost per place £ (2020):
Pre-School age range, 2-4:	13	13	20,508

Required pre-school contributions:	£266,604.00
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The strategy for providing early years places in this area is for a new Pre School setting for 60 places on emerging Joint Local Plan policy LA035 – ‘Ashes Farm’. The contribution towards construction costs is necessary.

- 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’. A comprehensive assessment of highways and transport issues will be required as part of a 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. Suffolk County Council FAO Samantha Harvey will coordinate this.

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

This gives a cost of (33 x £216) = £7,128.00 per 33 people or £216.00 per dwelling for the support of improving services and outreach at Stowmarket Library.

Libraries contribution:	£30,456.00
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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.

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.

A contribution will be required through the Community Infrastructure Levy towards the relocation of Stowmarket Recycling Centre, which serves this development at £136 / dwelling. A contribution as set out below is required from the proposed development.

Waste contribution:	£19,176.00
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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.

6. Sustainable Drainage Systems. Section 14 of the NPPF seeks to meet the challenges of climate change, flooding and coastal change. Suffolk County Council is the lead local flood authority. 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.

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

7. 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.

8. High-speed 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 also contributes to social inclusion; it also impacts educational attainment and social wellbeing, as well as improving property prices and saleability.

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

- 9. 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.
- 10. Time Limit.** The above information is time-limited for 6 months only from the date of this letter.
- 11. Monitoring fee.** The CIL Regs allow for charging of monitoring fees. In this respect the county council charges **£412** for each trigger point in a planning obligation, payable upon commencement.
- 12. Future CIL Bids.** The above infrastructure identified as CIL funded, as opposed to those identified for s106 contributions, will form the basis of a future bid to Mid Suffolk District Council for CIL funds if planning permission is granted and implemented. Applications for CIL funding will use the latest cost multipliers at the time of bidding. CIL cuts the link from the development to the infrastructure and it's important to remember that some areas of the district will generate a lot of CIL but will have little infrastructure to deliver due to capacity, so the pot should be seen as district wide rather than little pots covering each development area.

Yours sincerely,

PJ Freer

Peter Freer MSc MRTPI
Senior Planning and Infrastructure Officer
Growth, Highways & Infrastructure Directorate

cc BMSDC, CIL Infrastructure Team
Sam Harvey, Suffolk County Council
Floods Planning, Suffolk County Council
SCC, Carol Barber

From: GHI Floods Planning <floods.planning@suffolk.gov.uk>
Sent: 03 February 2021 09:44
To: BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>
Cc: Gemma Walker <Gemma.Walker@baberghmidsuffolk.gov.uk>
Subject: 2021-02-03 JS Reply Site 3C And 3D Land South Of, Gun Cotton Way, Stowmarket Ref DC/20/04723

Dear Gemma Walker,

Subject: Site 3C And 3D Land South Of, Gun Cotton Way, Stowmarket Ref DC/20/04723

Suffolk County Council, as Lead Local Flood Authority (LLFA), have reviewed application ref DC/20/04723.

Note LLFA is only commenting on the surface water drainage

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

- Flood Risk Assessment & Drainage Strategy Ref 4891-FRA-001 Rev 3 P04
- Proposed Foul and Surface Water Drainage Strategy Sheet 1 Ref 4891-wsp-00-zz-dr-ce-1015 P09
- Proposed Foul and Surface Water Drainage Strategy Sheet 2 Ref 4891-wsp-00-zz-dr-ce-1016 P06
- Location Plan BW225-LP-01_Location Plan_rev00
- Flood Risk Assessment Addendum Dated 29th January 2021

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

1. The strategy for the disposal of surface water the Flood Risk Assessment (FRA) (dated January 2021, ref: 4891-FRA-001 Rev 3 P04) and Flood Risk Addendum (dated 29th January 2021) shall be implemented as approved in writing by the local planning authority (LPA). 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 practical completion of the last dwelling, surface water drainage verification report shall be submitted to the Local Planning Authority, detailing and verifying that the surface water drainage system has been inspected and has been built and functions in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks, in an agreed form, for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure that the surface water drainage system has been built in accordance with the approved drawings and is fit to be put into operation and 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 required under 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 LPA. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP shall include:

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 licence under section 50 of the New Roads and Street Works Act
- 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: GHI Floods Planning <floods.planning@suffolk.gov.uk>

Sent: 01 February 2021 13:49

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

Cc: Grace Wasp <Grace.Wasp@baberghmidsuffolk.gov.uk>; Gemma Walker <Gemma.Walker@baberghmidsuffolk.gov.uk>

Subject: 2021-02-01 JS Reply Site 3C And 3D Land South Of, Gun Cotton Way, Stowmarket Ref DC/20/04723

Dear Gemma Walker,

Site 3C And 3D Land South Of, Gun Cotton Way, Stowmarket Ref DC/20/04723

Please see previous consultation reply, as the points have not been addressed.

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 <planningblue@baberghmidsuffolk.gov.uk>

Sent: 22 January 2021 14:23

To: GHI Floods Planning <floods.planning@suffolk.gov.uk>

Subject: MSDC Planning Re-consultation Request - DC/20/04723

Please find attached planning re-consultation request letter relating to planning application - DC/20/04723 - Site 3C And 3D Land South Of, Gun Cotton Way, Stowmarket, Suffolk

Kind Regards

Planning Support Team

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

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

fulfil a request for information. Any information about you that we pass to a third party will be held securely by that party, in accordance with the Data Protection Act 2018 and used only to provide the services or information you have requested.
For more information on how we do this and your rights in regards to your personal information and how to access it, visit our website.

From: GHI Floods Planning <floods.planning@suffolk.gov.uk>
Sent: 02 November 2020 11:29
To: BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>
Cc: Gemma Walker <Gemma.Walker@baberghmidsuffolk.gov.uk>
Subject: 2020-11-02 JS reply Site 3C And 3D Land South Of, Gun Cotton Way, Stowmarket Ref DC/20/04723

Dear Gemma Walker,

Subject: Site 3C And 3D Land South Of, Gun Cotton Way, Stowmarket Ref DC/20/04723

Suffolk County Council, Flood and Water Management have reviewed application ref DC/20/04723.

Note LLFA is only commenting on the surface water drainage

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

- Flood Risk Assessment & Drainage Strategy Ref 4891-FRA-001
- Proposed Foul and Surface Water Drainage Strategy Sheet 1 Ref 4891-wsp-00-zz-dr-ce-1015 P09
- Proposed Foul and Surface Water Drainage Strategy Sheet 2 Ref 4891-wsp-00-zz-dr-ce-1016 P06
- Location Plan BW225-LP-01_Location Plan_rev00

The reason why we are recommending a holding objection is because the flood risk assessment and strategy for the disposal of surface water needs to have some points addresses that may alter the proposed development layout. It is also unclear how this proposed development fits in with the Cedar Park Masterplan for surface water discharge rates.

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

1. Resubmit the drainage strategy highlighting that the site is within a Drinking Water Protected Areas (Surface Water) (England) (Magic Maps Oct 2020)
2. Applicants shall include open SuDs to convey surface water to the basin or demonstrate why with clear evidence why this is not appropriate
3. Clearly demonstrate that the proposed discharge rate of surface water has been agreed as part of the Cedar Park Masterplan and that you have a legal right to connect into the existing basin.
4. Existing blue corridors are to be maintained, this shall be reflected in in any proposed layout of the development
5. Section 4.7 is not correct, a request was received and the LLFA replied on the 28th September 2020 with pluvial, fluvial flood maps and historical records

Note: Further information maybe required.

Kind Regards

Jason Skilton
Flood & Water Engineer
Suffolk County Council

Growth, Highway & Infrastructure
Endeavour House, 8 Russell Rd, Ipswich , Suffolk IP1 2BX

From: Gemma Stewart <Gemma.Stewart@suffolk.gov.uk>
Sent: 25 January 2021 08:20
To: Gemma Walker <Gemma.Walker@baberghmidsuffolk.gov.uk>
Cc: BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>
Subject: RE: MSDC Planning Re-consultation Request - DC/20/04723

Morning Gemma,

Thank you for the re-consultation. It does not effect 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

Telephone: 01284 741242
Mobile: 07734978011
Email: gemma.stewart@suffolk.gov.uk

Website: <http://www.suffolk.gov.uk/archaeology>
Suffolk Heritage Explorer: <https://heritage.suffolk.gov.uk>
Follow us on Twitter: [@SCCArchaeology](https://twitter.com/SCCArchaeology)
Like us on Facebook: [@SCCArchaeologicalService](https://www.facebook.com/SCCArchaeologicalService)
Follow us on Instagram: [@SCCArchaeology](https://www.instagram.com/SCCArchaeology)

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

Christine Thurlow
Corporate Manager – Development Management
Planning Department
Babergh 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
Web: <http://www.suffolk.gov.uk>

Our Ref: 2020_04723
Date: 29th October 2020

For the Attention of Gemma Walker

Dear Ms Thurlow

Planning Application - DC/20/04723 - Site 3C and 3D Land South of Gun Cotton Way, Stowmarket: Archaeology

This site lies in an area of archaeological potential recorded on the County Historic Environment Record (HER). Archaeological investigations conducted in other phases of Cedars Park identified significant remains occupation and settlement remains dating from the Iron-Age and Roman periods, including human burials (SUP 020). It is reasonable to expect that further evidence for occupation of this date will be identified within the proposed development area. 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 Policy CS10 of Babergh District Council Core Strategy (2011- 2031) Submission Draft 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 Babergh 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

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/F221506
Enquiries to: Water Officer
Direct Line: 01473 260588
E-mail: Fire.BusinessSupport@suffolk.gov.uk
Web Address: <http://www.suffolk.gov.uk>

Date: 26/10/2020

Dear Sirs

**SITE 3C AND 3D, LAND SOUTH OF GUN COTTON WAY, STOWMARKET, SUFFOLK,
IP14 5EP**

Planning Application No: DC/20/04723

**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

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.

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: laura.dudley-smith@struttandparker.com

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: F221506
Enquiries to: Water Officer
Direct Line: 01473 260486
E-mail: Angela.Kempen@suffolk.gov.uk
Web Address: www.suffolk.gov.uk

Date: 26/10/2020

Planning Ref: DC/20/04723

Dear Sirs,

RE: PROVISION OF WATER FOR FIRE FIGHTING
ADDRESS: SITE 3C AND 3D, LAND SOUTH OF GUN COTTON WAY, STOWMARKET,
SUFFOLK, IP14 5EP
DESCRIPTION: 141 DWELINGS.
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



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

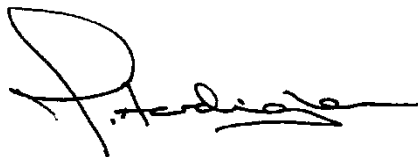
<http://www.thefpa.co.uk/>

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

MID SUFFOLK DISTRICT COUNCIL

MEMORANDUM

To: Gemma Walker - Senior Planning Officer

From: Louise Barker – Acting Strategic Housing Team Manager

Date: 5th February 2021

APPLICATION FOR PLANNING PERMISSION - DC/20/04723

Proposal: Re Consultation dated 22nd January - Full Planning Application - Residential Development of No141 dwellings (49 affordable dwellings) with associated access, landscaping amenity space and parking.

Location: Site 3C And 3D Land South Of, Gun Cotton Way, Stowmarket, Suffolk

Consultation Response:

The agent has provided some further details on this proposal however they do appear to have addressed specifically some of the points we raised in our previous response dated 17th November.

We would like to see an affordable housing schedule provided detailing tenure, NDSS size and bedroom and occupancy capacity.

We would also like to see how the open market units compare in percentages to the table previously provided from the SHMA.

It would be useful to have a discussion with the agent to clarify the proposals.

MID SUFFOLK DISTRICT COUNCIL

MEMORANDUM

To: Gemma Walker - Senior Planning Officer
From: Louise Barker – Acting Strategic Housing Team Manager
Date: 17th November 2020

APPLICATION FOR PLANNING PERMISSION - DC/20/04723

Proposal: Full Planning Application - Residential Development of No141 dwellings (49 affordable dwellings) with associated access, landscaping amenity space and parking.

Location: Site 3C And 3D Land South Of, Gun Cotton Way, Stowmarket, Suffolk

Key Points

1. Background Information

A major development proposal for 141 residential dwellings. This application triggers the requirement for an affordable housing contribution under local policy of 35%.

This equates to 49.35 affordable dwellings.

This development offers 49 affordable housing units split across both phases.

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.

3. Proposed Mix for Open Market homes.

Detail has been provided on the development layout plan dated Oct 2020 for the open market mix (141 dwellings) as follows:

- 26 x 2 bed houses
- 53 x 3 bed houses
- 13 x 4 bed houses

The table below sets out the recommendations in the Strategic Housing Market Assessment (updated 2019) for new owner-occupied dwellings for the next 18 years up to 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	7.2%
Two bedrooms	5,908	8,380	2,472	34.4%
Three bedrooms	13,680	15,784	2,104	29.3%
Four or + bedrooms	12,208	14,303	2,096	29.2%
Total	32,502	39,688	7,186	100.0%

We would like to see a reduction in the number of 3 bedrooms and an increase in 2 bedroom properties to take account of the recommendations in the SHMA. The inclusion of bungalows/chalet bungalows would be welcomed as this will provide opportunities for older people to downsize, currently there are no bungalows included for sale.

- 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 development layout plan shows 49 of the proposed dwellings on the development are offered for affordable housing as follows:

Affordable Rent:

4 x 1b Houses
6 x 1b Flats
9 x 2b Flats
2 x 2b Bungalows
10 x 2b Houses

Shared Ownership:

9 x 3b Houses
9 x 2b Houses

4.2 The above mix is broadly acceptable but we would like to see some 3 bedroom homes included to provide for a broad range of district affordable housing need, we would however like confirmation that the homes meet NDSS and also confirm of numbers of occupants proposed. For example, we would expect to see 2 bedroom homes accommodate 4 persons and 3 bedrooms to accommodate 5 or 6 persons.

4.3 The layout proposes the affordable homes to be 'pepper potted' throughout the development which is acceptable. we note that there are flats adjacent to the proposed public house development and therefore noise may be an issue for occupants. Whilst not a Strategic Housing matter we would hope to see this matter addressed through noise attenuation with the relevant department within the Council.

4.4 We would expect to see level access showers in any ground floor flatted accommodation.

5. Other requirements for affordable homes:

- Properties must be built to current Homes England requirements and meet the NDSS requirements.
- The council is granted 100% nomination rights to all the affordable units on first lets and minimum of 100% of relets.
- The affordable units to be constructed 'tenure blind' and must not be in clusters of more than 15 dwellings.
- All flats must be in separate blocks and capable of freehold transfer to an RP.
- Adequate parking and cycle storage provision is made for the affordable housing units.

Planning Application – Consultation Response

Planning Reference:	Application	DC/20/04723
Site:	Site 3C and 3D Land South of Gun Cotton Way Stowmarket Suffolk	
Proposal:	Full Planning Application - Residential Development of No141 dwellings (49 affordable dwellings) with associated access, landscaping amenity space and parking.	
Prepared by:	BMSDC Strategic Planning Policy and Infrastructure	
Date:	21/12/2020	

1. Introduction

It is important to note that the proposed development (considering both Areas C and D) currently benefits from planning permission, albeit there is a proposed increase in the total number of dwellings. The net increase is for 25 dwellings, as detailed below: -

Area 3C (Western section of the site)

DC/18/01163: Full Planning permission, granted 19/12/2018, for the erection of 68 dwellings with access roads, footpaths, landscaping, drainage and parking. This site is also part of the Pre-Submission Regulation 19 Joint Local Plan (November 2020), as land allocation LA033.

Area 3D (Eastern section of the site)

4556/16: Hybrid planning application, granted 08/01/2018, consisting of full planning permission for the erection of 48 dwellings and outline planning permission for 3 commercial units (1 no. Class A3, 1 no. Class A4 and 1 no. Class A3/A5) with 'appearance' and individual plot landscaping as reserved matters.

68 dwellings + 48 dwellings = 116 dwellings benefiting from planning permission

The new planning application is for a total of 141 dwellings; therefore, the proposal consists of an addition of 25 dwellings, over what is already benefiting from planning permission in principle.

2. Policy position

As referred above, the western section of the site is identified in the Pre-Submission Regulation 19 Joint Local Plan (November 2020) as land allocation LA033 for 68 dwellings. The eastern section of the site granted full permission for 48 dwellings in January 2018 is included within the baseline of the Joint Local Plan and is within the Settlement Boundary for Stowmarket.

The relevant Development Plan policies to consider are:

- the National Planning Policy Framework (2019)
- the site-specific policy LA033 of the Pre-Submission Regulation 19 Joint Local Plan (November 2020)
- 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)
- the Stowmarket Area Action Plan (SAAP, 2013)

3. Infrastructure Delivery Plan (IDP) position

The IDP of September 2020 provides an updated position from the previous IDP of July 2019, and it sets out both Babergh and Mid Suffolk's infrastructure requirements and priorities. It was published on the 12th November 2020 as evidence which supports the Pre-Submission Regulation 19 Joint Local Plan. The IDP is an iterative document which is updated annually to reflect the changes in infrastructure capacities, requirements and priorities.

For the purpose of this response, and to understand the impact on infrastructure capacity of the 25 additional dwellings proposed, 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 Joint Local Plan land allocations in the Stowmarket area:

- 4455/16, Land to the South of Union Road, Onehouse – 300 dwellings, currently under construction. This site is part of the Joint Local Plan allocation LA036.
- DC/20/01110, Land to The South of Union Road, Onehouse – 146 dwellings, Outline planning application awaiting decision. This site is adjacent to the above site and is also part of the Joint Local Plan allocation LA036.
- DC/18/03111 and 5007/16, Land North of Chilton Leys, Chilton Leys – 600 dwellings, currently under construction. This site is part of the Joint Local Plan allocation LA034.
- DC/19/01482, Land between Gipping Road and Church Road ("Trinity Meadows") – granted full permission on 25/09/2020 for 93 dwellings. This site is also part of the Joint Local Plan allocation LA112.
- DC/19/02484, Stowmarket Middle School, Walnut Tree Walk – granted full permission on 26/08/2020 for 38 dwellings. This site is also part of the Joint Local Plan allocation LA037.
- DC/20/01036, Land north of Stowupland Road and east of Newton Road ('Ashes Farm') Outline planning application awaiting decision for 300 dwellings. This site is the eastern section of allocation LA035 (allocation for 575 dwellings).

Other 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 05/11/2020 requires Section 106 developer contributions towards the new setting planned on Ashes Farm for provision of this development.

In terms of primary school education, the IDP refers to Trinity CEVAP School in Stowmarket as able to expand to provide for additional provision in Stowmarket. The catchment primary school for this site is Cedars Park, however, as explained in the County Council response of the 05/11/2020, there is no capacity at Cedars Park and there is no opportunity to expand the school within its own grounds. Therefore, the primary school children deriving from this site are to be provided for at Trinity Church

of England Voluntary Aided Primary School. It is expected that the additional pupils emanating from this development would displace some of the children coming from out of the catchment area over time.

A financial contribution towards the delivery of the primary school expansion in the form of CIL will be required.

Due to the inability for children under the age of 8 to walk safely to school, a Section 106 developer contribution towards school travel is also required. The school transport policy is that free school transport is provided for children under the age of 8 who live more than 2 miles from their nearest/catchment school. For children over 8 years it is over 3 miles. The shortest distance to walk from the site to Trinity primary school is to use the A1120 and the crossing of the Gipping Way at the roundabout, however due to an Appeal in 2014 this is assessed as not being a safe route to school. The alternative route west along Gun Cotton Way and Navigation Approach is under 3 miles and therefore can be walked safely by children over the age of 8, i.e. from year 4 of primary education. This is the reason why the County Council is looking to secure contributions for earlier years (from Reception to Year 3) over 4 years of education.

In terms of Secondary and Post 16 education, Stowupland High School is the catchment school. Stowupland High School recently benefited from the Phase 1 build of a new Sixth Form block which is providing additional capacity for both the Secondary and Sixth Form education. This Phase 1 is shown in the IDP together with the Phase 2 expansion project to provide for the cumulative planned and committed growth within the catchment area. This proposed development together with other Joint Local Plan site allocations and existing commitments within the school catchment area are expected to require the Phase 2 master plan expansion as referred in the IDP.

- Transport

The County Council Highways response of the 12/11/2020 refers to the need for further details and revised drawings. There is also the mention of more pedestrian and cycle connectivity and a need for a pedestrian footway link between the site and the existing bus stops on Gun Cotton Way.

The IDP states that within Stowmarket, contributions towards new footway links would be expected, and specifically that for this site, as part of land allocation LA033, that provision of a controlled pedestrian crossing may be required.

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.

Longer term improvements to facilitate safe walking and cycling in Stowmarket are also identified in the Prioritised Rolling Five Year Plan for Cycling (SCC, June 2020), where a number of improvements are proposed in Stowmarket.

- Health

The nearest practices are Stow Health and Combs Ford (Combs Ford Surgery), where the IDP states that mitigation will be required for this locality in order to accommodate committed growth and planned growth of the Joint Local Plan. To this effect, the response from the Clinical Commissioning Group of the 11/11/2020 requires developer contribution, in the form of CIL, to meet the cost of additional capital funding for health service provision arising.

- 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. 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, in the form of CIL. This is also reflected in the County Council response of the 05/11/2020.

- 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, through the CIL process. This is reflected in the County Council response.

4. 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.

The additional proposed growth is understood to be provided for in terms of infrastructure, as detailed above. It is also acknowledged that the site is within a sustainable location of Stowmarket. The above-mentioned mitigation will be 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 Services
Mid Suffolk District Council
Endeavour House
8 Russell Road
Ipswich
IP1 2BX

03/02/2021

For the attention of: Gemma Walker

Ref: DC/20/04723; Site 3C And 3D Land South Of, Gun Cotton Way, Stowmarket, Suffolk

Thank you for consulting us on the Full Planning Application for Residential Development of No.141 dwellings (49 affordable dwellings) with associated access, landscaping, amenity space and parking.

This letter sets out our consultation response on the landscape impact of the planning application and how the proposals relate and respond to the landscape setting and context of the site.

Based on the additional information received and on-going liaison with the applicants landscape architect we have no objection to this application being approved. However, we would advise the following planning conditions are considered:

- **ACTION REQUIRED PRIOR TO OCCUPATION: 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 organisation 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 longterm 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

- **ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT: LANDSCAPING SCHEME.**
No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard, soft and boundary treatment landscaping

works for the site, which shall include any proposed changes in ground levels and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows in the surrounding area. A specification of soft landscaping, including proposed trees, plants and seed mixes must be included. The specification should be in line with British Standards and include details of planting works such as preparation, implementation, materials (i.e. soils and mulch), any protection measures that will be put in place (i.e. rabbit guards) and any management regimes (including watering schedules) to support establishment. This should be accompanied by a schedule, with details of quantity, species and size/type (bare root, container etc). Hard landscape details such as surface materials and boundary treatments must also be included.

If you have any queries regarding the matter raised above, please let me know.

Kind regards,

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.



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

12/11/2020

For the attention of: Gemma Walker

Ref: DC/20/04723; Site 3C And 3D Land South Of, Gun Cotton Way, Stowmarket, Suffolk

Thank you for consulting us on the Full Planning Application for Residential Development of No.141 dwellings (49 affordable dwellings) with associated access, landscaping, amenity space and parking.

This letter sets out our consultation response on the landscape impact of the planning application and how the proposals relate and respond to the landscape setting and context of the site.

In terms of the likely visual impact on the surrounding landscape, the proposals are located on a development site which links the existing developed area of Cedars Park with the industrial hinterland of northern Stowmarket and the A1120 to the east.

Recommendations

The proposals need to clearly demonstrate a comprehensive landscape vision for the site to both create a suitable, high quality new development whilst mitigating the impact development will have on the surrounding landscape and townscape areas to the north and limiting views to the industrial areas to the south. Relevant to this landscape review, the submitted application includes a Landscape Masterplan and Design and Access Statement.

In regard to landscaping and in the interest of visual amenity, we would advise the following amendments are considered:

- We welcome the open space provision for apartments. However, we recommend that enhanced courtyards are explored. For instance, the spaces should be more than just amenity grass and tree planting. We would expect to see sitting areas and a mixed planting palette and surface treatments to ensure the spaces are active and provide purpose.

If minded for approval, the following planning conditions are recommended for each of the parcels:

- **ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT: LANDSCAPE MANAGEMENT PLAN.**
No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a landscape management plan and associated work schedule for a minimum of 5 years. Both new and existing planting will be required to be included in the plan, along with surface treatments, SuDS features and all other landscape assets (i.e. street furniture).
- **ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT: LANDSCAPING SCHEME.**
No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard, soft and boundary treatment landscaping

works for the site, which shall include any proposed changes in ground levels and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows in the surrounding area. A specification of soft landscaping, including proposed trees, plants and seed mixes must be included. The specification should be in line with British Standards and include details of planting works such as preparation, implementation, materials (i.e. soils and mulch), any protection measures that will be put in place (i.e. rabbit guards) and any management regimes (including watering schedules) to support establishment. This should be accompanied by a schedule, with details of quantity, species and size/type (bare root, container etc). Hard landscape details such as surface materials and boundary treatments must also be included.

If you have any queries regarding the matter raised above, please let me know.

Kind regards,

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.



09 February 2021

Gemma Walker
Mid Suffolk District Council
Endeavour House
8 Russell Road
Ipswich IP1 2BX

By email only

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/20/04723
Location: Site 3C And 3D Land South Of Gun Cotton Way Stowmarket Suffolk
Proposal: Full Planning Application - Residential Development of No141 dwellings (49 affordable dwellings) with associated access, landscaping amenity space and parking.

Dear Gemma,

Thank you for re-consulting Place Services on the above application.

No objection subject to ecological mitigation measures and enhancement measures

Summary

We have reviewed the Update Ecological Appraisal (Southern Ecological Solutions Ltd, January 2021), provided by the applicant, relating to the likely impacts of development on Designated Sites, Protected and Priority Species & Habitats.

We are still 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 contained within Update Ecological Appraisal (Southern Ecological Solutions Ltd, January 2021) should be secured and implemented in full. This is necessary to conserve and enhance Protected and Priority Species. In addition, it is highlighted that Place Services no longer consider it necessary that a Biodiversity Method Statement should be submitted, following the result of the further information contained within the Update Ecological Appraisal (Southern Ecological Solutions Ltd, January 2020).



Furthermore, a wildlife friendly lighting scheme will need to be provided for this application as recommended by Update Ecological Appraisal (Southern Ecological Solutions Ltd, January 2021). This will need to be secured as a condition of any consent to 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, a professional ecologist should be consulted to 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. The use of cowls, hoods, reflector skirts or shields should be used to prevent horizontal spill, where necessary.
- 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.

We have reviewed the submitted planning documents and still note that no specification of soft landscaping has been provided to accompany this application. Therefore, this will need to be outlined and specification should be in line with British Standards. The application should incorporate Native Species planting and any tree planting should preferably reflect the local variation in tree species.

Nevertheless, it is indicated that we support the proposed bespoke biodiversity enhancements measure contained within the Update Ecological Appraisal (Southern Ecological Solutions Ltd, January 2021). These have been recommended to secure measurable net gains for biodiversity, as outlined under Paragraph 170[d] & 175 [d] of the National Planning Policy Framework 2019. This includes a Biodiversity Enhancement Strategy Management Plan, which outlines the aftercare of the bespoke enhancement measures, as well as providing management and monitoring measures for the Wildlife Protection Area.

However, it is highlighted that a minimum of 15-year period will be required to allow the chalk grassland to be established to a similar condition, based on the DEFRA Biodiversity Metric 2.0. In addition, a Landscape and Ecological Management Plan (LEMP) will still be required to outline the detailed management measures of the soft landscaping for the entire site. This plan should be informed by the Biodiversity Enhancement Strategy Management Plan and must include a work schedule cable of being rolled out for the site, as well as the chalk grassland translocation area.

Therefore, 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.

Recommended conditions

1. 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 Update Ecological Appraisal (Southern Ecological Solutions Ltd, January 2021) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This will 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 and enhance 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 (Priority habitats & species).

2. PRIOR TO OCCUPATION: 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 5-year period **and a 15-year period for the translocated chalk grassland**).*
- g) Details of the body or organisation 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 enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the NPPF 2019 and the s40 of the NERC Act 2006 (Priority habitats & species).

3. PRIOR TO OCCUPATION: 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 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

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 November 2020

Gemma Walker
Mid Suffolk District Council
Endeavour House
8 Russell Road
Ipswich IP1 2BX

By email only

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/20/04723
Location: Site 3C And 3D Land South Of Gun Cotton Way Stowmarket Suffolk
Proposal: Full Planning Application - Residential Development of No141 dwellings (49 affordable dwellings) with associated access, landscaping amenity space and parking.

Dear Gemma,

Thank you for consulting Place Services on the above application.

No objection subject to ecological mitigation measures and enhancement measures

Summary

We have reviewed the Update Ecological Appraisal (Southern Ecological Solutions Ltd, September 2020), provided by the applicant, 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 designated sites, protected species and Priority Species / Habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

Therefore, the measures contained within the Update Ecological Appraisal should be secured and implemented in full. This is necessary to conserve and enhance Protected and Priority Species.

However, to avoid any potential impacts to Protected and Priority Species during the construction phase, it is recommended that the finalised measures should be outlined within a Biodiversity Method Statement, which should be submitted as a condition of any consent.



Furthermore, a wildlife friendly lighting scheme will need to be provided for this application as recommended by Update Ecological Appraisal (Southern Ecological Solutions Ltd, September 2020). This will need to be secured as a condition of any consent to 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, a professional ecologist should be consulted to 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. The use of cowls, hoods, reflector skirts or shields should be used to prevent horizontal spill, where necessary.
- 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.

We have reviewed the submitted planning documents and note that no specification of soft landscaping has been provided to accompany this application. Therefore, this will need to be outlined and specification should be in line with British Standards. The application should incorporate Native Species planting and any tree planting should preferably reflect the local variation in tree species. However, it is highlighted that we support the proposed reasonable biodiversity enhancements measure contained within the Update Ecological Appraisal (Southern Ecological Solutions Ltd, September 2020). These have been recommended to secure measurable net gains for biodiversity, as outlined under Paragraph 170[d] & 175 [d] of the National Planning Policy Framework 2019. Therefore, the management and aftercare of the finalised bespoke enhancement measures and soft landscaping should be included within a Landscape and Ecological Management Plan.

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.



Recommended conditions

1. PRIOR TO COMMENCEMENT: BIODIVERSITY METHOD STATEMENT

“No development shall take place (including any demolition, ground works, site clearance) until a Biodiversity Method Statement for Protected and Priority species has been submitted to and approved in writing by the local planning authority, in line with the recommendations contained within the Update Ecological Appraisal (Southern Ecological Solutions Ltd, September 2020).

The content of the method statement shall include the following:

- a) purpose and objectives for the proposed works;*
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);*
- c) extent and location of proposed works shown on appropriate scale maps and plans;*
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;*
- e) persons responsible for implementing the works;*
- f) initial aftercare and long-term maintenance (where relevant);*
- g) disposal of any wastes arising from works.*

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.”

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 (Priority habitats & species).

2. PRIOR TO OCCUPATION: 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 organisation 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 enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the NPPF 2019 and the s40 of the NERC Act 2006 (Priority habitats & species).

3. PRIOR TO OCCUPATION: 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 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

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: 11 December 2020 15:58
To: Gemma Walker <Gemma.Walker@babberghmidsuffolk.gov.uk>
Cc: BMSDC Planning Mailbox <planning@babberghmidsuffolk.gov.uk>
Subject: DC/20/04723. Land Contamination

Dear Gemma

EP Reference : 283001
DC/20/04723. Land Contamination
Site 3c Land South Of, Gun Cotton Way, STOWMARKET, Suffolk.
Residential Development of No141 dwellings (49 affordable dwellings) with associated access, landscaping amenity space and parking.

Many thanks for your request for comments in relation to the above application. Having reviewed the application and supporting geoenvironmental report by RSK (reference 1920953 R01 (00) dated December 2020 I can confirm that I have no objection to the proposed development from the perspective of land contamination. The RSK report recommends limited additional ground gas monitoring but on balance of evidence these works should not be required by means of condition. However should the applicant wish to undertake these work we would be willing to review the findings and hold these on record against the properties. I would only request that the LPA are contacted in the event of unexpected ground conditions being encountered during construction and that the below minimum precautions are undertaken until such time as the LPA responds to the notification. I would also advise that the developer is made aware that the responsibility for the safe development of the site lies with them.

Kind regards

Nathan

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

Babergh and Mid Suffolk District Councils – Working Together

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

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.*

DC/20/04723 further comments

Noise/Odour/Light/Smoke

APPLICATION FOR PLANNING PERMISSION - DC/20/04723

Proposal: Full Planning Application - Residential Development of No141 dwellings (49 affordable dwellings) with associated access, landscaping amenity space and parking.

Location: Site 3C And 3D Land South Of, Gun Cotton Way, Stowmarket, Suffolk

Reason(s) for re-consultation: Agent's covering letter and additional information received by

the Local Planning Authority on the 18th January 2021.

Thank you for re consulting me on the above application.

Having reviewed the applicants letter and comments below:

Environmental Health – Noise/Odour/Light/Smoke

The request made for pre-occupation noise testing was discussed further with the EHO and this is no longer required based on an agreement that conformation with the glazing and vent recommendations set out within the original Noise Assessment is instead requested through a relevant compliance condition.

The previously submitted Outline Construction Management Plan is also being upgraded to a full CMP to provide additional detail, particularly regarding noise, to also seek to negate the need for a condition in this regard also. This shall be submitted shortly.

Environmental Protection have the following comments:

In relation to the pre occupation noise testing, I have discussed this with the acoustic consultant and agree with the contents of this section based on an agreement that the glazing and ventilation meets the noise assessment recommendations.

Please re consult EP on the new full CMP when this is submitted to ensure that it meets the requirements we would expect of a full CMS in terms of noise/light/dust/smoke.

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

www.babergh.gov.uk www.midsuffolk.gov.uk

DC/20/04723

Environmental Health -

Noise/Odour/Light/Smoke

APPLICATION FOR PLANNING PERMISSION - DC/20/04723

Proposal: Full Planning Application - Residential Development of No141 dwellings (49 affordable dwellings) with associated access, landscaping amenity space and parking.

Location: Site 3C And 3D Land South Of, Gun Cotton Way, Stowmarket, Suffolk

Thank you for your consultation on the above application.

The application sites 3C and 3D are within close proximity to the road and/or existing commercial premises and therefore there is potential for significant loss of amenity at new dwellings.

The application includes an Environmental Noise Assessment (ENA) prepared by LOVEN acoustics ('Proposed Residential Development Cedars Park, Gun Cotton Way, Stowmarket Sites 3C and 3D), report number LA/1704/01aR/ML, dated 21 September 2020.

The ENA identifies that noise from road traffic and customer traffic noise are the dominant noise sources at the application site. A noise survey has been carried out at locations representative of proposed housing.

The assessment identifies that daytime and night-time ambient noise levels at dwellings on part of the site will mean that internal WHO and BS8223 guideline values for both daytime and night-time will be exceeded.

In order to militate against this noise, a scheme of glazing is given in section 6 of the ENA .

This is summarised in Table 6. Which gives Predicted internal noise levels and indicative glazing and ventilation recommendations. Table 7 shows indicative glazing and ventilation required to meet the requirements to mitigate the noise.

I therefore recommend the following condition:

- All bedrooms and living rooms on the facades highlighted in section 6, Table 6 of the Environmental Noise Assessment (ENA) prepared by LOVEN acoustics ('Proposed

Residential Development Cedars Park, Gun Cotton Way, Stowmarket Sites 3C and 3D), report number LA/1704/01aR/ML, dated 21 September 2020 shall be constructed with the relevant glazing scheme as specified in section 6 of that report. All; trickle vents fitted must comply with the Noise Insulation Regulations 1975 and the Approved Document F.

There are also concerns about the outside amenity area noise levels at some of the plots on the sites. I would recommend that a condition is added to any permissions granted. I would suggest the following:

- A noise barrier around the gardens of the plots identified in section 6 and erected as specified in Section 6 to the recommendations in Table 8 of the Environmental Noise Assessment (ENA) prepared by LOVEN acoustics ('Proposed Residential Development Cedars Park, Gun Cotton Way, Stowmarket Sites 3C and 3D), report number LA/1704/01aR/ML, dated 21 September 2020 report, will be required to ensure the noise levels in the gardens will be below the WHO limit of 55dB $L_{Aeq,16hour}$.
- I would suggest that a condition requiring pre-occupation independent testing would be required to ensure that WHO and BS8233 internal values are met.

Finally as the site is in proximity to existing dwellings, it is essential that a Construction Management Plan be in place to minimise loss of amenity arising from construction of the development as follows:.

- No development shall commence until a Construction and Environmental Management Plan (CEMP), to cover both demolition/site clearance and construction phases of the development, has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall be undertaken in accordance with best practice guidelines and BS: 5228:2009 + A1:2014 (and any revisions thereof). The plan shall include details of operating hours, scheduled timing/phasing of development for the overall construction period, means of access, traffic routes, vehicle parking and manoeuvring areas (site operatives and visitors), loading and unloading of plant and materials, location and management of wheel washing facilities, external lighting, location and nature of compounds and storage areas (including maximum storage heights), waste removal, location and nature of temporary buildings and boundary treatments, dust management, noise management (both in terms of workers and local residents, and to include noise limit at the nearest sensitive residential property, or agreed representative accessible monitoring point) and waste/litter management during the construction phases of the development. Thereafter, the approved construction plan shall be fully implemented and adhered to during the construction phases of the development hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Note: the Construction Management Plan shall be submitted in phases for each phase of construction so as to take account of protection measures for both newly constructed

(and occupier) dwellings as well as those dwellings which existed prior to commencement/

- No burning shall take place on site during the site clearance/demolition or construction phases of the development.

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

www.babergh.gov.uk www.midsuffolk.gov.uk

From: Nathan Pittam <Nathan.Pittam@babberghmidsuffolk.gov.uk>
Sent: 13 November 2020 08:16
To: Gemma Walker <Gemma.Walker@babberghmidsuffolk.gov.uk>
Cc: BMSDC Planning Mailbox <planning@babberghmidsuffolk.gov.uk>
Subject: DC/20/04723. Air Quality

Dear Gemma

EP Reference : 283000
DC/20/04723. Air Quality
Site 3c Land South Of, Gun Cotton Way, STOWMARKET, Suffolk.
Full Planning Application - Residential Development of No141 dwellings (49 affordable dwellings) with associated access, landscaping amenity space and parking.

Many thanks for your request for comments in relation to the above application from the perspective of local air quality management. I can confirm that given the planning history of the site I have no objection to the proposed development from the perspective of Local Air Quality Management.

Kind regards

Nathan

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

Babergh and Mid Suffolk District Councils – Working Together

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

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.



From: Peter Chisnall <Peter.Chisnall@babberghmidsuffolk.gov.uk>
Sent: 07 February 2021 22:46
To: BMSDC Planning Area Team Blue <planningblue@babberghmidsuffolk.gov.uk>
Subject: DC/20/04723

Dear Gemma,

APPLICATION FOR PLANNING PERMISSION - DC/20/04723

Proposal: Full Planning Application - Residential Development of No141 dwellings (49 affordable dwellings) with associated access, landscaping amenity space and parking.

Location: Site 3C And 3D Land South Of, Gun Cotton Way, Stowmarket, Suffolk

Reason(s) for re-consultation: Agent's covering letter and additional information received by the Local Planning Authority on the 18th January 2021.

Many thanks for your request to comment on the Sustainability/Climate Change mitigation aspects of this re-consultation.

I have viewed the additional documents posted by the applicant on 18th January. In particular the Applicant Agent's response to my previous consultation comments and subsequently the revised documents posted, the Sustainability Statement and Sustainability Plan.

I am pleased that the applicant has confirmed compliance with the Suffolk Parking Guidance and will install electric vehicle charging points at the dwellings as shown on Bw225-pl-08_sustainability plan rev a.

The contents of the sustainability statement meet the requirements of the of Council's core strategy and the NPPF in terms of sustainability However it is unfortunate that the construction design of the dwellings could not be improved to meet the requirement of the Councils' declaration of a Climate Emergency.

In the Sustainability Statement the applicant's energy specialist has stated that it would not be possible to retrofit the properties to a higher standard and they would be unable to meet the commitments that the UK Govt has put in place in terms of the Future Homes Standard and the ultimate target of zero carbon by 2050.

The UK Govt indicated in January the steps that will be taken to have interim Part L Buildings Regulations with improved Fabric Efficiency requirements in place by 2022 as a precursor to even higher requirements in the Future Homes Standard in 2025. Future developments will be expected to take this into account.

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
www.babergh.gov.uk www.midsuffolk.gov.uk

From: Peter Chisnall <Peter.Chisnall@babberghmidsuffolk.gov.uk>
Sent: 11 November 2020 22:35
To: BMSDC Planning Area Team Blue <planningblue@babberghmidsuffolk.gov.uk>
Subject: DC/20/04723

Dear Gemma,

APPLICATION FOR PLANNING PERMISSION - DC/20/04723

Proposal: Full Planning Application - Residential Development of No141 dwellings (49 affordable dwellings) with associated access, landscaping amenity space and parking.

Location: Site 3C And 3D Land South Of, Gun Cotton Way, Stowmarket, Suffolk

Many thanks for your request to comment on the sustainability/Climate Change Aspects of this Application.

I have viewed the applicant's documents relevant to this topic and I welcome their mention of a fabric first approach in the Energy Statement repeated in the Planning Statement. There is also mention of electric vehicle charging points in the Planning statement.

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.

There is a checklist at the website detailed below that will help with this process.

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 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.

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/>

<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/parking-guidance/>

The Sustainability and Energy strategy should take into account the following:

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.

If the development is constructed with levels of insulation to just equal or slightly better the current building regulations Part L requirements they will need to be retrofitted within a few years to meet the National milestones and targets leading up to zero carbon emissions by 2050.

We now ask that any 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.

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

Consultee Comments for Planning Application DC/20/04723

Application Summary

Application Number: DC/20/04723

Address: Site 3C And 3D Land South Of Gun Cotton Way Stowmarket Suffolk

Proposal: Full Planning Application - Residential Development of No141 dwellings (49 affordable dwellings) with associated access, landscaping amenity space and parking.

Case Officer: Gemma Walker

Consultee Details

Name: Mr James Fadeyi

Address: Mid Suffolk District Council Depot, Creeting Road West, Stowmarket, Suffolk IP14 5AT

Email: Not Available

On Behalf Of: MSDC - Waste Manager (Major Developments)

Comments



Hi Gemma,

I have no objection to this application.

Kind regards,

James

Consultation Response Pro forma



1	Application Number	DC/20/04723	
2	Date of Response	25/01/2021	
3	Responding Officer	Name:	James Fadeyi
		Job Title:	Waste Management Officer
		Responding on behalf of...	Waste Services
4	Recommendation (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	
5	Discussion 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> <div style="text-align: center;">  ELITE 6 - 8x4MS (Mid Steer) Wide Track Dat </div> <p>See the latest waste guidance on new developments.</p> <div style="text-align: center;">  SWP Waste Guidance v.21.docx </div> <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. These are required for approval.</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.

6	Amendments, Clarification or Additional Information Required (if holding objection) If concerns are raised, can they be overcome with changes? Please ensure any requests are proportionate	
7	Recommended conditions	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.

Consultation Response Pro forma

1	Application Number	DC/20/04723	
2	Date of Response		
3	Responding Officer	Name:	James Fadeyi
		Job Title:	Waste Management Officer
		Responding on behalf of...	Waste Services
4	Recommendation (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	
5	Discussion 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> <div style="text-align: center;">  ELITE 6 - 8x4MS (Mid Steer) Wide Track Dat </div> <p>See the latest waste guidance on new developments.</p> <div style="text-align: center;">  SWP Waste Guidance v.21.docx </div> <hr style="width: 20%; margin: 10px auto;"/> <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. These are required for approval.</p>	

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6	Amendments, Clarification or Additional Information Required (if holding objection) If concerns are raised, can they be overcome with changes? Please ensure any requests are proportionate	
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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.

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

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

Sent: 03 November 2020 15:39

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

Subject: RE: MSDC Planning Consultation Request - DC/20/04723

Public Realm Officers are supportive of the proposals for ecological enhancements along the already existing wildlife protection area.

It is disappointing that there are no formal areas of public open space or play areas associated with this phase of development. Existing play provision may not have been designed to accommodate the additional use that will inevitably result from this development and the location of play facilities on the far side of the busy arterial road through the site is an added risk.

Regards

Dave Hughes
Public Realm Officer

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

From: planningblue@baberghmidsuffolk.gov.uk <planningblue@baberghmidsuffolk.gov.uk>

Sent: 23 October 2020 16:12

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

Subject: MSDC Planning Consultation Request - DC/20/04723

Please find attached planning consultation request letter relating to planning application - DC/20/04723 - Site 3C And 3D Land South Of, Gun Cotton Way, Stowmarket, 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.

From: David Pizzey <David.Pizzey@baberghmidsuffolk.gov.uk>
Sent: 27 January 2021 10:06
To: Gemma Walker <Gemma.Walker@baberghmidsuffolk.gov.uk>
Cc: BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>
Subject: DC/20/04723 Site 3C And 3D Land South Of, Gun Cotton Way, Stowmarket

Gemma

I have no objection to this application subject to it being undertaken in accordance with the measures outlined in the accompanying arboricultural report, an appropriate condition should be used for this purpose. Although a number of trees are proposed for removal they are generally of limited amenity and their loss will have negligible impact within the wider landscape. If you are minded to recommend approval we will also require a detailed Arboricultural Method Statement in order to help avoid harm being caused to the trees scheduled for retention, this can be dealt with under condition.

Regards

David

David Pizzey FArborA
Arboricultural Officer
Tel: 01449 724555
david.pizzey@baberghmidsuffolk.gov.uk
www.babergh.gov.uk and www.midsuffolk.gov.uk
Babergh and Mid Suffolk District Councils – Working Together

Comments for Planning Application DC/20/04723

Application Summary

Application Number: DC/20/04723

Address: Site 3C And 3D Land South Of Gun Cotton Way Stowmarket Suffolk

Proposal: Full Planning Application - Residential Development of No141 dwellings (49 affordable dwellings) with associated access, landscaping amenity space and parking.

Case Officer: Gemma Walker

Customer Details

Name: Mrs Linda Hoggarth

Address: 26 Gipping Way, Bramford, Ipswich, Suffolk IP8 4HP

Comment Details

Commenter Type: Amenity Group

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: 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 this 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 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.

No surfaces of footpaths, driveways or roads, should be of loose gravel, cobbles or uneven setts. Surfaces should be firm, durable, and level.

The Stowmarket Society

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

12 November 2020

Dear Sirs

DC/20/04723 - Residential Development of No141 dwellings (49 affordable dwellings) with associated access, landscaping amenity space and parking. | Site 3C And 3D Land South Of Gun Cotton Way Stowmarket Suffolk

The Stowmarket Society feels moved to comment on this application.

The general layout and elevational treatment will not look out of place in its context. It is neat and tidy without being inspired, but it does not really create much sense of place.

Certain issues should be considered

- (1) There is no equipped play area for this large development. Where are children to play?
- (2) The layout is generally unsatisfying with little consideration given to townscape and creation of a sense of place or consideration of the impact of the sloping valley side site. In particular we felt that the cul-de-sac at the back of Costa's could benefit from a closing feature.
- (3) The three storey flats block at the eastern end of the site is most unfortunate. While its design is deadly dull, the ostentatious placing of this tall block right on the skyline adds to its injurious impact over a wide swathe of the local countryside.
- (4) Materials are critically important and should be chosen with care from Suffolk vernacular traditions. Some modern bricks and roof tiles do the overall development no favours.

J Pattle - Secretary

The Stowmarket Society, 19 Bond Street, Stowmarket, IP14 1HR

Objection lodged on behalf of Cedars Park Residents Association by the Committee

Any residential development has to balance quality and space. This development falls short on both counts having moved from an application in 2018 for 116 properties to 141, (47 affordable): This is a sizeable increase, which inevitably condenses space for residents and leads to potential impacts on broader amenity as discussed below. If the overall number of residences were to be reduced to 120, the proportion of affordable homes could still achieve 35%, translating into 42 units.

In terms of building design, our primary concern is with the apartment blocks. One sits virtually on Guncotton Way; a three-storey building at this location may well appear too imposing to established residents living nearby. The other block has a rather austere appearance. Both have small windows, with seemingly limited views. These need redesigning to fit in with the surrounding properties on Cedars Park and to improve the visual amenity, both for those who will occupy them and those who live nearby.

The design of internal roads and property access needs to ensure the right lessons are drawn from recent local developments in relation to promoting social harmony. In specific terms, if property densities are too high in relation to the available road space, disputes between neighbours over on-road parking will inevitably result: We already have reports of this type of dispute arising in parts of Cedars Park.

In terms of local amenities, the application mentions two surgeries nearby: One is reportedly full, the other is not easily accessible without a car or taxi, and there is limited public transport to facilitate attendance. There is, reportedly, also a shortage of NHS dental provision locally. Local schools are also referred to: The nearest - Cedars Park Primary - is also believed to be full.

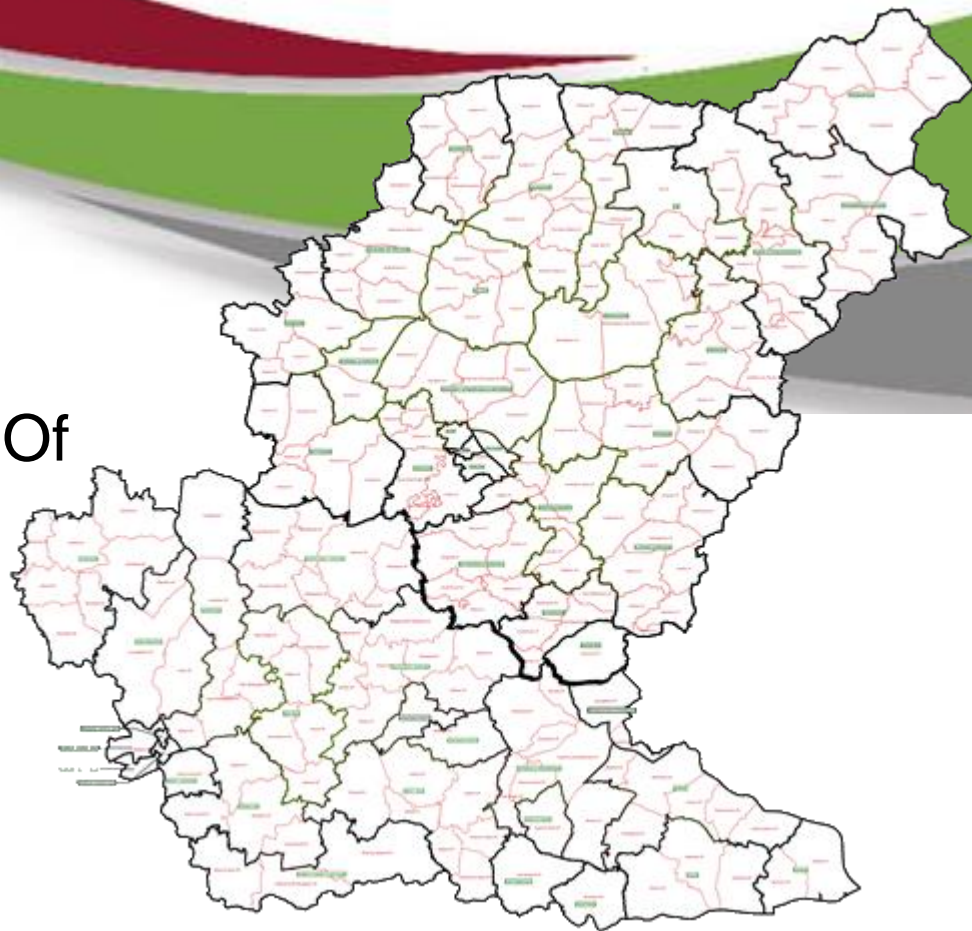
The plans include an extensive traffic assessment. However, it is not clear that these include the impact of the Gateway 14 business park currently proposed at the eastern boundary of Cedars Park: Like the estate, this scheme will utilise the main A1120 roundabout as a principal road access point, and any further development within Cedars Park needs to take account of the combined impacts.

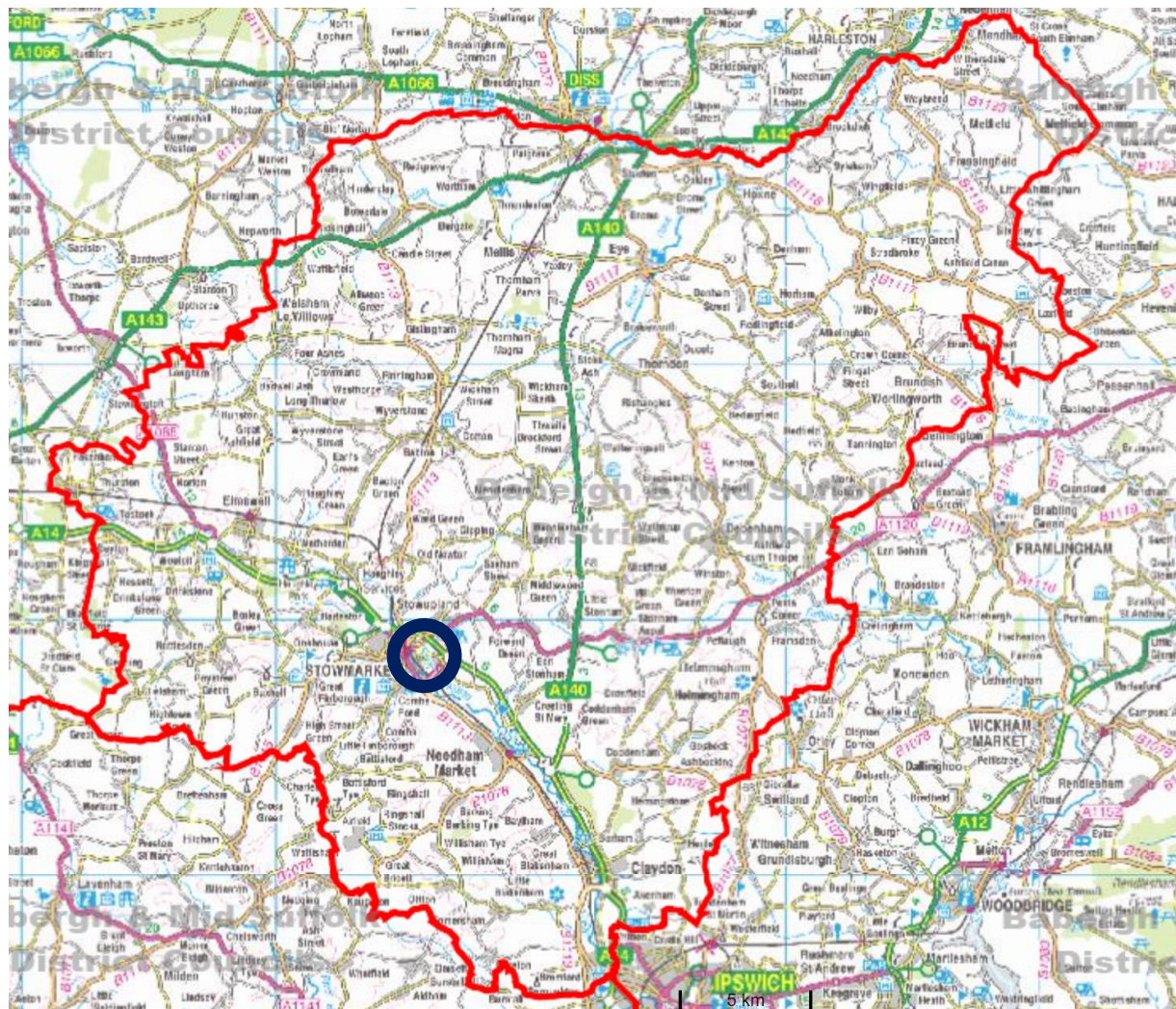
In summary, this development should be declined pending review of density, design, impacts on traffic and accessibility of necessary local facilities.

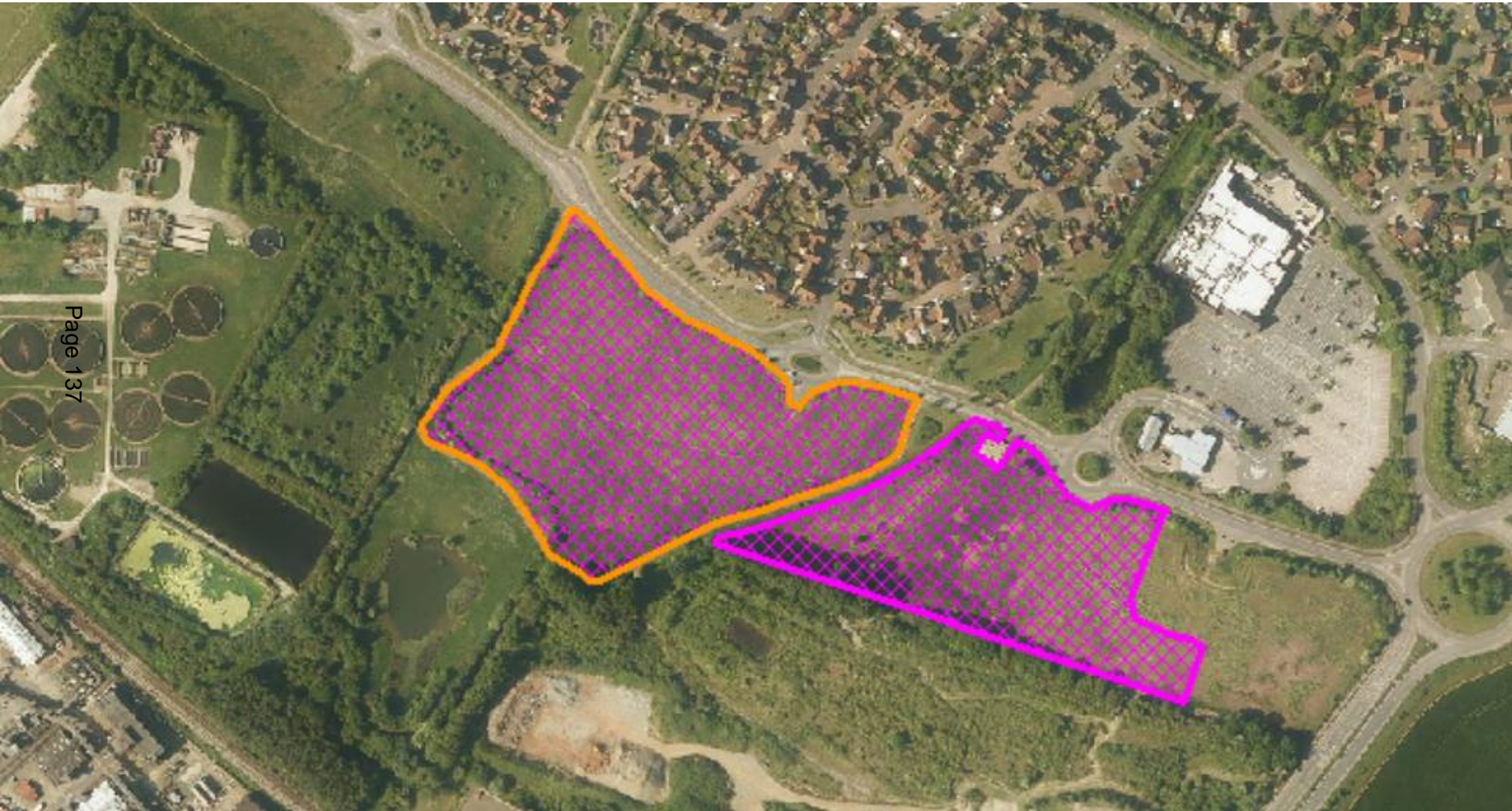
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Application No:
DC/20/04723

Address:
Site 3C And 3D Land South Of
Gun Cotton Way,
Stowmarket







Aerial Map – wider view

Slide 4



Site Location Plan

Slide 5



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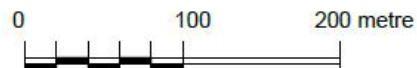
Bellway

Bellway Homes Essex,
Bellway Homes
1 Clarendon Square,
Chelmsford
Essex,
CM1 1AG
Tel: 0206 222222
Fax: 0206 222222

Project:
**Areas 3C & 3D
Stowmarket,
Suffolk**

Description:
Location Plan

Date: Jan 2020 Drawing Scale: 1:500 @ A3
Drawing Number: BHW25-LP-01_Location Plan_rev00 Revision:



Constraints Map



Flood Zone 2

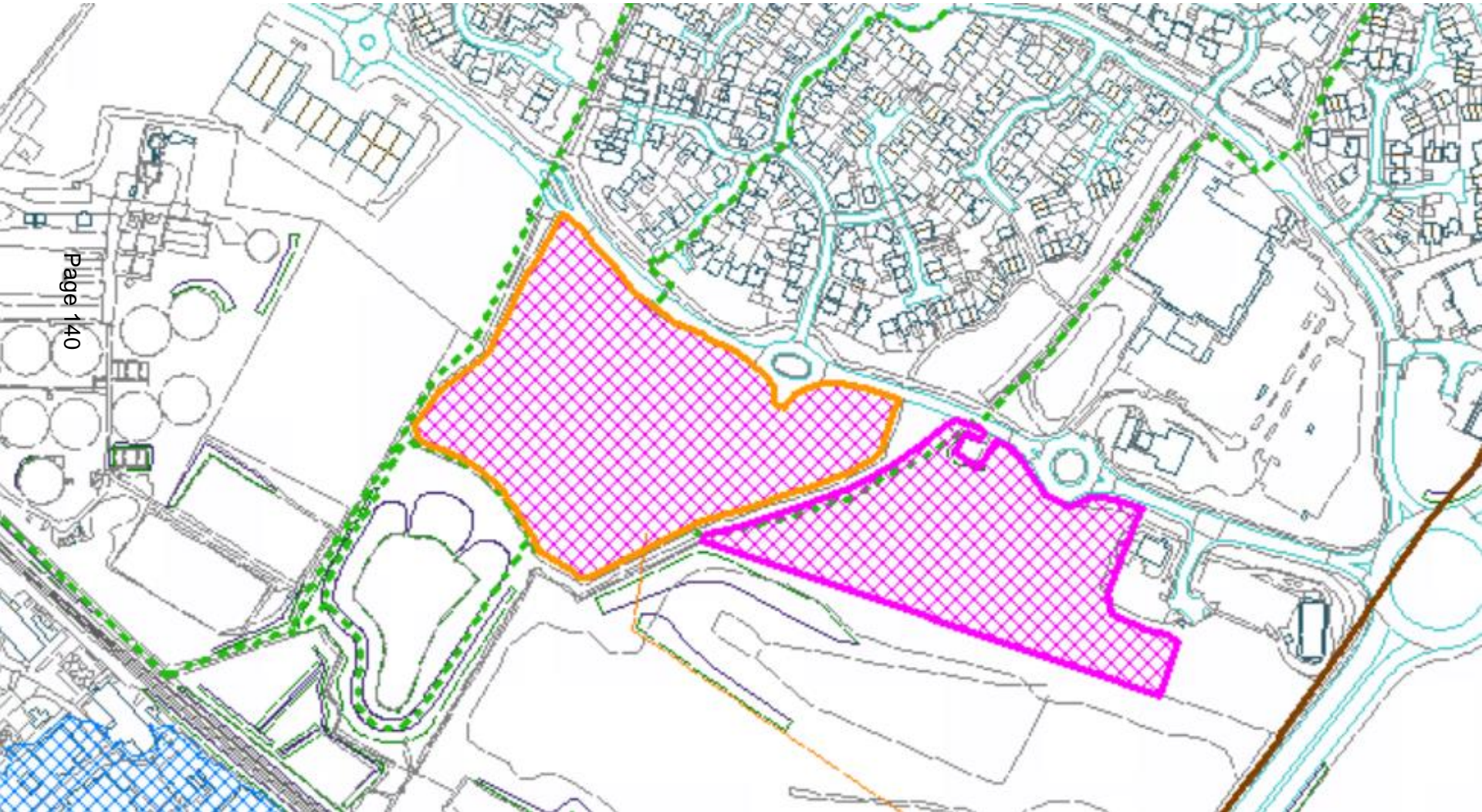


Public Rights of Way



Built Up Area Boundaries

Slide 6



Site Layout



Page 141

Detailed Layout

Slide 8



Legend

- 1.2m high close board fence
- 1.2m High Larch lap fence
- 1.2m high feature fencing
- 1.8m Acoustic Barrier
- 1.2m high close board gate
- ▽ Garage personnel door
- ≡ House Type Reference
- Flat number
- Allocated parking space
- Garage Parking 19 spaces
- Garage spaces 10 additional spaces
- 2.0m x 5.0m parking 272 no spaces
- Informal Visitor Parking 0 no spaces
- Formal Visitor Parking 30 no spaces
- Affordable dwelling

Parking Plan

Slide 10



Area 3C



Area 3D

- ### Legend
- HT House Type Reference
 - P Plot number
 - Allocated parking space
 - Garage Parking 19 spaces
 - Garage spaces 10 additional spaces
 - 3.9m x 5.5m parking 272 no spaces
 - Formal Visitor Parking 35 no spaces
 - VP
 - Affordable dwelling
 - Rented Unit
 - Show if Ownership
 - Cycle Parking
 - Red dots denotes number of Bedrooms



Selling Homes From
 100,000
 01206 376000
 www.bellway.co.uk

Project:
Area 3C & 3D
Stowmarket,
Suffolk

Drawing:
Parking Plan

Date:
 Oct 2019

Drawing No:
 1-000-040

Designation:
 P101

Project:
 BW25-PL-04_Parking Plan_rev E

Street Elevations A and B

Slide 12

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Street Elevation 'A'



Street Elevation 'B'



Key N.T.S



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Bellway

Bellway Homes
 20000
 20000
 20000
 20000
 20000
 20000

Project:
 Areas 3C & 3D
 Stowmarket,
 Suffolk
 Drawings:
 Street Elevations
 A & B.

Date:
 Sep 2020
 Drawing Scale:
 1:100 @ A0
 Drawing Number:
 BR225-S1-01
 Revision:
 A

Street Elevation 'C'



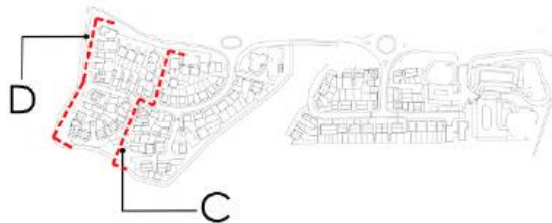
Ploughweight Plot 1001, Jalmer Plot 1002, Jalmer Plot 1003, Thexplan Plot 1004, Silversmith Plot 1005, Chandler Plot 1006, Quiller Plot 1007, Quiller Plot 1008, Holstead Plot 1009

Street Elevation 'D'



Silversmith Plot 1010, Sculptor Plot 1011, Chandler Plot 1012, Chandler Plot 1013, Silversmith Plot 1014, Silversmith Plot 1015, Chandler Plot 1016, Sculptor Plot 1017, Silversmith Plot 1018

Key N.T.S



Street Elevation E

Slide 14

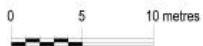
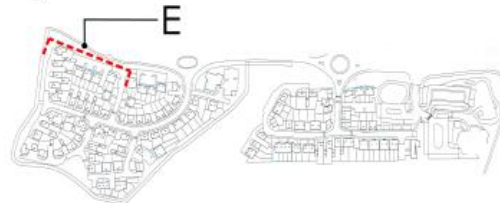
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Street Elevation 'E'



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Key N.T.S



Bellway Home Plans
 Sales/Marketing
 Planning/Design
 Customer
 Service
 0800 704 000
 www.bellway.co.uk

Project:
Areas 3C & 3D
Stowmarket
Suffolk

Description:
Street Elevation E.

Date: Sept 2020
 Drawing number: BW25-ST-03

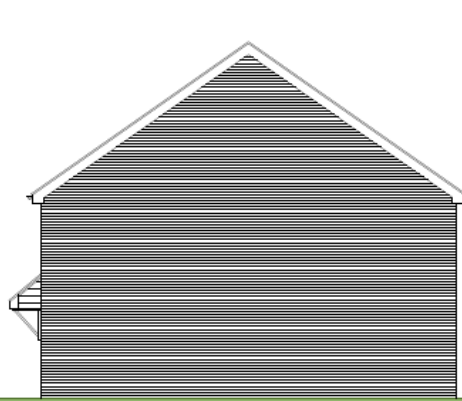
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 Revision: 00

Baker Elevations

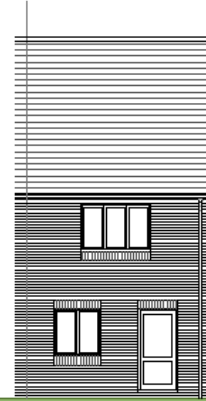
JCN DESIGN & PLANNING



Front Elevation



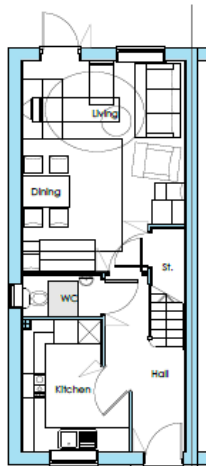
Side Elevation



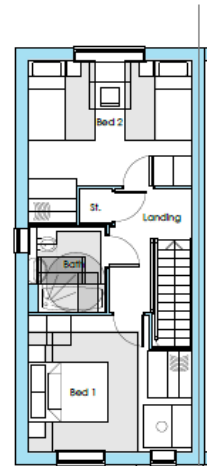
Rear Elevation



Side Elevation



Ground Floor Plan



First Floor Plan



Project-
Cedars Park,
Stowmarket, Suffolk.

Description-
BAKER (Country Brick)
Proposed Floor Plans & Elevations



Scale:-
1-100 @ A3
Date:-
Aug 2020
Dig no:-
BW225_AH-15-01_Baker_rev-00
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Baker Elevations

JCN DESIGN & PLANNING

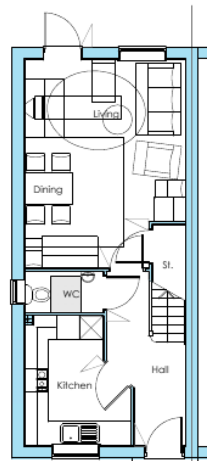


Front Elevation

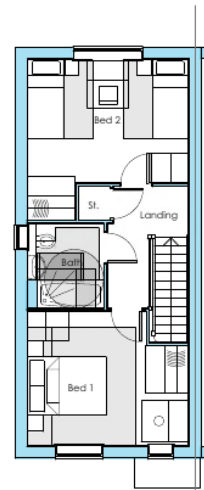
Side Elevation

Rear Elevation

Side Elevation



Ground Floor Plan



First Floor Plan



Page 150

Project:
Cedars Park,
Stowmarket, Suffolk.

Description:
BAKER (Town Brick)
Proposed Floor Plans & Elevations

Bellway Homes Essex Bellway House,
1 Custard Square
Chelmsford, Essex,
CM1 1AQ. Tel: 01204 - 25999
Fax: 01204 - 25996

Scale: 1-100 @ A3 Date: Aug 2020

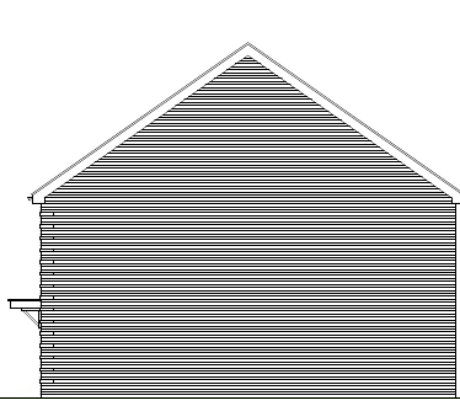
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Baker Elevations

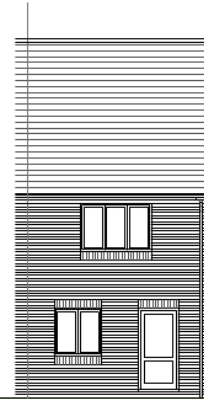
JCN DESIGN & PLANNING



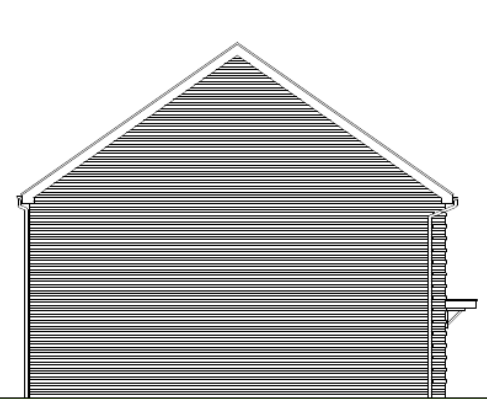
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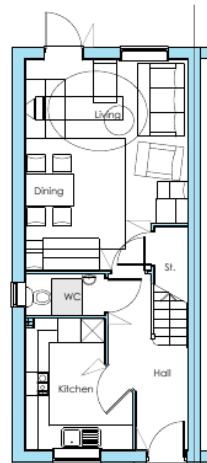
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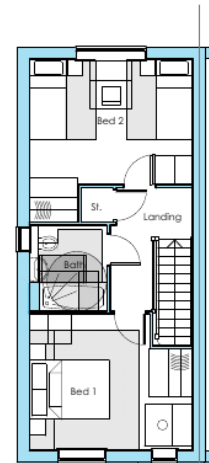
Rear Elevation



Side Elevation



Ground Floor Plan



First Floor Plan



Project:
Cedars Park,
Stowmarket, Suffolk.

Description:
BAKER (Town Feature Brick)
Proposed Floor Plans & Elevations

Bellway Homes Essex Bellway House,
1 Cunard Square
Chelmsford, Essex,
CM1 1AQ. Tel: 01204 20999
Fax: 01204 20996

Scale: 1-100 @ A3 Date: Aug 2020

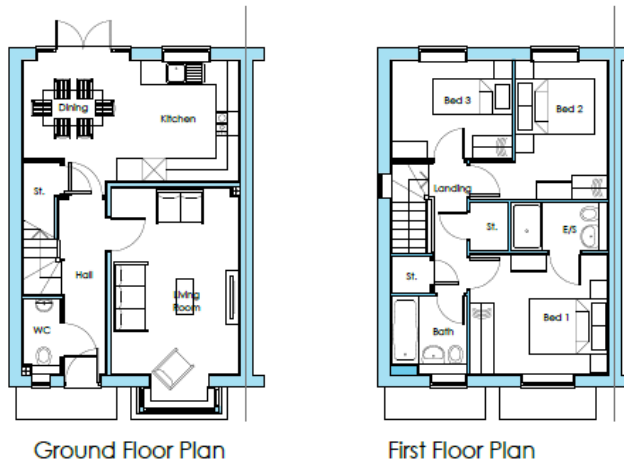
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Chandler Elevations

JCN DESIGN & PLANNING



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Project-
Cedars Park,
Stowmarket, Suffolk.
Description-

CHANDLER (Country Brick)
Proposed Floor Plans & Elevations



Scale-
1-100 @ A3 Date-
Aug 2020

Digital-
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Chandler Elevations

JCN DESIGN & PLANNING

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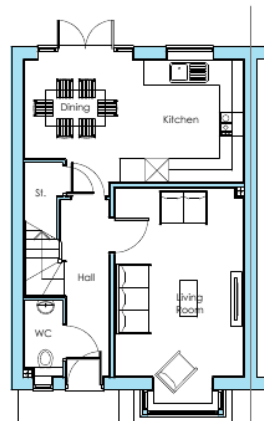


Front Elevation

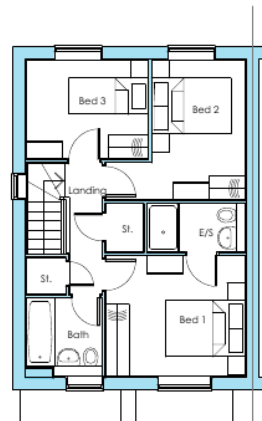
Side Elevation

Rear Elevation

Side Elevation



Ground Floor Plan



First Floor Plan



Project:-
Cedars Park,
Stowmarket, Suffolk.

Description:-
CHANDLER (Town Brick)
Proposed Floor Plans & Elevations



Bellway Homes Essex - Bellway House,
1 Curand Square
Chelmsford, Essex,
CM1 1AQ.

Tel: 01206 - 220000

Fax: 01206 - 220000

Scale:- 1-100 @ A3 Date:- Aug 2020

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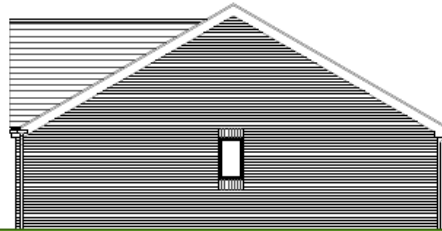
Woodcarver Elevations



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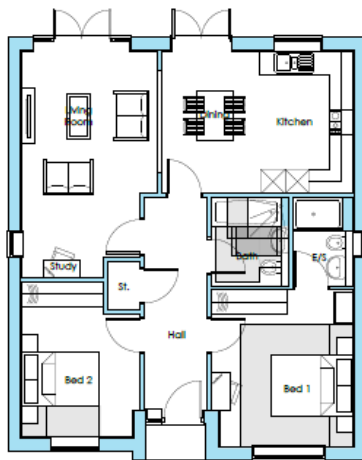
Front Elevation



Side Elevation



Rear Elevation



Side Elevation

Project-
Cedars Park,
Stowmarket, Suffolk.

Description-
WOODCARVER

Proposed Floor Plans & Elevations



Scale-
1-100 @ A3
Date-
Aug 2020
Dgn no-
BW225-AH-20-01_Woodcarver_rev-00
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Front Elevation



Side Elevation



Rear Elevation



Side Elevation

Project-
Cedars Park,
Stowmarket, Suffolk.
Description-

SILVERSMITH (WBd)
Proposed Elevations



Scale- 1-100 @ A3 Date- Aug 2020

Drawing- BW225-HT-10-01_Silversmith_rev-00

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Silversmith Elevations

JCN DESIGN & PLANNING

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Front Elevation



Side Elevation



Rear Elevation



Side Elevation



Project:-
Cedars Park,
Stowmarket, Suffolk.

Description:-
SILVERSMITH (TBrick)
Proposed Elevations



Bellway Homes Essex Bellway House,
1 Curard Square
Chelmsford, Essex,
CM1 1AQ. Tel: 01246 - 25985
Fax: 01246 - 25986

Scale:- 1-100 @ A3 Date:- Aug 2020

Dwg no:- BW225-HT-11-01_Silversmith_rev-00

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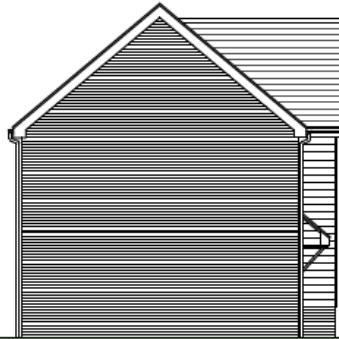
Sculptor Elevations

JCN DESIGN & PLANNING

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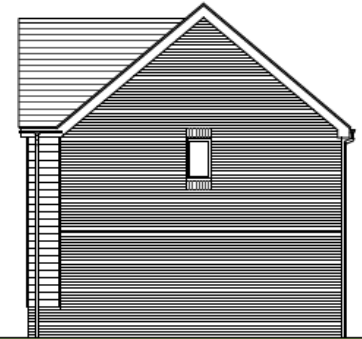
Front Elevation



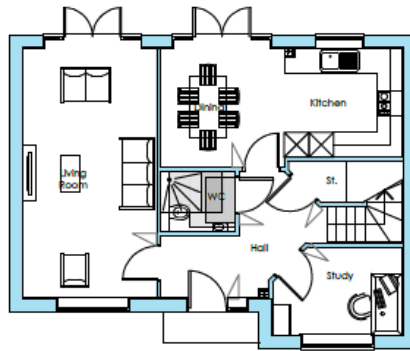
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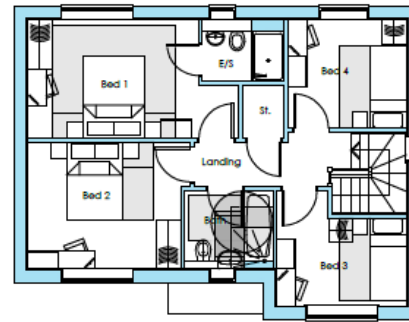
Rear Elevation



Side Elevation



Ground Floor Plan



First Floor Plan

Project-
Cedars Park,
Stowmarket, Suffolk.

Description-
SCULPTOR
(Country Boarding)
Proposed Floor Plans & Elevations



Bellway Homes Essex - Bellway House,
11 Current Square
Chelmsford, Essex,
CM1 1AQ. Tel: 01206 22888
Fax: 01206 22888

Scale- 1:100 @ A3 Date- Aug 2020

Dwg no- BW225-HT-13-01_Sculptor_rev-00

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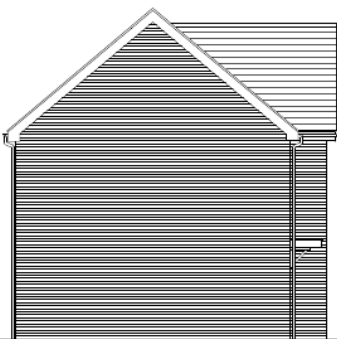
Sculptor Elevations

JCN DESIGN & PLANNING

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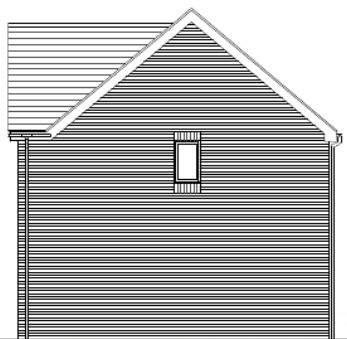
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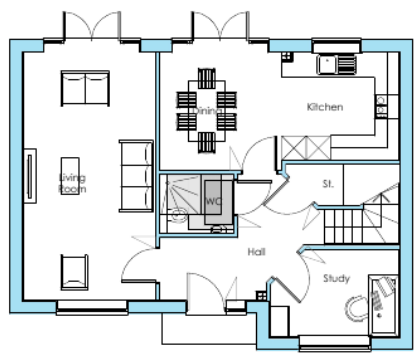
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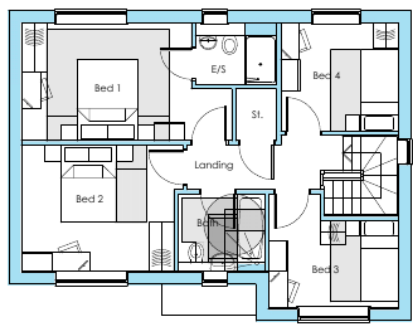
Rear Elevation



Side Elevation



Ground Floor Plan



First Floor Plan



Project:
Cedars Park,
Stowmarket, Suffolk.
Description:
SCULPTOR
(Town Brick)
Proposed Floor Plans & Elevations



Bellway Homes Essex, Bellway House,
1 Cunard Square
Chelmsford, Essex,
CM1 1AQ. Tel: 01345 25993
Fax: 01345 25999

Scale:- 1-100 @ A3 Date:- Aug 2020
Dwg no:- BW225-HT-14-01_Sculptor_rev-00
www.jcnplanning.co.uk - info@jcnplanning.co.uk - 01273 512077

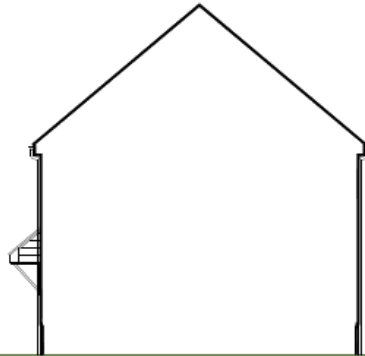
Halstead Elevations



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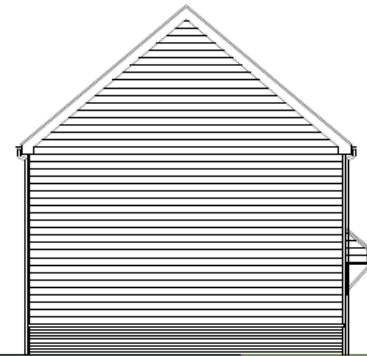
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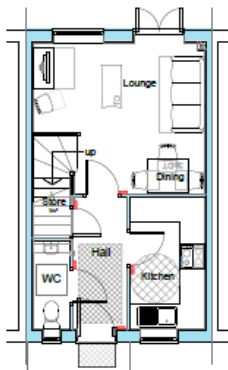
Party Wall



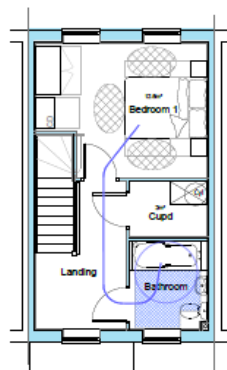
Rear Elevation



Side Elevation



Ground Floor Plan



First Floor Plan



Ground Floor Plan

First Floor Plan

Project:
Cedars Park,
Stowmarket, Suffolk.

Description:
HALSTEAD
Proposed Floor Plans & Elevations



Scale:
1-100 @ A3

Date:
Aug 2020

Drawn:
BW225_AH-19-01_Halstead_rev-00

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Joiner Elevations

JCN DESIGN & PLANNING

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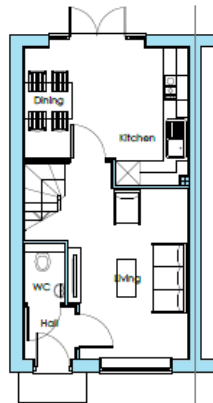


Front Elevation

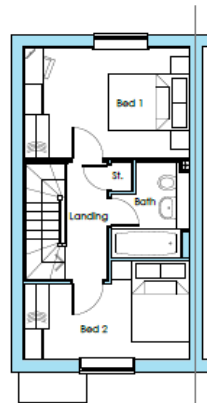
Side Elevation

Rear Elevation

Side Elevation



Ground Floor Plan



First Floor Plan

Project- Cedars Park, Stowmarket, Suffolk.

Description-

Joiner (Country Brick)
Proposed Floor Plans & Elevations



Bellway Homes Essex Bellway House,
1 Clarendon Square,
Chelmsford, Essex,
CM1 1AQ. Tel 01246-35888
Fax 01246-35888

Scale: 1-100 @ A3 Date: Aug 2020

Dwg no: BW225-HT-00-01_Joiner_rev-00

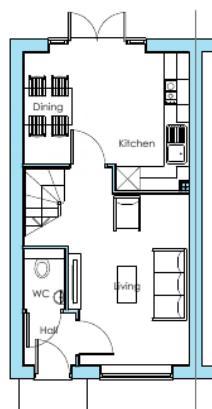
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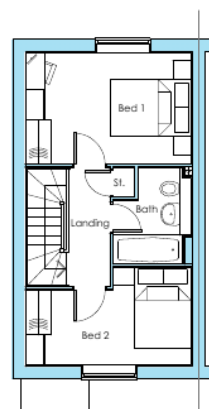
Joiner Elevations

JCN DESIGN & PLANNING

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Ground Floor Plan



First Floor Plan



Project:-
Cedars Park,
Stowmarket, Suffolk.

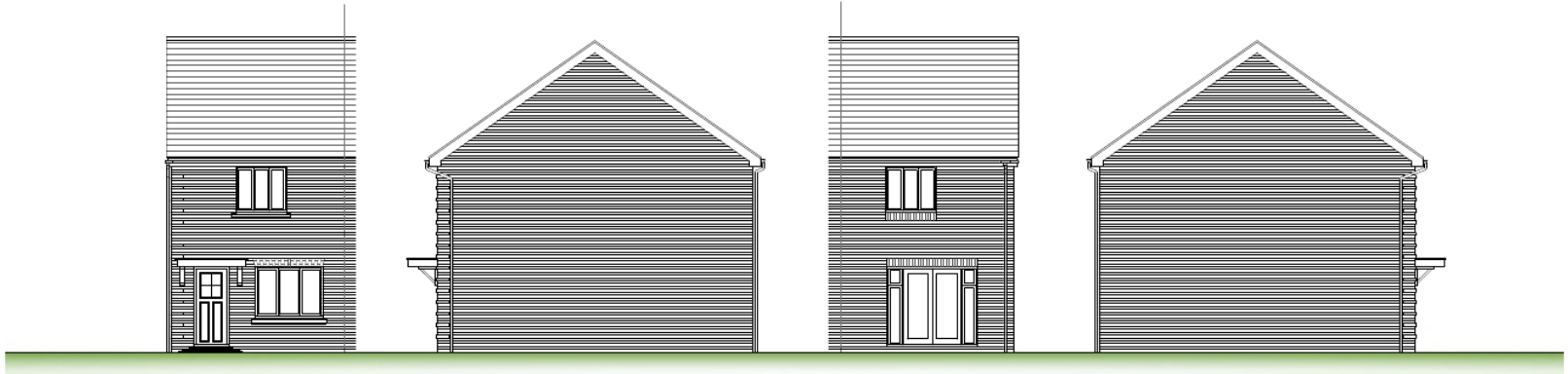
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Joiner (Town Brick)
Proposed Floor Plans & Elevations

Bellway Homes Essex Bellway House,
1 Cunard Square
Chelmsford, Essex,
CM1 1AQ. Tel: 01246 258883
Fax: 01246 258882

Scale:- 1-100 @ A3 Date:- Aug 2020
Dwg no:- BW225-HT-01-01_Joiner_rev-00

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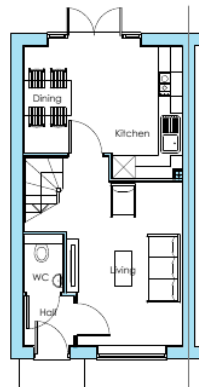


Front Elevation

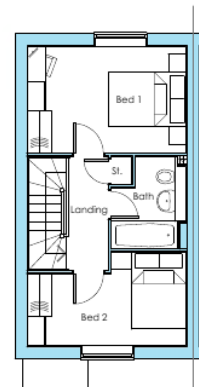
Side Elevation

Rear Elevation

Side Elevation



Ground Floor Plan



First Floor Plan



Project:
Cedars Park,
Stowmarket, Suffolk.

Description:
Joiner (Town Feature Brick)
Proposed Floor Plans & Elevations



Scale:
1-100 @ A3
Date:
Aug 2020
Dwg no:
BW225-HT-02-01_Joiner_rev-00
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Ploughwright Elevations

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Front Elevation

Side Elevation

Rear Elevation

Side Elevation

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Ground Floor Plan

First Floor Plan

Project:
Cedars Park,
Stowmarket, Suffolk.

Description:
PLOUGHWRIGHT
(Town Feature Brick)
Proposed Floor Plans & Elevations



Scale:
1-100 @ A3

Date:
Aug 2020

Dwg no:
BW225-AH-21-01_Ploughwright_rev-00

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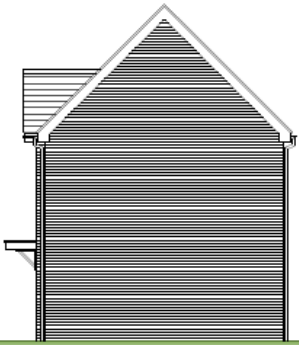
Quilter Elevations

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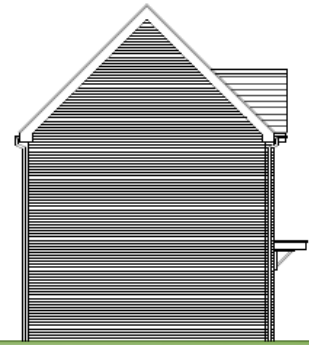
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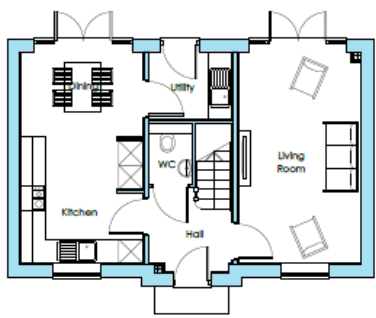
Side Elevation



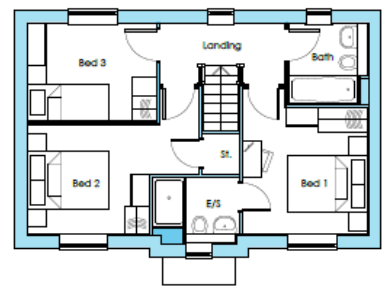
Rear Elevation



Side Elevation



Ground Floor Plan



First Floor Plan



Project-
Cedars Park,
Stowmarket, Suffolk.
Description-
QUILTER (Town Brick)
Proposed Floor Plans & Elevations



Scale- 1-100 @ A3 Date- Aug 2020
Dwg no- BW225-HT-08-01_Quilter_rev-00
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Quilter Elevations

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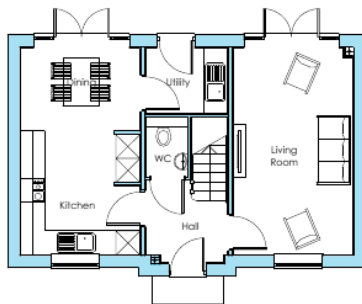


Front Elevation

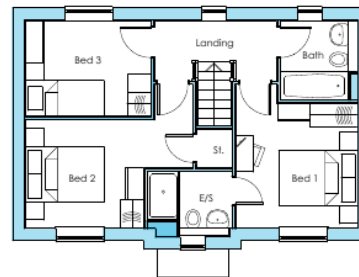
Side Elevation

Rear Elevation

Side Elevation



Ground Floor Plan



First Floor Plan



Project:-
Cedars Park,
Stowmarket, Suffolk.

Description:-
QUILTER Country Brick
Proposed Floor Plans & Elevations



Bellway Homes Essex Bellway House,
1 Cunard Square
Chelmsford, Essex,
CM1 1AQ.

Scale:- 1-100 @ A3 Date:- Aug 2020

Dwg no:- BW225-HT-07-01_Quilter_rev-00

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Scriviner Elevations



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Front Elevation



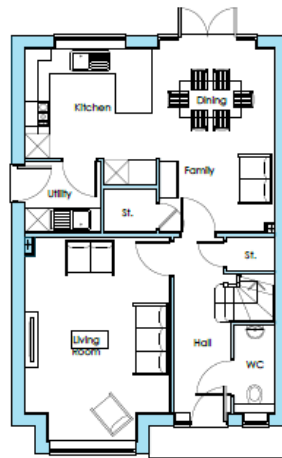
Side Elevation



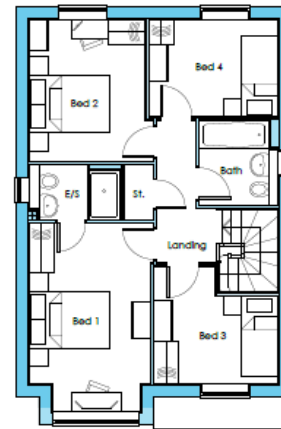
Rear Elevation



Side Elevation



Ground Floor Plan



First Floor Plan

Project - Cedars Park, Stowmarket, Suffolk.

Description - SCRIVINER (Country Brick)

Proposed Floor Plans & Elevations



Scale - 1:100 @ A3 Date - Aug 2020

Drawing no - BW225-HT-12-01_Scriviner_rev-00

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Thespian Elevations

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Front Elevation



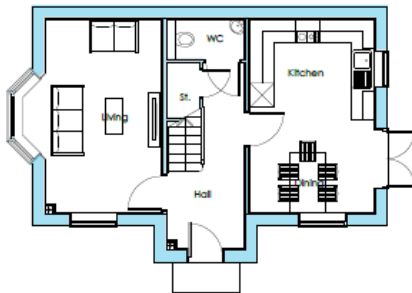
Side Elevation



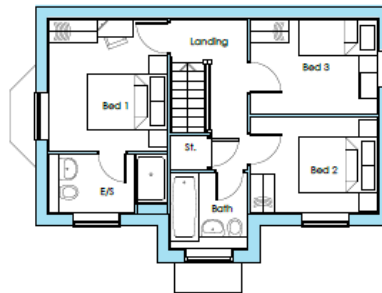
Rear Elevation



Side Elevation



Ground Floor Plan



First Floor Plan

Project:
Cedars Park,
Stowmarket, Suffolk.

Description:
THESPIAN (Country Brick)
Proposed Floor Plans & Elevations



Scale:
1-100 @ A3

Date:
Aug 2020

Dwg no.:
BW225-HT-03-01_Thespian_rev-00

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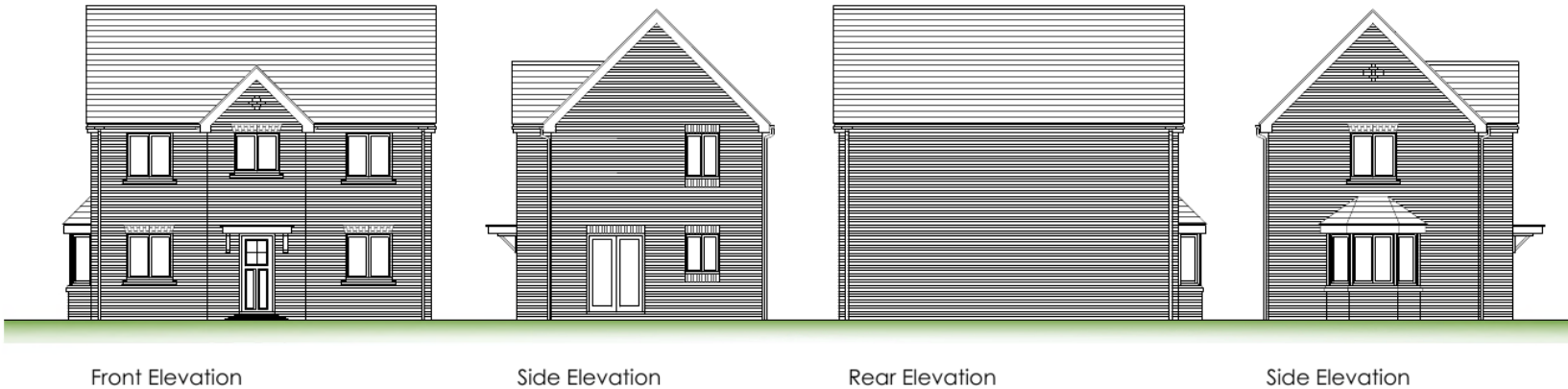


Thespian Elevations

Slide 34

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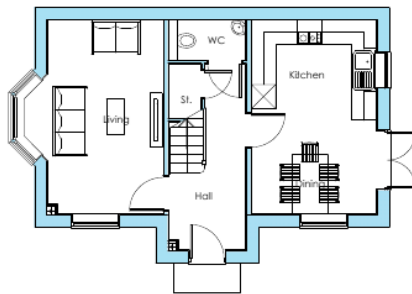


Front Elevation

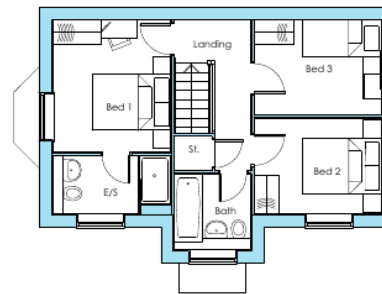
Side Elevation

Rear Elevation

Side Elevation



Ground Floor Plan



First Floor Plan



Project:-
Cedars Park,
 Stowmarket, Suffolk.
 Description:-
THESPIAN (Town Brick)
 Proposed Floor Plans & Elevations

Bellway Homes Essex Bellway House,
 1 Cunard Square
 Chelmsford, Essex,
 CM1 1AQ.

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 Date:- Aug 2020
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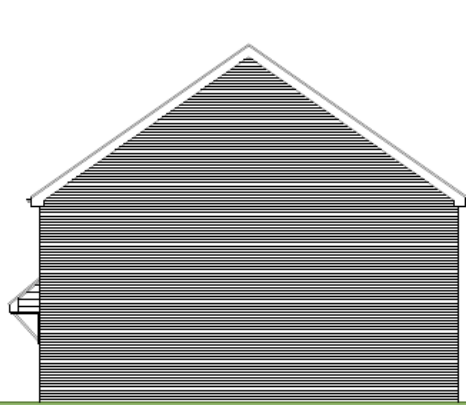
Tillman Elevations

JCN DESIGN & PLANNING

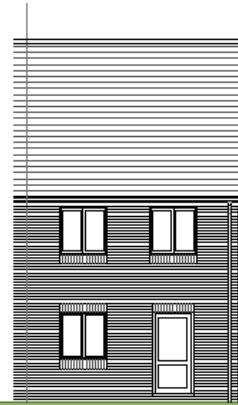
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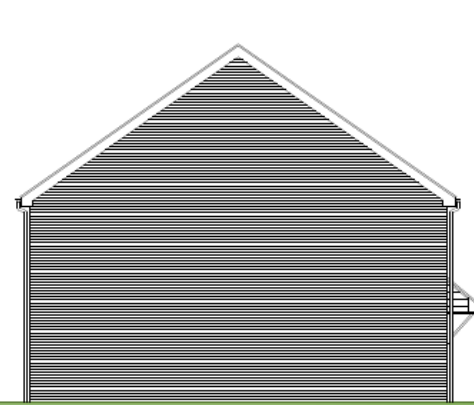
Front Elevation



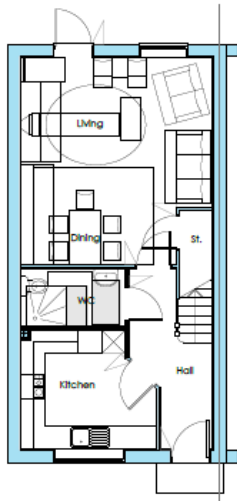
Side Elevation



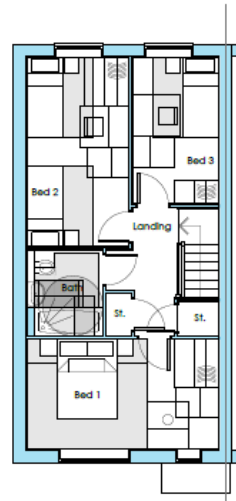
Rear Elevation



Side Elevation



Ground Floor Plan



First Floor Plan



Project:-
Cedars Park,
Stowmarket, Suffolk.

Description:-

TILLMAN
Proposed Floor Plans & Elevations



Bellway Homes Essex: Bellway House,
1 Cunard Square
Chelmsford, Essex,
CM1 1AQ.

Tel 01246 355666
Fax 01246 355666

Scale:-
1-100 @ A3

Date:-
Aug 2020

Dwg No:-
BW225-AH-18-01_Tillman_rev-00

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Elevations Block B

Slide 37

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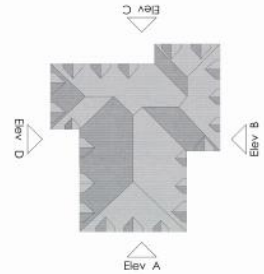
Elevation A

Elevation B



Elevation C

Elevation D



Affordable
3 Storey
9 x 2b apt

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Agenda Item 7b

Committee Report

Item 7B

Reference: DC/20/04572

Case Officer: John Pateman-Gee

Ward: Rattlesden.

Ward Member/s: Cllr Penny Otton.

RECOMMENDATION – GRANT PLANNING PERMISSION.

Description of Development

Planning Application - Erection of 3no. detached dwellings and associated parking and landscaping, utilising the existing public house access.

Location

Land Rear Of The Six Bells, Church Road, Felsham, Suffolk

Expiry Date: 22/01/2021

Application Type: FUL - Full Planning Application

Development Type: Minor Dwellings

Applicant: Cordage 13 Limited

Agent: CPC Limited

Parish: Felsham

Site Area: 0.17ha

Density of Development:

Gross Density (Total Site): 18 Dwellings per 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

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee as it was called in by the Local Ward Member.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

NPPF - National Planning Policy Framework

NPPG-National Planning Policy Guidance

CS01 - Settlement Hierarchy

CS02 - Development in the Countryside & Countryside Villages

CS05 - Mid Suffolk's Environment

CS09 - Density and Mix

FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
GP01 - Design and layout of development
CL08 - Protecting wildlife habitats
CL09 - Recognised wildlife areas
E06 - Retention of use within existing industrial/commercial areas
H03 - Housing development in villages
H13 - Design and layout of housing development
H15 - Development to reflect local characteristics
HB01 - Protection of historic buildings
HB08 - Safeguarding the character of conservation areas
T10 - Highway Considerations in Development

Neighbourhood Plan Status

This application site is not within a Neighbourhood Plan Area.

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

Parish Council (Appendix 3) Summary

Felsham Parish Council object

- Proposal is contrary to HB1, HB8 and H13 of the current Mid Suffolk Local Plan and the corresponding policies in the emerging Joint Local Plan.
- Unclear how the revisions to the car park maintain public safety
- Proposal represents extra traffic
- Unclear as to the highway status and if provision of suitable visibility can be met.

Notes the pub, but not the land is a registered community asset.

(Officer Note: A meeting between the Parish, Local Member and Highways Authority on highway matters to understand these elements has been organised and your officers will attend to listen. As may be necessary a further verbal report on this will be given)

National Consultee (Appendix 4) (Summary)

Natural England – No objections to the proposal.

Historic England – No comments and content to leave to council's own heritage advice.

County Council Responses (Appendix 5) (Summary)

SCC Highways - Notes the improvement of the access that currently serves the public house and recommends conditions

SCC Fire and Rescue – No objection and advisory comments.

SCC Archaeology – Recommends standard programme of archaeology works condition.

Internal Consultee Responses (Appendix 6) (Summary)

MSDC Heritage - Less than substantial harm in response to Plot 1 only as does not agree with "barn style" design and would prefer standard domestic dwelling. Recommends planning conditions.

MSDC Ecological (Place Services) - Holding objection. *(Officer note: Places services would like a survey of the central trees for bats only, if bats were to be discovered it is likely that a condition for mitigation would be imposed. This information has not been required for any of the planning/appeal history of this site and so it is consideration reasonable to condition the survey/mitigation or delegate approval subject to the survey.)*

MSDC Environmental Health - No objection

B: Representations

There are a number of letters to support and object to the proposal and many are from the same household, same person or different persons from the same address. Part of this is due to amended plans and consultation that has taken place. To attempt to describe numbers of letters on this occasion is considered to risk accusations of misrepresentation, however these have all been made available to members and the planning comments only are summarised below:-

- Harm to Listed Building via construction of dwellings and setting
- Inadequate Access and unsafe
- Increase traffic.
- Inappropriate in a Conservation Area
- Loss of open space and trees
- Viability of public house
- Smells and noise
- Strain on existing community facilities
- Concern with height of properties and if seen
- Loss of privacy
- Loss of public house parking (Officer note: No parking will be lost)
- Add to pollution
- Contrary to local plan and NPPF
- Village should be allowed to grow and developer has considered the issues carefully.
- Good use of vacant land

The predominate issue were access concerns. Non planning issues, include contract arrangement between owners and ownership of land.

On review of the responses, there appears to be a misunderstanding in respect of the status of the Public House as a registered community asset. The status means that if the pub was to be sold then time and opportunity is required to be available for the community to consider buying it. This is a separate legislative matter from planning regulations and any status does not stop a planning consideration or a decision being made nor does any such decision affect the community asset status and any requirements of that legalisation.

There also appears to be a misunderstanding in respect of highway land verses private land. The proposal includes potential road markings that the highways authority find acceptable and see as a sensible improvement, especially given the existing and unlimited use of the current access for the public house, associated activities and events. If this land is private or highways land is not a material consideration given significant weight as both parties find the markings acceptable and these can be secured on that basis.

(Note: All individual representations are counted and considered.)

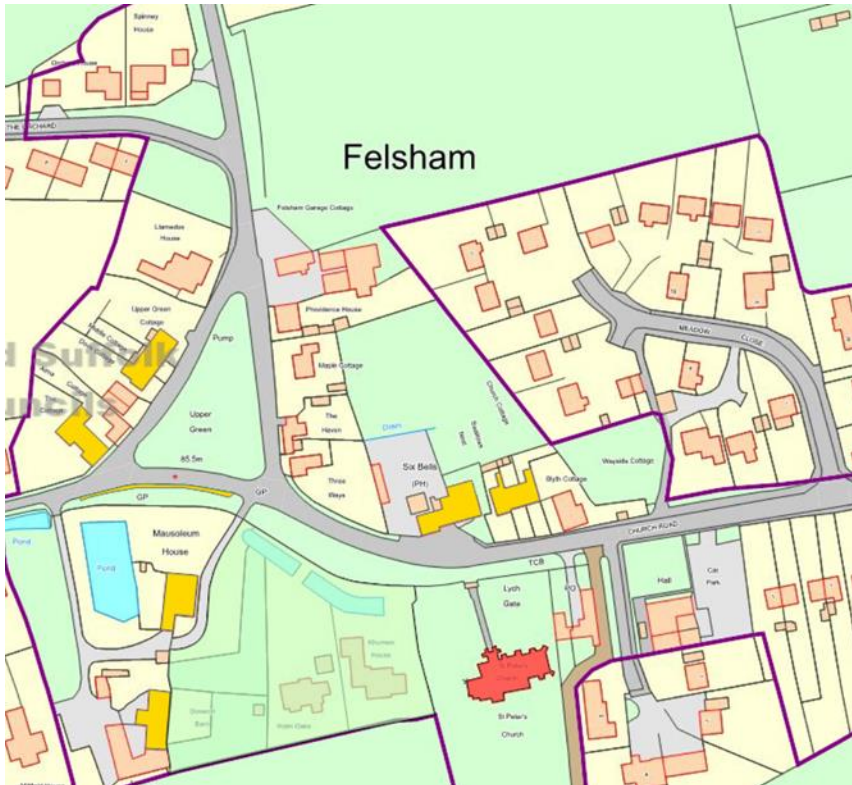
PLANNING HISTORY

REF: DC/20/02869	Full Planning Application - Erection of 3No detached dwellings and associated parking and landscaping on land to the rear of the public house (A4), including the part demolition of a boundary wall to facilitate the creation of a new vehicular access from Church Road.	DECISION: REF 15.09.2020
REF: DC/20/02870	Application for Listed Building Consent - Partial demolition of wall to facilitate new access.	DECISION: REF 15.09.2020
REF: 3803/14	Erection of detached dwelling and attached garage. Creation of new vehicular access. Erection of boundary wall.	DECISION: REF 06.02.2015
REF: 1583/09	Removal of 5no. Norway Spruce trees from the site as they have Honey Fungus	DECISION: RNO 24.06.2009
REF: DC/20/02869	Full Planning Application - Erection of 3No detached dwellings and associated parking and landscaping on land to the rear of the public house (A4), including the part demolition of a boundary wall to facilitate the creation of a new vehicular access from Church Road.	DECISION: REF 15.09.2020
REF: 0555/11	Erection of 2no. dwellings and garaging with new access for dwellings and public house (following blocking up of existing access).	DECISION: REF 12.04.2011
REF: 0179/10	Erection of 2 no dwellings and garages and new access for dwellings and public house (following blocking up of existing access to public house)	DECISION: WDN 13.04.2010
REF: 0047/99/TCA	REMOVE A GROUP OF SYCAMORE TREES	DECISION: GTD 18.11.1999

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

1.1. The Six Bells is a grade II Listed Building with a large amenity area to the rear, enclosed by various boundary treatments as backed onto by private gardens. The site has a number of Grade II Listed Buildings to the front (south) of the site and a Grade II * Church. The entire site is within the Conservation Area and Settlement Boundary.



2. The Proposal

2.1. The proposal is for 3 dwellings, each 4 bed and range from 129 to 139 sq metres of floor space each.

2.2. **Plot 1** is around 7.9 metres to the ridge, but with a range of eaves heights from 2.3 metres to 5.1 metres high. The height of the building is low for a modern 2 storey dwelling to consider the surrounding existing development at this end of the site. However, the design still maintains traditional vertical lines and good proportions. The plot is the first dwelling you arrive at following the proposed drive and is the only objection your heritage team have, given the barn style appearance given the boarding used. The dwelling does use timber to promote a more rural appearance, but this material could be changed to brick or render if needed. Render would be softer than brick.

The design approach was a concept encouraged as it came with two main advantages over a traditional dwelling in this location. Firstly, overlooking first floor windows are to be removed at the rear as the design approach allows the main windows to be on the side and front without appearing out of place. Black timber provides a less dominant backdrop to various Listed Buildings/Conservation Area that surround the site given the green setting. This includes the view of the site from the pub (along the drive) and so the building would not compete within the setting. A light render may alternatively also be acceptable, but it is considered that black timber is more traditional. Other advantages of the design include taking full advantage of the orientation to the sun.

2.3. **Plot 2** is also low with a 7.6 metre ridge (8.56m chimney) with an eave height mainly at just over 5 metres in height. This is a more traditional dwelling, but with extensive flint work proposed that picks up

on the design of local flint use, including the pub itself. The front gable feature slightly mirrors plot 1 and this plot sits in the centre.

2.4. **Plot 3** is 7.4 metres to the ridge and around 5 metres for the eaves. The plot is set to the eastern side and seeks to maintain existing landscaping. The functional layout seeks to promote the main garden use to the more open north side. Mindful of the potential to overlooking, a historic idea of recess infill windows is used to break up the mass of the building, but avoid overlooking windows at first floor. The landing/hall and more contemporary long window will be obscurely glazed.

2.5. Together the dwellings enclose a shared space forming a cul de sac or more courtyard arrangement that allows social interactions between residents rather than being fenced in definable private plots.

2.6. The Six Bells Public House and main beer garden are not part of this application. They continue to be the public house and garden and there is no need to include these elements in the red line. The red line does include the public house car park, access and drive. The proposal is for the housing to share the current access and drive that serves the public house. The drive currently serves a car park for the public when visiting the pub to the rear without any planning restrictions. At the moment, the amount of parking for the pub is not overly defined being a gravel area, but roughly there are around 12 spaces.

2.7. To access the proposed dwellings the proposal is to extend the drive a little to allow access to the land at the rear. This in turn removes roughly 2 spaces in a corner of the current car park. Initially the application did not show any replacement of these spaces and it is noted that representations received picked up on this point. Accordingly, a revised red line plan to include the parking area was discussed and received to show that 14 spaces can be achieved with a small extension of the car park, replacing the 2 lost and adding a further 2 as well. Given the amount of land the pub would still have available, the number of parking spaces could be increased significantly more if those running the pub so wished and without the need for planning permission. In planning terms, the proposal demonstrates that the two lost spaces can be easily replaced and has in fact shown more parking than is needed. There is no formal requirement for these spaces to be marked up on the ground (and it is not intended to condition this) as it is up to the pub owner to work out the best arrangement to suit their business. However, a condition to secure the expansion of the parking area to account for the replacement 2 spaces is recommended.

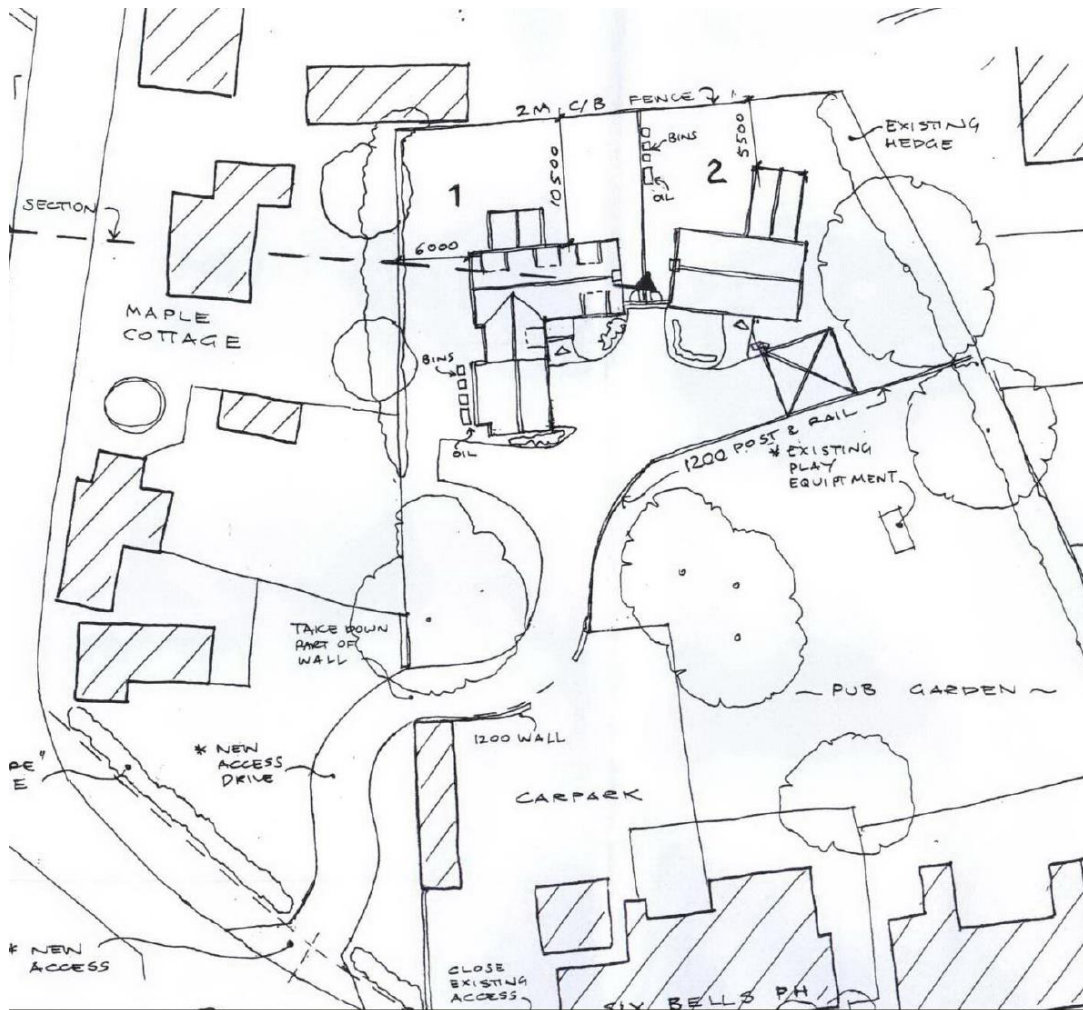
3. The Principle Of Development

3.1. In terms of the current policy considerations this site is within the Settlement Boundary, there are no planning designations or policies that would resist the consideration of this site in principle for housing development. There are a number of material planning considerations, for example the use of the land being previously use land in service as public house and the conservation area and these will be addressed below. Also, it is material that this site has a history of planning applications for development of housing and been the subject of appeals. In terms of the appeals, there has been nothing to suggest the principle of development should be resisted and can be taken to support the principle of development.

It is considered appropriate to review these first.

APP/VV3520/A/11/2155965 (Our ref 0555/11)

1) Ref:APP/VV3520/A/11/2155965



Appeal Layout for 2 Dwellings.

"In considering the visibility splays I have had regard to the standards in Manual for Streets and Manual for Streets 2 which indicate that a 43m splay may be appropriate here rather than the 60m required by the highway authority. The proposed access would be close to the junction between Church Road and Bury Road to the west. However, traffic approaching the junction from Bury Road would have to give way and would be slowing. With the removal of some existing frontage hedge on land in the appellants' control, I am satisfied that the proposed visibility to the west would be achievable and acceptable. The planting of some mature hedging as proposed would ensure that the Conservation Area would not be harmed by this change

To the east of the proposed access the appellants control sufficient land such that in principle an appropriate visibility splay could be achieved. I conclude that the appeal proposals would have no material adverse effect on highway safety on Church Road. As such, they would accord with the aims of Policy no of the Mid Suffolk Local Plan (LP)."

3.2. The appeal establishes that an access for two dwellings in addition to the existing public house access was acceptable, but the removal of a listed wall was not acceptable. Development of 2 dwellings as shown on the plan above was also acceptable, including impact on the Conservation Area, character, trees, ecology, loss of the open space that serves the public house within the site and the only reason for the dismissal was due to the proposed removal of part of a listed wall due to the driveway route. This proposal seeks to address that issue, by sharing the existing access. Given the clear comparison the appeal decision is considered to be material in establishing the acceptance in principle for development of this

site. However, this proposal is for 3 dwellings and not 2 dwellings subject of the appeal and there are differences in design and current policy to consider.

APP/VV3520/A/II/2155965 (Our ref 3803/14)

3.3. This appeal was concerning a single dwelling and avoids the concern with the listed wall by building in front of it. However, a dwelling in the front that removed a prominent corner gap in the Conservation Area had its own issues on its own considered merits and given the location is not considered as directly comparable. However, this is a second example of an access on this corner being considered acceptable.



3.4. In terms of more recent planning history, Full Planning Application - Erection of 3No detached dwellings and associated parking and landscaping on land to the rear of the public house (A4), including the part demolition of a boundary wall to facilitate the creation of a new vehicular access from Church Road was refused in 2020. In many ways this is a revised version of that application. The previous application was refused for the following reasons:-

1. The applications fail to provide sufficient information to demonstrate that the site is suitable for the proposed end use in terms of understanding the potential risk of contamination.

For the current application this has been provided and your Environmental Health officers have no objections.

2. The proposal includes the loss of a large part of an historic wall that forms part of the setting and curtilage of the Six Bells Public House.

For the current application the wall is proposed to remain as the access and the drive are to be shared with the current public house access.

3. The proposed development includes a new access and visibility was a concern.

For the current application the access is located in a different location, an existing access and the visibility is considered acceptable by the highway's authority.

4. The proposal would, by reason of proposed poor layout, design and scale, create a cramped and contrived form of development which would be out of keeping with the prevailing spatial rural character in the locality and would be detrimental to the local distinctiveness of this part of Felsham. And this reason included highlighting the following

- An overly-dominant new brick wall that divides an important gap and transition zone within the village, which would be intrusive to the street-scene and adversely impact the Conservation Area.

For the current application the access and drive are located away from the corner green gap and so by default resolve this matter.

- By reason of first floor windows and siting, Plot 1 and 2 both directly overlook neighbouring gardens and dwellings to the east that will result in significant harm to the amenity enjoyed by the occupiers.

For the current application the design including appearance and siting have been adjusted to seek to resolve this issue and is picked up further in this report under residential amenity.

- The appearance of urban style car ports and three dwellings of the same size and form, with only a limited difference in materials, is not considered to be in keeping with local character or its scale and likely to dominate the setting of the Listed Building (public house).

For the current application, the appearance of the dwellings has been amended as well as the car ports. This point is picked up further in this report under design and layout.

- The functional arrangement of the layout is considered poor and confusing with potential conflicts in respect of existing trees, open space, poor amenity enjoyed by the future residents, ability to travel within the new place and creation of unsupervised spaces.

For the current application, the layout and siting of the dwellings has been adjusted to allow for improved functional space and to resolve the matters of concern.

3.5. Taking the appeal and planning history there has not been any resistance to the principle of development and change of use of this site for housing. Infill development within a settlement boundary is also supported by policy. Instead, there are material considerations to consider in terms of the proposal itself that are addressed below.

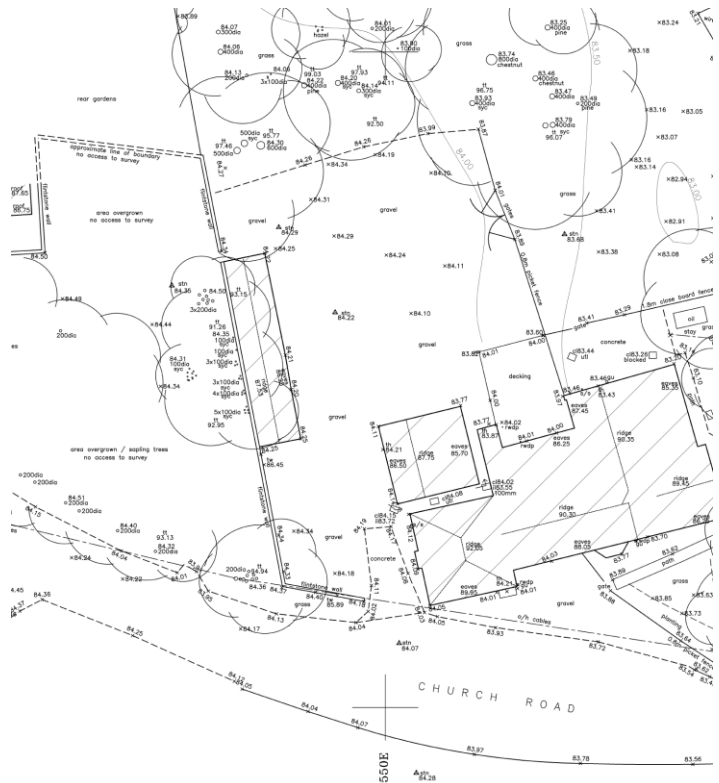
4. Site Access, Parking And Highway Safety Considerations

4.1. The proposal has demonstrated that the new houses meet the current parking standards for the number of bedrooms proposed. The proposal also demonstrates that parking will not be reduced for the public house.

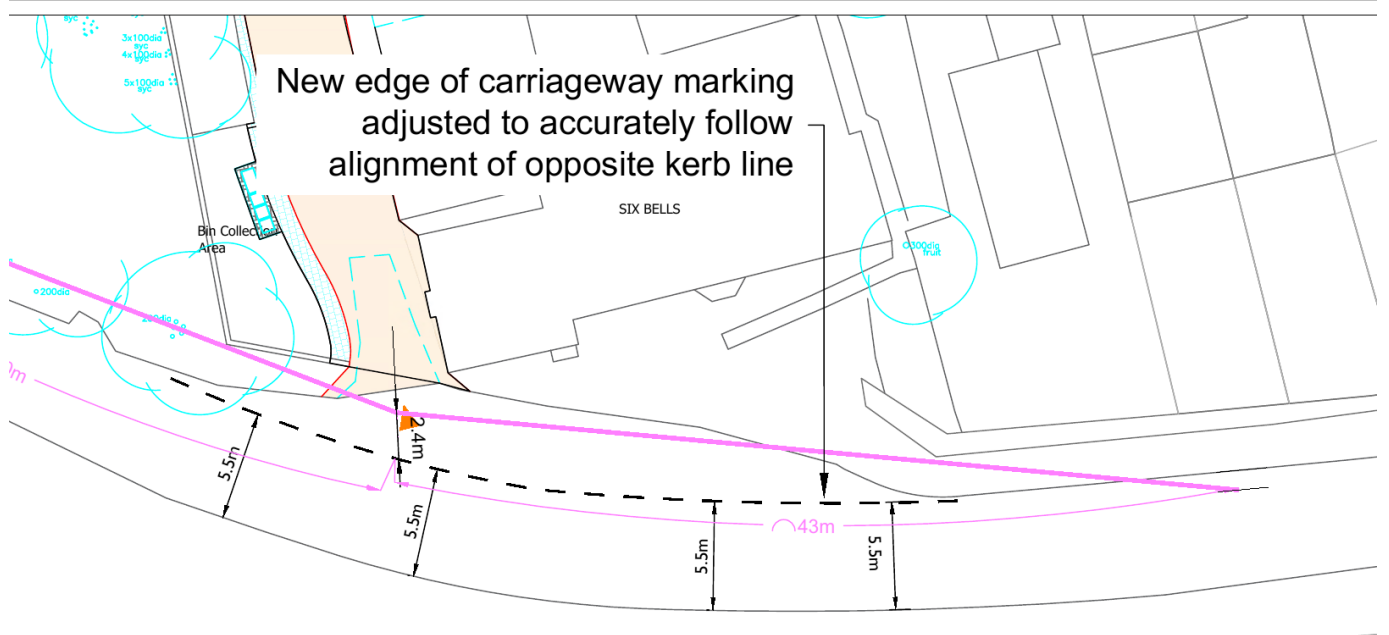
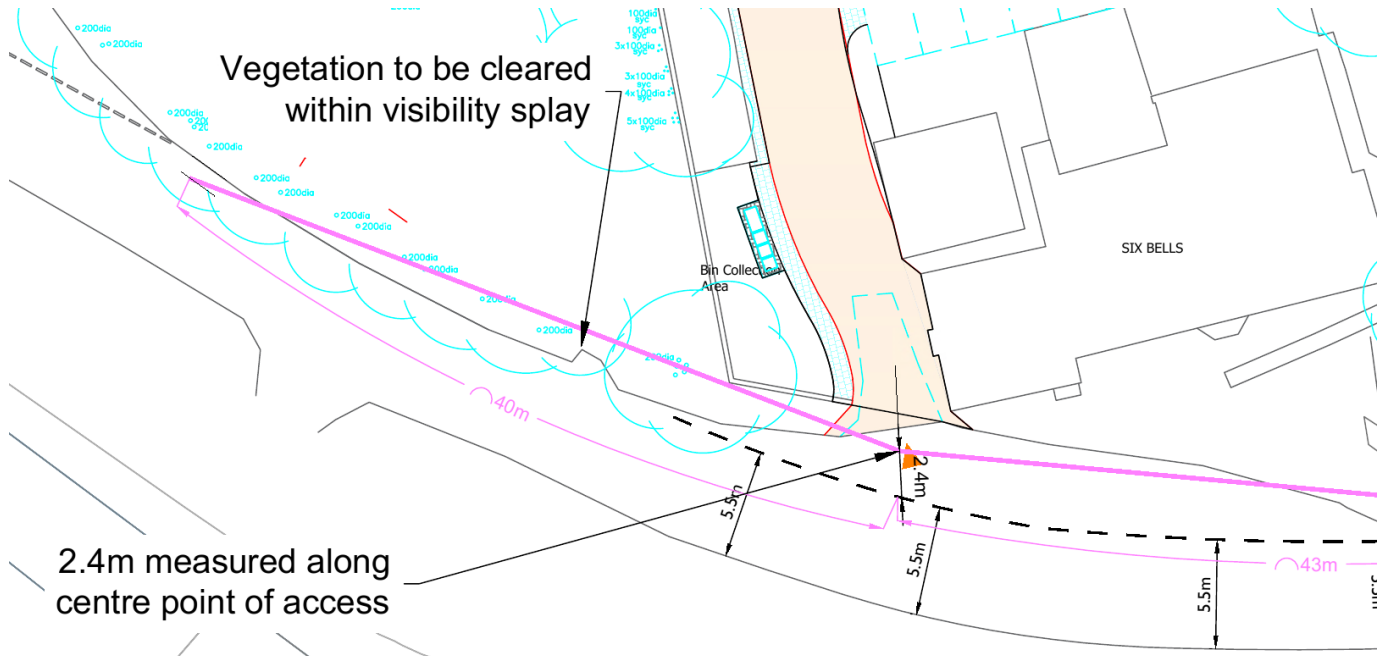
4.2. Representations are concerned with potential conflict between the use of the public house and new housing development within the current pub car park/drive. Currently the public have access to the public house via the car park and so there is already a mix of pedestrians and vehicles using the drive and pub car park. This would not be significantly altered by three households also walking or driving along the existing drive or within the car park. As mentioned by representation the land to the rear of the public house has been used for local events in the past that would have likely included vehicles and pedestrians in reasonable numbers.

4.3. The current access for the pub is shown in the plan and photo. It is noted that the pub puts a refuse bin as shown in the photo in roughly the same location the proposed development would put its bins for collection.

Rather than have a second access that previous appeals have agreed as acceptable and so have to potential points of conflict along Church road, this proposal simply seeks to use the current access that is not restricted in volume given the current commercial use. Furthermore, this application presents an opportunity to improve this unrestricted access.



4.4. There is a misunderstanding that the proposal may narrow Church Road. The applicant has no authority to do this and this is not what is proposed. The pub has very little boundary treatment immediately in front of the building and it is not overly formalised. This is understandable as a pub wants to appear open and available to visitors. There is a flint wall to the side of the public house with grass to the front. Over time the highway edge has been eroded and changed (this is clear in old maps) and the markings proposed are an attempt to show the true logical line of the highway.



4.5. Perhaps another way to examine this would be to look at the photo again, but this time officers have added (approximately) the line for the markings suggested in the plans.



4.6. The pub and the associated traffic have operated for many years without the need for this road definition and so marking the carriageway line could be argued as potentially unnecessary and it is not considered that the three dwellings proposed rely upon this point given the potential level of use the pub itself could generate. Officers considered that there is a second benefit to the lines that it will guide cars around the pub better and potentially pull them away from gatherings and pedestrians at the front of the public house.



4.7. Given the existing use of the access and support by the highway's authority it is not considered traffic generated by three households would result in a significant or severe highway concern that could warrant a refusal. The markings are a highway improvement promoted by the SCC Highway's Authority, but there are arguments of changing character and need against the existing use that could be balanced against the need of the markings and still allow the proposed development.

5. Design And Layout

5.1. Meadow Close to the east is a housing estate of modern detached dwellings on large plots outside the Conservation Area. To the north and west we have much older historic and more traditional dwellings that focus round a village green further west and not shown on the plan below. These range in plot size from small to large. While the design has taken the detached dwelling approach and similar heights of the housing to the east, it has sought to take a more significant design quality position in terms of materials, traditional features and appearance for the individual dwellings. Despite being detached, the layout promotes a collective of housing sharing the drive and "yard" space at the front. It is considered to be a new place to be rather than an estate of individual fortified plots.



5.2. The layout pulls the housing as a group away from the pub to a reasonable distance to allow the pub to operate without disturbance and other existing houses remain closer to the pub than the proposal. The retained trees provide a useful buffer zone between the pub and housing. The use of a shared drive and

access with the pub reduces the hardstanding previous schemes would have needed and avoids any need to affect the green gap along Church Road central to the setting of various listed buildings.

6. Impact On Residential Amenity

6.1. The development of this site will affect views of a number of existing dwellings that are located around the site. However, given both the existing gardens, orientation of properties and proposed space the physical form of the proposed dwellings are not considered to represent intrusive development on balance to warrant refusal.

6.2. The current use of the land is in association with the public house and could be used as part of the more active function of that use and potentially at later hours. Given the amount of land available to the pub it is considered less likely compared to other similar uses, but is the planning consideration. It is understood that public and private events have taken place on the land. This is also a site in the centre of a village. On this basis the domestic level of noise and disturbance of three households is not considered to be significantly detrimental to warrant refusal that could be defended at appeal.

6.3. Plots 1 and 3 have sought to ensure no direct overlooking for windows looking out of the site unless obscurely glazed or at a high level in the form of rooflight. The majority of windows for the entire scheme look inward (the advantage of a close courtyard arrangement) or to the south and towards the pub adding to the supervision of that space. Plot 2 does have three bedroom windows on the rear (north) elevation that will look out of the site, but essentially overlook the commercial garage to the north of the site.

7. Landscape Impact, Trees, Ecology, Biodiversity And Protected Species

7.1. Given the surrounding development it is considered that the wider landscape impact would be limited, but views of the site and buildings are available between existing buildings and in turn this will affect the views within different points of the Conservation Area. Some smaller trees will be removed to allow for access. While the removal of trees is not encouraged, your officers' position is constrained as the trees to be removed are the same as the earlier appeal for the site and not considered an issue to resist development and has not featured as a reason for refusal.

7.2. Similarly, no ecology, biodiversity or protected species issues have been raised as a concern until this application. However, awareness and increased protection for protected species has improved and a holding objection is recommended by Place Serviced employed by MSDC to provide ecology advice. The applicant is willing to do the survey and mitigation, but the best time for survey is May to September and given all the other considerations of this application it is recommended to seek the survey should all other aspects of the application are considered acceptable. On this basis the recommendation is for delegation.

8. Land Contamination, Flood Risk, Drainage and Waste

8.1. Details provided have been considered satisfactory and there are no significant material concerns in respect of contamination of land, flood risk, drainage or waste. Main sewer would be used in this site for waste.

9. Heritage Issues [Including The Impact On The Character And Appearance Of The Conservation Area And On The Setting Of Neighbouring Listed Buildings]

9.1. In previous applications and appeal, your Heritage team have considered that the previous developments for both 2 and 3 dwellings represented a low level of less than substantial harm to a designated heritage asset because the loss of a section of boundary wall that contributed to the significance of the Six Bells. This application does not seek a change to the wall in question nor seek the removal of any part of the listed building.

9.2. Instead MSDC Heritage consider that there is now less than substantial harm in response to the appearance of Plot 1 only as they do not agree with “barn style” design and would prefer standard domestic dwelling. The position of not seeking to dilute the historic understanding of the site is understood, but again the officers find themselves in an odd position against the planning and appeal history of the site. The use of boarding in the 0555/11 designs was not objected by heritage or the inspector. Far grander dwellings in the last refusal that could arguably also dilute the understanding of the site were not considered to result in harm. To resolve this point your officers accept that plot 1 does cause harm as heritage explain in their response and their analysis on the listed and conservation area is agreed.

9.3. The duty imposed by s.66(1) of the Listed Buildings Act 1990 imposes a presumption against the grant of planning permission which causes harm to a heritage asset (South Lakeland DC v Secretary of State for the Environment [1992] 2 AC 141). A finding of harm, even less than substantial harm, to the setting of a listed building is a consideration to which the decision-maker must give “considerable importance and weight” (Bath Society v Secretary of State for the Environment [1991] 1 W.L.R. 1303). Here, the heritage officer is of the view that the development does cause harm to the heritage asset (albeit less than substantial harm within the meaning of the NPPF). The case officer has given considerable importance and weight to the Listed Building and agrees the level of harm, but do not agree to refuse the development given the wider public benefits of the scheme that are considered to outweigh the harm.

9.4. Public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.

Public benefits may include heritage benefits, such as:

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- reducing or removing risks to a heritage asset
- securing the optimum viable use of a heritage asset in support of its long term conservation

It is considered that none of these three benefits are relevant in this case. From Woolpit Public Enquiry Appeal public benefits were defined as follows:-

- An increase in the provision of housing numbers at a time of pressing need.
This is not applicable given the current housing supply available to the council.
- An increase in choice and type of homes
While this might apply, these are for three four bed units and there is no evidence that this represents any local need or demand.
- Affordable housing provision
There is none in this case as the site area lies under 0.5ha and under 10 dwellings and so this is not taken to be a public benefit. It is noted that the development is 0.17ha and above this is the point the Council’s trigger on affordable housing would normally apply, however this is not given weigh given the NPPF 0.5ha requirement.
- Employment opportunities during the construction phase
This applies in this case, but limited in terms of three dwellings. .
- Residents would be likely to use the local shops and services within the settlement making a positive contribution to their vitality and viability
This applies and the public benefit of three more households to local services is considered.
- Provision of community open space with green infrastructure features – delivering high quality green spaces available to all
This is not proposed.
- Footpath improvements to the village centre and the wider countryside

None
- Highway works
Limited.

Overall and on balance it is considered the limited public benefit does outweigh the harm identified in terms of plot 1. However, if the public benefits are not agreed by members to outweigh the harm, it is considered that the harm has the potential to be resolved by changing the materials to render or brick instead and that could be conditioned for agreement by officers.

PART FOUR – CONCLUSION

10. Conclusion

10.1. The proposed development has needed to consider significant planning and appeal history. It also has a number of considerations in terms of the location in terms of residential amenity and an attractive historic location. Overall, it is considered that the development does take into account the many material considerations and represents a very high quality scheme for three bespoke dwellings.

RECOMMENDATION

1) That the Chief Planning Officer be authorised to Grant Planning Permission subject to first receiving an ecological survey to his satisfaction and conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:

- Standard time limit (3yrs for implementation of scheme)
- Approved Plans (Plans submitted that form this application)
- Phasing Condition (To allow phasing of the development and allows spreading of payments under CIL)
- Swift boxes installation scheme to be agreed
- Hedgehog fencing scheme to be agreed
- Energy and renewable integration scheme to be agreed
- Rainwater harvesting to be agreed
- Construction Management Plan to be agreed.
- Level access to enable wheelchair access for all dwellings/buildings.
- Archaeology Conditions as recommended by SCC
- Plot 3 Obscurely glazed window at rear
- Removal of all permitted development rights.
- Final arrangement for two parking spaces to serve the public house (replacement of the two lost to the drive) to be agreed and secured for use thereafter.
- All highway conditions recommended by SCC
- Materials to be agreed.
- Any conditions for mitigation for ecology as may be appropriate as a result of the ecological survey.

2) 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

3) Should an ecological survey not be received within 6 months that the Chief Planning officer be authorised to refuse the application on appropriate grounds.

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Application No: DC/20/04572

Location: Land Rear Of The Six Bells, Church Road, Felsham, Suffolk

		Page No.
Appendix 1: Call In Request	<i>From Councillor Penny Otten</i>	
Appendix 2: Details of Previous Decision	<i>N/a</i>	
Appendix 3: Town/Parish Council/s	<i>Felsham Parish Council</i>	
Appendix 4: National Consultee Responses	<i>Natural England Historic England</i>	
Appendix 5: County Council Responses	<i>SCC Highways SCC Fire and Rescue SCC Archaeology</i>	
Appendix 6: Internal Consultee Responses	<i>MSDC Heritage Places Services Ecology Environmental Health</i>	
Appendix 7: Any other consultee responses	<i>N/a</i>	
Appendix 8: Application Site Location Plan	<i>Yes</i>	
Appendix 9: Application Plans and Docs	<i>Yes</i>	
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.



Babergh and Mid Suffolk District Councils

Felsham Parish Council OBJECT to application DC/20/04572 Erection of 3no. Detached dwellings and associated parking and landscaping, utilising the existing public house access, Land to rear of Six Bells, Church Road – Re Consultation of revised plans.

The revisions to the design of Plot 3 are not in themselves enough to negate our concerns about the detriment that this development will have on this open space meadow which makes an important contribution to the Felsham Conservation Area and our objections still stand that this proposal is contrary to HB1, HB8 and H13 of the current Mid Suffolk Local Plan and the corresponding policies in the emerging Joint Local Plan.

The revisions to the car park to create a disabled bay have no merit. How can the gravel be marked out to provide the number of bays suggested let alone one specific for disabled parking with no level access into the pub. The safety of the car park and pedestrian access to the outside space of the pub has not been addressed in the revisions; there is no marked pedestrian access, the only way to access the pub for patrons, tenants and families would be via a public thoroughfare and shared access. The proposed layout of the car park still poses a fire exit obstruction and helps no one.

Concerns are expressed that the new site plan now includes the pub access, some of the listed wall, the car park and some of the garden area of the pub within the red line. This has serious repercussions for the listed Community Asset. Taking away the control of these areas from the pub is detrimental to the future viability of the pub and coupled with the danger posed to patrons from the additional traffic will seriously jeopardise the future of our community asset and it is hoped that any decision by the Planning Committee and officers will be made with consideration to the ACV listing on the Six Bells. The pub is a separate listing to the rear meadow and has not been notified to MSDC.

What is most disturbing about this application is the drawings that the applicant is using as evidence for achieving the required visibility displays, they cause us major concern. How can it be possible that several metres of SCC Highway can be used in order to achieve the required visibility? Surely if this is allowed then it makes a mockery of the criteria for visibility safety, anyone can claim the 43m if they move far enough out into the road!!!

The photos below show where the carriageway lines are proposed when the measurements on the applicants plan are produced on site. This is clearly public highway and is not within the ownership boundary of the pub access. This surely cannot be acceptable.

SCC Highways have a stipulation in their response that “the access driveway hereby permitted shall be a minimum width of 4.5meters” as you can see from picture 5 the width of the gateway is only 4.1m so without the removal of gate posts and parts of the listed wall this requirement clearly cannot be met.

We ask that someone from Highways please visit the site, the potential for a serious accident here is huge. You can see from the photos the issues we already have with parked

cars and the lack of visibility in either direction at this site. Please reconsider before a decision is made on allowing this development.



**Felsham Parish Council OBJECT to this application DC/20/04572 based on the comments below;
Access**

Safety – The proposal in this new application for development of this site to use the Six Bells Public House existing entrance to its car park as access to three new residential houses causes great concern. A shared access road will mean serious safety concerns for the tenant family living at the pub, its patrons and pedestrians as well as the increased vehicle activity entering Church Road. This application makes no provision for pedestrians whilst taking away car parking spaces from the pub with no compensation or mitigation plan. The proposal in fact shows inadequate turning space for the manoeuvre of vehicles within the allocated car park with no disabled spaces and no safe pedestrian access to the pub or to what is left of the pub garden and certainly no safe fire assembly point for worst case scenarios. We would counter the applicant's suggestion that this is an improvement.

The entrance to the pub car park is narrow, single track and has listed buildings to both sides. The pub building has double outward opening doors into the proposed roadway and there are outward opening doors on the outbuildings to the other side. Whilst these are in use there is no possible way that sufficient width can be achieved for vehicular access to residential properties. The applicants have provided no well defined plan of the proposed access road, no scale drawings or dimensions and no proposals for a safe footpath however they propose that the car park entrance effectively becomes part of the highway and a thoroughfare for all.

The proposed exit onto Church Road gives no assurance of visibility splays, particular concern is expressed that the applicants Transport report suggests that they intend to add "edge of carriageway markings" which will extend 2.4m into the existing highway in order to achieve visibility splays and the red line on the site plan clearly shows the presumption that the boundary of the property actually reaches well into the existing highway, surely this cannot be acceptable in order to achieve better visibility.

Although there are no reported accidents at this location there have been many others over the years caused in the main by speeding and a lack of visibility and care leaving the Upper Green/Bury Road junction. The Parish Council's Community Speedwatch teams have identified excess speeding in Church Road and Bury Road on numerous occasions. A reduction in available space for vehicles visiting the pub will result in more vehicles parking in the already congested Church Road. This proposal in this location will only exacerbate these issues making access and egress to the site unsafe.

Felsham has a well established small development at The Yewlands that have a shared unadopted access road and we are currently experiencing issues with this in that it is badly maintained and often obstructed by parked cars causing very unhappy residents and numerous complaints to the Parish Council. It is unlikely that this proposed access road will become adopted highway and therefore we have serious concerns that this development will have similar issues ongoing.

Policy T10 of the Mid Suffolk Local Plan calls for the safe access and egress of any new development site, this proposal is in direct contravention of this.

Flooding – Concern is expressed regarding the lack of information within the application about what is intended for the current soak away near this location. This area has long had flooding problems which although not completely relieved have been helped in recent years by the installation of a large soak away. Extending the access road into the Highway at this location and the proposed development will only exacerbate this problem. No provision has been made or plan put forward to

show how the applicant intends to manage the flooding problem as part of the development, rather it seems to have been ignored showing a lack of regard for the current issues. In winter freezing of the flood water together with lack of visibility around the bend will cause issues for the increased vehicle activity a development of this kind will bring.

Construction traffic sharing an extremely narrow access with pedestrians and pub patrons in close proximity to a listed building, flooded road and blind bend is surely foolhardy to allow.

Development Site

Effect on Heritage Assets - The undeveloped nature of the meadow where it is proposed to site the three new dwellings makes an important contribution to the Conservation Area. There are positive vistas, uninterrupted by modern development which would be destroyed by this proposal to remove existing features and build new dwellings: the view from Upper Green between the houses across the plot, the vista from Church Road towards Lower Green, the far vistas from the North over the valley through the village to the church and the visual approach into the village from Cockfield Road. The development of this site would erode this contribution and would not achieve enhancement of the setting or make a positive contribution to the Felsham Conservation Area. The removal of a significant number of trees from the plot and the risk from construction to others goes against all the principles of the conservation area status.

The NPPF and development plan policies seek to ensure that new development makes a positive contribution to local character and distinctiveness along with sustaining and enhancing the significance of conservation and heritage assets. This proposal does not accord with any of these aims.

Creating an access road to new residential properties in such close proximity to the Six Bells wall and its outbuildings will be extremely detrimental to this important Listed building. The building itself and its boundary walls would be very vulnerable to the increase in vehicle movements and there is concern for the safety of the listed wall we have all been so keen to secure from previous refused applications.

This proposal would be detrimental in terms of the visual amenity and character of the Felsham Conservation Area and the Six Bells PH Grade II Listed Building and is contrary to HB1, HB8, H13 of the current Mid Suffolk Local Plan and the principles of PPS2 and the corresponding policies in the emerging Joint Local Plan.

Amenity Land - This area is recognised as amenity land, it currently forms part of the Six Bells Public House gardens and grounds and has always been used by patrons of the pub as an area for recreational and amenity use, housing a children's play area until recently.

It has in the past been used for village events such as car boot sales, fetes, bonfire nights and music events. It would be more desirable to retain this undeveloped area as an important amenity and open space which is backed up by policy H3. Also policy RT3 does not permit even a private play space and amenity area to be developed for non-recreational purposes.

The recent reopening of the pub has been a very welcome event and follows an established desire from the community to support its future and to utilise the meadow for the amenity asset it is to enhance the pub and make it successful again.

It is crucial in current times that people use the hospitality industry and outside space is essential to the success of a village pub such as ours.

Community Asset

We have finally managed to get our pub open again and this proposal will be detrimental to the future viability of the business, loss of parking, loss of outside space, difficulties around delivery and

danger to patrons will have serious negative effects and concerns are that this will jeopardise the future of our Community Asset. All community facilities should be safely accessible to all.

Emergency vehicle access for the proposed dwellings would be seriously compromised when the car park is full and the pub busy which is surely the aim for the business going forward. Currently the dray delivery has to reverse in using the opposite side of the road which is contrary to the applicants Transport report that suggests all services vehicles will enter and exit the "Site in forward gear" this shows a complete lack of appreciation of the issues on this site already.

Residential Amenity

Concerns are expressed at the negative impact this proposed development will have on the amenity of existing residents. Although it is acknowledged that the design and positioning of the properties has been altered from the previously refused application the new proposals are still large four bedroom executive houses, whose design, style and height are out of character with neighbouring properties, that would be situated right on the back gardens of Maple Cottage, Providence House and The Haven and Nos. 9, 10 and 11 Meadow Close which previously enjoyed open views over this meadow. This loss of amenity is contrary to policy H13

Principles of Development

Felsham Parish Council are not adverse to development, we understand the need for new sustainable dwellings and are supportive of development within the village where there is an evidence base for local need. We are currently carrying out a Housing Needs Survey and should this establish a need then there are more suitable areas of the village with much safer highway locations where any development needed could be built.

Felsham Parish Council are committed to supporting demand led development and are opposed to large luxury homes where a need has not been identified, the proposed site is not allocated within the MSDC 5 yr land supply and the access cannot be achieved without risk to the public, our residents and visitors.

There would be limited public benefit in building need unproven executive houses at this location and in no way would this development outweigh the detriment to the setting of the Listed Six Bells Public House and the Felsham Conservation area.

This application is far worse from a safety point of view than any of the previous ones, with no thought at all for the users of our Community Asset, and should be refused again.

From: Clarke, Julian <Julian.Clarke@naturalengland.org.uk>
Sent: 03 December 2020 14:05
To: BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>
Subject: DC/20/04572 Consultee Response

Dear Sir or Madam,

Our ref: 335976
Your ref: DC/20/04572

Thank you for your consultation.

Natural England has previously commented on this proposal and made comments to the authority in our letter dated 4th November 2020 reference 332337.

The advice provided in our previous response applies equally to this Choose an item. 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

Julian Clarke
Consultations
Natural England
Hornbeam House, Electra Way
Crewe Business Park
Crewe, Cheshire CW1 6GJ

tel 0300 060 3900

email 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.

From: SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>
Sent: 04 November 2020 14:37
To: BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>
Subject: DC/20/04572 Natural England Response

Dear Sir or Madam,

Application ref: DC/20/04572
Our ref: 332337

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,

Sarah Blanchard

Sarah Blanchard
Natural England
Consultation Service
Hornbeam House
Crewe Business Park, Electra Way,
Crewe, Cheshire, CW1 6GJ

Tel: 0300 060 3900
Email: consultations@naturalengland.org.uk
www.gov.uk/natural-england



Mr John Pateman-Gee
Babergh and Mid Suffolk District Councils
Endeavor House
8 Russell Road
Ipswich
Suffolk
IP1 2BX

Direct Dial: 01223 582711

Our ref: **W**: P01295750

1 December 2020

Dear Mr Pateman-Gee

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

**LAND REAR OF THE SIX BELLS, CHURCH ROAD, FELSHAM, SUFFOLK
Application No. DC/20/04572**

Thank you for your letter of 30 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



24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU

Telephone 01223 582749
HistoricEngland.org.uk





Mr John Pateman-Gee
Babergh and Mid Suffolk District Councils
Endeavor House
8 Russell Road
Ipswich
Suffolk
IP1 2BX

Direct Dial: 01223 582740

Our ref: **W:** P01295750

3 November 2020

Dear Mr Pateman-Gee

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

**LAND REAR OF THE SIX BELLS, CHURCH ROAD, FELSHAM, SUFFOLK
Application No. DC/20/04572**

Thank you for your letter of 29 October 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

Sophie Cattier
Assistant Business Manager
E-mail: sophie.cattier@HistoricEngland.org.uk



24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU

Telephone 01223 582749
HistoricEngland.org.uk



Your Ref:DC/20/04572
Our Ref: SCC/CON/4870/20
Date: 9 December 2020
Highways Enquiries to: Highways.DevelopmentControl@suffolk.gov.uk



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

Email: planning@babberghmidsuffolk.gov.uk

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

For the attention of: John Pateman-Gee

Dear John,

TOWN AND COUNTRY PLANNING ACT 1990
CONSULTATION RETURN: DC/20/04572

PROPOSAL: Revised plans with agent cover email received 27.11.20, ref:
Erection of 3no. detached dwellings and associated parking and landscaping,
utilising the existing public house access.

LOCATION: Land Rear Of The Six Bells Church Road Felsham Suffolk

Note: Whilst the splays to the West fall short of MfS guidance for a 30mph road by 3m (x=2.4m by y=40m) SCC's perception is that the intensification of use the current proposal would create is adequately mitigated by the improvements to an existing access which already generates a steady volume of vehicular movements. Therefore, SCC no longer have a reasonable objection for DC/20/04572 under highway safety grounds.

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

Condition: Before the access is first used visibility splays shall be provided as shown on Drawing No. PL01 Rev. B with an X dimension of 2.4m and a Y dimension of 40m and 43m and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Condition: The use shall not commence until the area(s) within the site shown on Drawing Titled: "Proposed Site Plan" for the purposes of [LOADING, UNLOADING,] manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

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

Condition: The access driveway hereby permitted shall be a minimum width of 4.5 metres in its entirety from the nearby edge of the carriageway.

Reason: To ensure vehicles can enter and leave the site in a safe manner.

Yours sincerely,

Kyle Porter
Development Management Technician
Growth, Highways and Infrastructure

Your Ref:DC/20/04572
Our Ref: SCC/CON/4352/20
Date: 13 November 2020
Highways Enquiries to: Highways.DevelopmentControl@suffolk.gov.uk



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

Email: planning@babberghmidsuffolk.gov.uk

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

For the attention of: John Pateman-Gee

Dear John,

TOWN AND COUNTRY PLANNING ACT 1990

CONSULTATION RETURN: DC/20/04572

PROPOSAL: Planning Application - Erection of 3no. detached dwellings and associated parking and landscaping, utilising the existing public house access.

LOCATION: Land Rear Of The Six Bells Church Road Felsham Suffolk IP30 0PJ

Notice is hereby given that the County Council as Highway Authority make the following comments:

No information has been provided for visibility splays to demonstrate safe and suitable access (NPPF 108).

The current proposal represents an intensification of use of an existing access and therefore, splays are required to ensure the access can facilitate the constant stream of additional vehicle movements that Class C3 dwellings would create.

Yours sincerely,

Kyle Porter
Development Management Technician
Growth, Highways and Infrastructure

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

From: Water Hydrants <Water.Hydrants@suffolk.gov.uk>

Sent: 30 November 2020 16:45

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

Subject: FW: MSDC Planning Re-consultation Request - DC/20/04572

Fire Ref.: F305917

Good Afternoon,

Thank you for your email.

We have made formal comment on this planning application, which we note has been published. We will not need to comment again.

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

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/F305917
Enquiries to: Water Officer
Direct Line: 01473 260588
E-mail: Fire.BusinessSupport@suffolk.gov.uk
Web Address: <http://www.suffolk.gov.uk>

Date: 02/11/2020

Dear Sirs,

LAND REAR OF THE SIX BELLS, CHURCH ROAD, FELSHAM, SUFFOLK, IP30 0PJ
Planning Application No: DC/20/04572

I refer to the above application.

The plans have been inspected by the Water Officer who has the following comments to make.

Access and Fire Fighting Facilities

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

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

Water Supplies

Suffolk Fire and Rescue Service records show that the nearest fire hydrant in this location is over 120 metres from the proposed build site and we therefore recommend that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the provision of an automatic fire sprinkler system. (Please see sprinkler information enclosed with this letter).

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

/continued

OFFICIAL

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 : jake@cpplanningconsultants.co.uk

Enc : Sprinkler Letter

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

Philip Isbell
Chief Planning Officer
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
Web: <http://www.suffolk.gov.uk>

Our Ref: 2020_04572
Date: 10th November 2020

For the Attention of Samantha Summers

Dear Mr Isbell

Planning Application DC/20/04572 - Land Rear of the Six Bells, Church Road, Felsham: Archaeology

This site lies in an area of archaeological potential recorded on the County Historic Environment Record (HER) situated within the historic village core and to the immediate north of medieval Church of St Peter (HER reference FHM 012 and grade II* listed building) and Felsham Castle, 'A mansion, called the Castle, the seat of the Reynolds family, was pulled down about the end of the 18th century, and a farm house erected on the site' (present 'Mausoleum House') (FHM 016). The proposed development area is also in close proximity to a number of listed buildings and also medieval/post medieval artefact findspots (for example, FHM 014 and FHM 015). 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) and as recommended for previous planning applications (0179/10, 0555/11, DC/20/02869/FUL & DC/20/02870/LBC) 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

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

Philip Isbell
Chief Planning Officer
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
Web: <http://www.suffolk.gov.uk>

Our Ref: 2020_04572
Date: 10th November 2020

For the Attention of Samantha Summers

Dear Mr Isbell

Planning Application DC/20/04572 - Land Rear of the Six Bells, Church Road, Felsham: Archaeology

This site lies in an area of archaeological potential recorded on the County Historic Environment Record (HER) situated within the historic village core and to the immediate north of medieval Church of St Peter (HER reference FHM 012 and grade II* listed building) and Felsham Castle, 'A mansion, called the Castle, the seat of the Reynolds family, was pulled down about the end of the 18th century, and a farm house erected on the site' (present 'Mausoleum House') (FHM 016). The proposed development area is also in close proximity to a number of listed buildings and also medieval/post medieval artefact findspots (for example, FHM 014 and FHM 015). 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) and as recommended for previous planning applications (0179/10, 0555/11, DC/20/02869/FUL & DC/20/02870/LBC) 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
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- 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

Consultation Response Pro forma

1	Application Number	DC/20/04572 Land Rear of The Six Bells, Church Road, Felsham	
2	Date of Response	17/12/2020	
3	Responding Officer	Name:	Thomas Pinner
		Job Title:	Heritage and Design Officer
		Responding on behalf of...	Heritage Team
4	Summary and Recommendation	<p>1. I consider that the proposal would cause</p> <ul style="list-style-type: none"> • A low level of less than substantial harm to a designated heritage asset because the barn-style design of Plot 1 would detract from the significance of The Six Bells and the character and appearance of Felsham Conservation Area. <p>2. I would recommend that the design of Plot 1 is amended to avoid potentially implying a historic agricultural use for the site. Additionally, clarification is requested regarding the revised Red Line Site Plan.</p>	
5	Discussion	<p>The proposal consists of a Full Planning Application for the erection of three dwellings, with associated parking and landscaping, using the existing public house access. The heritage concern relates to the potential impact of the works on:</p> <ul style="list-style-type: none"> - The significance of The Six Bells, a Grade II Listed public house, consisting of three main ranges, a late C16 range with a potentially earlier core, a c.1830 range to the west, and an early C20 range to the right, including its curtilage listed outbuilding and walls, to the south of the site. - The significance of Church Cottage and Adjoining House Swallows Nest, a Grade II Listed building, originally one house, now subdivided, with an early C17 parlour cross wing and potentially earlier hall range, to the south. - The significance of the Church of St Peter, a Grade II* Listed medieval church, restored in 1872, to the south. - The significance of various unlisted historic buildings to the west, including Threeways, The Haven and Providence House, which are all potential non-designated heritage assets. - The character and appearance of Felsham Conservation Area. 	

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.

	<p>The current application follows a previous application, under 0555/11, for the erection of two dwellings on the same site, and other works, including a new access route, requiring the demolition of a section of the boundary wall. This application was refused and then dismissed at appeal. The Inspector considered that two houses could be accommodated on the site without causing harm to any heritage assets, in isolation, but that the demolition of the section of wall, and other details, were harmful or potentially harmful to heritage assets.</p> <p>Subsequently, Planning and Listed Building Consent applications were submitted for the erection of three dwellings on the site, with the same access through the wall, under DC/20/02869 and DC/20/02870. I identified potential harm to The Six Bells through demolition of the section of wall, as per the previous application (its significance remaining somewhat unknown, due to vegetation cover). I considered that the introduction of a third dwelling, beyond that proposed under 0555/11, would not cause any additional harm in principle. These applications were refused, partly due to the heritage harm.</p> <p>The current application proposes to reroute the access to the new dwellings, using the existing access to the pub's car park. Therefore, the revised application no longer requires the demolition of the section of curtilage listed wall, so there is no longer harm in this regard, which is welcome.</p> <p>The revised proposal would instead introduce vehicle movements unconnected to the public house, between the public house and its curtilage listed outbuilding and walls, which may dilute a sense of their historic relationship to some extent. However, given the relatively small size of the development and minimal associated physical alterations to the immediate grounds of the public house, including the fact that the car park and entrance route would be of the same hardstanding material, I do not consider that this would be discernibly harmful in this case, subject to condition (if applicable).</p> <p>The design of Plot 1 has been changed from DC/20/02869 and DC/20/02870, so that it now utilises a traditional barn-style form, thus giving the development a farmstead style appearance. However, I consider that this would detract from the character and appearance of Felsham Conservation Area to some extent. I consider that it may confuse an understanding of how the village</p>
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	<p>developed, by suggesting a historic agricultural function for the site within the centre of the village, of an apparent age when none actually existed, which may erode the ability to understand how the village developed. Therefore, the barn-style dwelling would likely appear incongruous in this location and thus detract from the character of Felsham Conservation Area. I consider that a more standard domestic design for all of the dwellings, as per the previous applications would be more appropriate in this case (see amendments).</p> <p>I also consider that this design may suggest a historic relationship between The Six Bells public house and the 'barn,' which may confuse an understanding of the public house's history, which would also detract from its significance.</p> <p>Para.4.19 of the Heritage Statement states that "as with The Six Bells, the proposed development would sit sufficiently back in the plot so as to have no impact on the significance of this Conservation Area." The development is located within Felsham Conservation Area, rather than near to it, so I am unsure as to how this statement is applicable.</p> <p>I also request clarification over the extension of the Red Line. The revised Red Line now includes a section of the curtilage listed boundary wall at the site. The accompanying cover email suggests that the Red Line has been amended to show visibility splays. However, I am therefore concerned as to how this area could form part of a visibility splay with a wall in the way, unless this is a suggestion that this part of wall would be demolished to create the visibility splay. Demolishing this section of wall would be harmful and I would not support it. The intention here should thus be clarified (see clarifications).</p> <p>The Proposed Site Plan appears to show new gates on the eastern edge of the extended car park, and potentially new associated boundary treatments adjacent. Details of these are requested as conditions.</p> <p>I consider that the rest of the proposed works would not be harmful, subject to conditions.</p> <p>I consider that the works would not harm the significance of Church Cottage and Adjoining House Swallows Nest, nor the Church of St Peter.</p>
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		<p>The proposal would not meet the requirements of Local Plan policy HB8. Therefore, I do not support the proposal.</p> <p><i>Decision-takers should be mindful of the specific legal duties of the local planning authority with respect to the special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses, as set out in section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.</i></p> <p><i>Decision-takers should be mindful of the specific legal duties of the local planning authority with respect to the special attention which shall be paid to the desirability of preserving or enhancing the character and appearance of the Conservation Area, as set out in section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.</i></p> <p>POLICY HB1</p> <p>THE DISTRICT PLANNING AUTHORITY PLACES A HIGH PRIORITY ON PROTECTING THE CHARACTER AND APPEARANCE OF ALL BUILDINGS OF ARCHITECTURAL OR HISTORIC INTEREST. PARTICULAR ATTENTION WILL BE GIVEN TO PROTECTING THE SETTINGS OF LISTED BUILDINGS.</p>
6	Amendments, Clarification or Additional Information Required	<ul style="list-style-type: none"> - Amended proposed elevations for Plot 1, to avoid architectural reference to traditional agricultural buildings, as per above, at 1:100. - Clarification regarding the intentions relating to the inclusion of a section of the curtilage listed boundary wall within the Revised Red Line.
7	Recommended conditions	<p>Following suitable amendments/clarifications/if the LPA are minded to approve the application, the following conditions are requested:</p> <ul style="list-style-type: none"> - Prior to the commencement of works above slab level, manufacturer's details of proposed external facing materials for all dwellings and cartlodes. - Prior to the erection of any new gates/boundary treatments/structures around the extended public house car park, details of these features, to include elevation drawings and/or manufacturer's literature as appropriate.

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		- Removal of any Permitted Development Rights for changes to hardstanding, if applicable.
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From: Hamish Jackson - Ecological Consultant <Hamish.Jackson@essex.gov.uk>
Sent: 11 December 2020 16:47
To: John Pateman-Gee <John.pateman-Gee@baberghmidsuffolk.gov.uk>
Cc: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>
Subject: RE: MSDC Planning Re-consultation Request - DC/20/04572

Hi John,

Place Services Ecology provided ecological comments on 2nd December and have reviewed the revised plans with the agent cover email (received 27.11.20).

Therefore, as our comments are up to date, we wish to maintain our holding objection for this application

Kind regards,

Hamish

Hamish Jackson ACIEEM BSc (Hons)
Ecological Consultant at Place Services

telephone: 03330 320980 mobile: 07740901139
email: hamish.jackson@essex.gov.uk / PlaceServicesEcology@essex.gov.uk
web: www.placeservices.co.uk
linkedin: www.Linkedin.com/in/hamishjackson/





02 December 2020

John Pateman-Gee
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/20/04572
Location: Land Rear Of The Six Bells Church Road Felsham Suffolk
Proposal: Planning Application - Erection of 3no. detached dwellings and associated parking and landscaping, utilising the existing public house access

Dear John,

Thank you for consulting Place Services on the above application.

Holding objection due to insufficient ecological information

Summary

We have reviewed the submitted documents for this application and note an ecological report has not been provided for this application.

As a result, we are not satisfied that sufficient ecological information is currently available for determination. As the impacts to designated sites, legally protected and priority species and habitats have not been identified for this application. Consequently, we recommend that a Preliminary Ecological Appraisal Should also be conducted for this application. This should be undertaken by a suitability qualified ecologist, following standard methodologies.

In particular, we note the proposal requires the removal of a Category C group of trees to facilitate vehicular access to the site. Therefore, further ecological assessment must consider the likelihood of Bats being present and affected by the removal of these trees.

This is required prior to determination because the Local Planning Authority must consider the guidance under paragraph 99 of the ODPM Circular 06/2005. This advises that the presence or otherwise of protected species, and the extent to which they might be affected by the proposed



development, must be established before planning permission is granted. Therefore, if there is a reasonable likelihood of protected species being present and affected by the development, the surveys should be completed and any necessary measures to protect the species should be in place before the permission is granted (Based on the judgement in the *Mrs Brown (Appellant) v Mid Suffolk Council* [2017] - APP/W3520/W/17/3174638).

It is also highlighted that the Local Planning Authority, as a competent authority, should have regard to the requirements of The Conservation of Habitats and Species Regulations 2017 (as amended) when reaching planning decisions and must not leave this until the licence application stage. (*Based on the judgement in the Hack Green Group (Appellant) v Cheshire East Council* [2006] - APP/R0660/W/15/3131662). Therefore, if a European Protected Species Mitigation Licence is required for this application, mitigation measures to support the provision of the licence must also be outlined prior to determination to allow certainty to the LPA that a licence will likely be granted.

Consequently, further information is required to provide the LPA with certainty of impacts on designated sites, legally protected species and priority species / habitats 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 and support a lawful decision.

Please contact us with any queries.

Yours sincerely,

Hamish Jackson ACIEEM BSc (Hons)
Ecological Consultant
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.

DC/20/04572. Land Contamination

Dear John

EP Reference : 284437

DC/20/04572. Land Contamination

Land Rear Of The Six Bells, Church Road, Felsham, BURY ST EDMUNDS, Suffolk.

Re-consultation: Erection of 3no. detached dwellings and associated parking and landscaping, utilising the existing public house access.

Many thanks of your request for comments in relation to the above application. I can confirm that nothing would cause me to amend my recommendations of 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@baberghmidsuffolk.gov.uk

Work: 01449 724715

websites: www.babergh.gov.uk www.midsuffolk.gov.uk

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.



From: Nathan Pittam <Nathan.Pittam@babberghmidsuffolk.gov.uk>
Sent: 30 October 2020 09:02
To: John Pateman-Gee <John.pateman-Gee@babberghmidsuffolk.gov.uk>
Cc: BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>
Subject: DC/20/04572. Land Contamination

Dear John

EP Reference : 283188
DC/20/04572. Land Contamination
Land Rear Of The Six Bells, Church Road, Felsham, BURY ST EDMUNDS,
Suffolk.
Erection of 3no. detached dwellings and associated parking and landscaping,
utilising the existing public house access.

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

Kind regards

Nathan

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

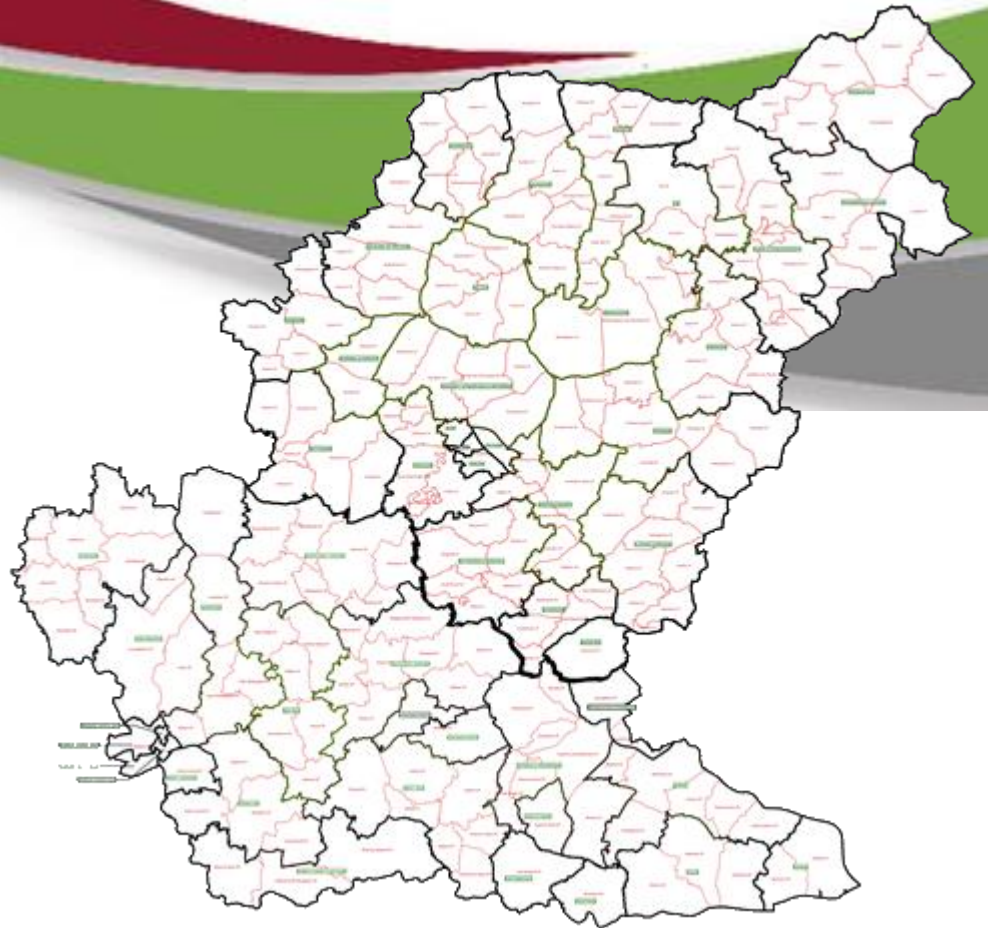
Babergh and Mid Suffolk District Councils – Working Together

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

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Application No:
DC/20/04572

Address:
Land Rear Of The Six Bells
Church Road
Felsham



Aerial Map – wider view







Slide 2

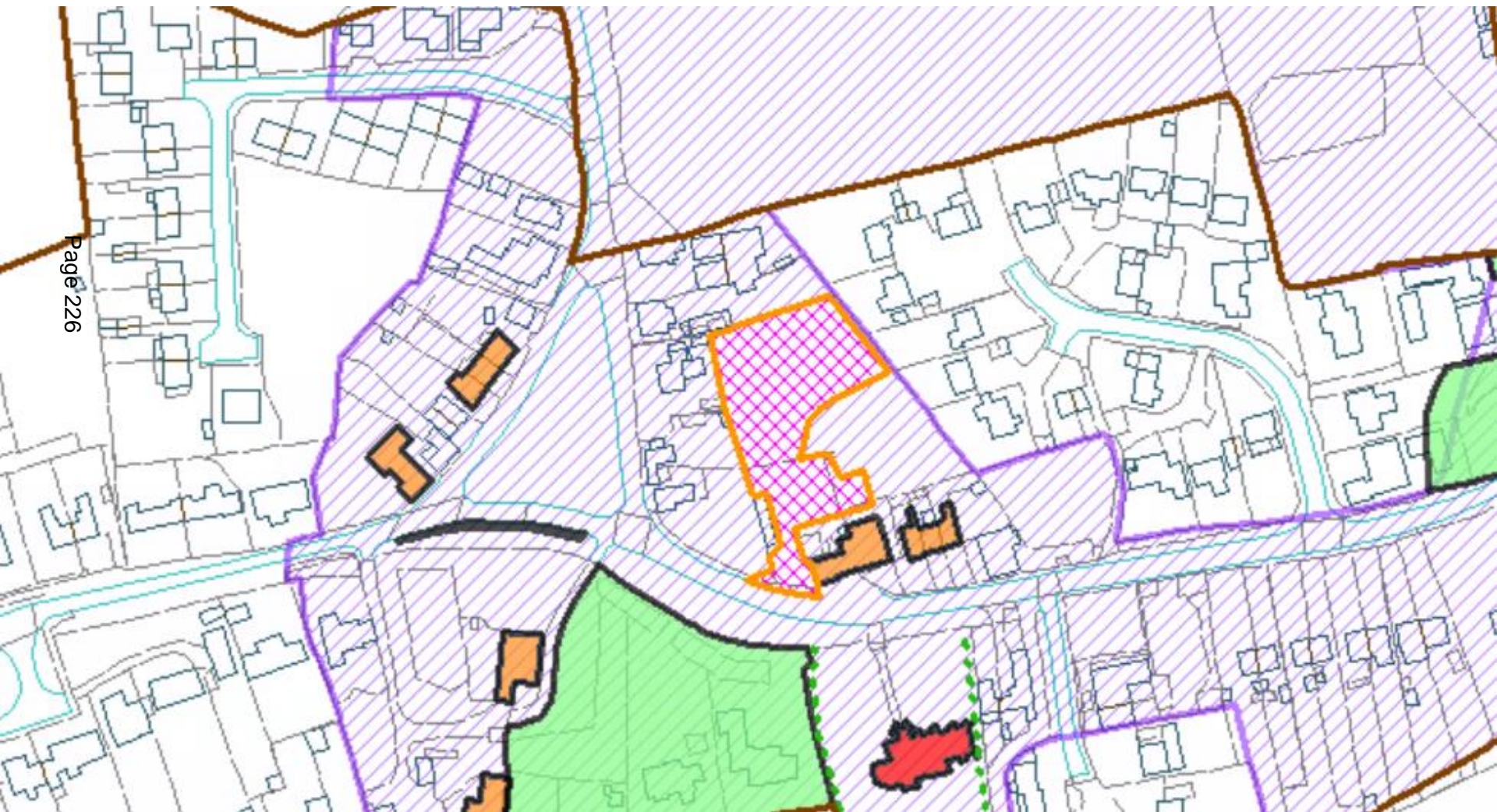




Constraints Map

Slide 4

- | | | |
|---|--|--|
|  Conservation Area |  Grade II |  Built Up Area Boundaries |
|  Footpath |  Grade II* |  Area of Trees |



Site Location Plan

Page 227



TITLE PLAN
SCALE 1:500

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TITLE PLAN
SCALE 1:1250

Key:
——— DEVELOPMENT SITE

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 No deviation from this drawing will be permitted without the express consent of Cordage Group via the Supervising Officer.
 All works are to comply with the current edition of the Building Regulations and British Standards.
 It is the contractor's responsibility to check all dimensions and quantities on site prior to submitting the tender for the works.

Construction, Design and Management (CDM) REGULATIONS 2015, Risk Assessment:
M.A.S.
 Methods required - CDM6, S&P, MCHS, Gas safe, Contractors to dusting where required, Site shopping where required, Light fittings to be Fire Rated where ceilings are the exception, Fire Officer Testing and Certificate.
Building Regulations:
 To Building Regulations and British Standards Requirements in all respects, To Fire Officer requirements in all respects. The Building Contractor must include for all works required by the Building Contractor.

CLIENT
Cordage 13 Limited

PROJECT
**SIX BELLS
 CHURCH ROAD
 FELSHAM IP30 0PJ**

ISSUE
10.10.2020
 RE-ISSUE
23.11.2020

SCALE
1:1250 / 1:500 @A3

DRAWN BY: **JBB**

DESCRIPTION
TITLE PLAN

PROJECT NO.
19.15
0.00 D

Proposed Plan



KEY

- Trees
- 1.80m High Soft Landscaping to Local Authority Approval
- Low Level Landscaping
- Self Binding Golden Amber Gravel Drive
- Block Paving
- Grass
- Granite Sets
- Post and Rail Fencing
- Timber Close Boundary Fencing @ 1.8m

Bin + Cycle Store

Top Elevation
Side Elevation
Front Elevation

GARDEN AREA

	m ²
PLOT 1	150
PLOT 2	180
PLOT 3	237

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Plotted dimensions are to be used in preference to actual dimensions, however for Planning purposes scaling is permitted.

No deviation from this drawing will be permitted without the express consent of Cordage Group via the Supervising Officer.

All works are to comply with the current edition of the Building Regulations and British Standards.

It is the contractor's responsibility to check all dimensions and quantities on site prior to starting the work for the works.

Construction Design and Management (CDM) REGULATIONS 2015, 2017 AND 2018

CDM 2015

Standard Approval: CDMS, BWF, NESC, Gas safe, Checkers to Building regs required.

Fire stopping where required.

Light fittings to be Fire Rated where settings are the requirement.

Fire Officer Testing and Certificate.

BUILDING REGULATIONS

For Building Regulations and British Standard requirements in all respects.

To Fire Officer requirements of all aspects.

The Building Contractor must include for services required by the MIB Contractors.

CLIENT
Cordage 13 Limited

PROJECT
Six Bells
Church Road
Felsham IP30 0PJ

ISSUE
27.03.2020

RE-ISSUE
23.11.2020

SCALE
1:500 @A3

DRAWN BY: AC

DESCRIPTION
Proposed Hard and Soft
Landscaping Plan

PROJECT NO.
19.15

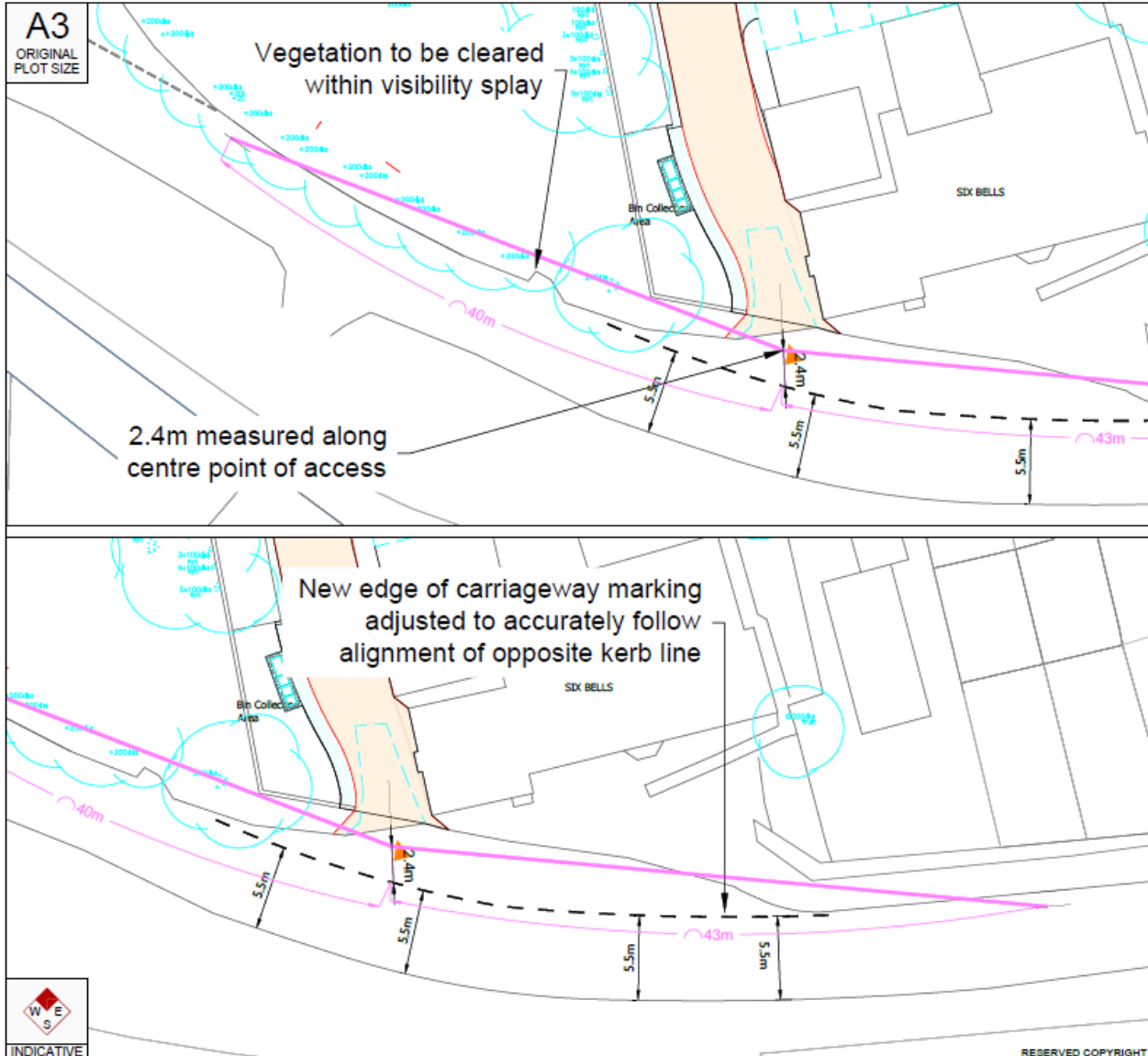
10.05



Existing Survey

Slide 7





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NOTES:
Visibility splays drawn to 1m from carriageway edge, as per Manual for Streets 2 guidance (page 76)

A	08/2020	Revised layout	000	NH	NH
Rev	Date	Details	Drawn By	Checked By	Approved By

Bristol
 Cambridge
 London
 Manchester
 Oxford
 Weylyn Garden City

90 High Holborn
 London
 WC1V 6LJ
 020 7119 1155
www.tpa.viz.com

CLIENT:
 CORDAGE 13 LIMITED

PROJECT:
 SIX BELLS,
 FELSHAM

TITLE:
 Visibility splays at site
 access and proposed edge
 of carriageway markings

STATUS:
 FOR INFORMATION

SCALE:	DATE:	DRAWN:	CHECKED:	APPROVED:
1:250	19.8.20	NH		NH
JOB NO:	DRAWING NO:	REVISION:		
2003-063	PL01	B		

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3D Images

Page 231

Image 1



Image 2



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 Figured dimensions are to be used in preference to stated dimensions, however for Planning purposes stated dimensions shall be used.
 No deviation from this drawing will be permitted without the express consent of Cordage Group via the Supervising Officer.
 All works are to comply with the current edition of the Building Regulations and listed standards.
 It is the contractor's responsibility to check all dimensions and quantities on site prior to submitting his tender for the works.

Construction Design and Management (CDM) Regulations 2015, Part 6, 6.1.1

M.S.E
 Standards required: CDM6, SPM6, HSE/CL, Gas with CAT/IGPs to detailing where required.
 Fire stopping where required.
 Light fittings to be fire rated where ceilings are fire separated.
 Fire Officer Testing and Certificate.

REGULATORY APPROVALS
 To Building Regulation and other standards requirements in all respects.
 To the Officer requirements in all respects.
 The Building Contractor shall provide for all works required by the other Contractors.

CLIENT
Cordage 13 Limited

PROJECT
**Six Bells
 Church Road
 Felsham IP30 0PJ**

ISSUE
07.04.2020

RE-ISSUE
09.10.2020

SCALE
nts@A3

DRAWN BY: **JBB**

DESCRIPTION
3D Images

PROJECT NO.
19.15

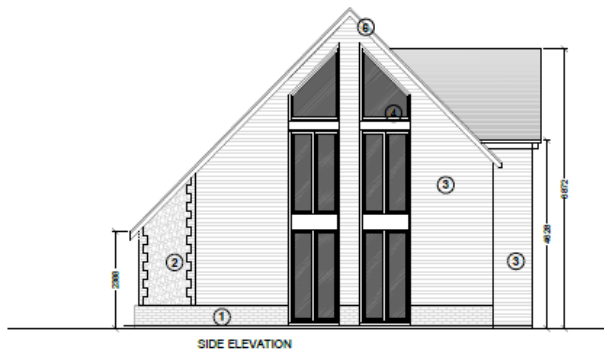
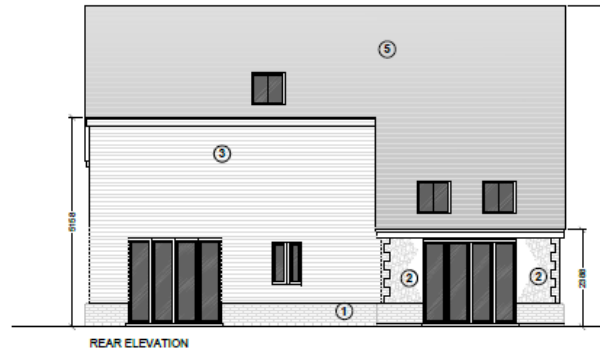
10.09

B

Proposed Elevations Plot 1

Slide 10

Page 232



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No deviation from this drawing will be permitted without the express consent of Cordage Group via the Supervising Officer.

All works are to comply with the current edition of the Building Regulations and British Standards.

It is the contractor's responsibility to check all dimensions and quantities on site prior to submitting the tender for the works.

Construction Details and Materials (CDM)

NOTE

Standards required - CHS8, BS48, NICEIC, Gas safe, Domestic to suit where required.

Fire stopping where required.

Light fittings to be fixed in accordance with the specification.

Fire Officer: Testing and Certificate.

BUILDER REGULATIONS

To Building Regulation and British Standard Requirements in all respects.

To Fire Officer requirements in all respects.

The Building Contractor must include for all works required by the IMB Contractors.

KEY

- ① Flemish Bond Facing Brickwork / Colour Red Multi Stock with light buff Mortar to Conservation Officers Approval
- ② Flint Walling (undercut / irregular)
- ③ Black timber cladding
- ④ Painted Timber frame Windows
- ⑤ powder coated aluminum window and door set within oak frame structure
- ⑥ Clay Tiles
- ⑦ painted timber fascia / soffits boards

CLIENT
Cordage 13 Limited

PROJECT
Six Bells
Church Road
Felsham IP30 0PJ

ISSUE
07.04.2020
RE-ISSUE
27.10.2020

SCALE
1:100@A3
DRAWN BY: AC

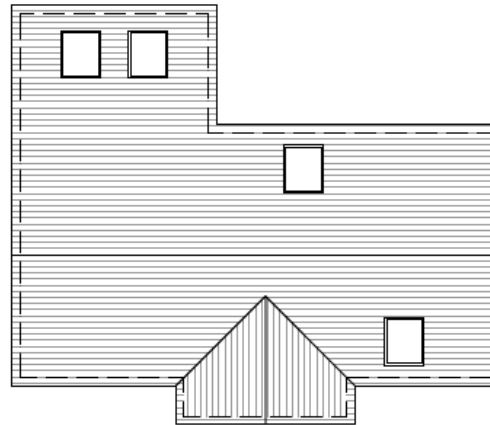
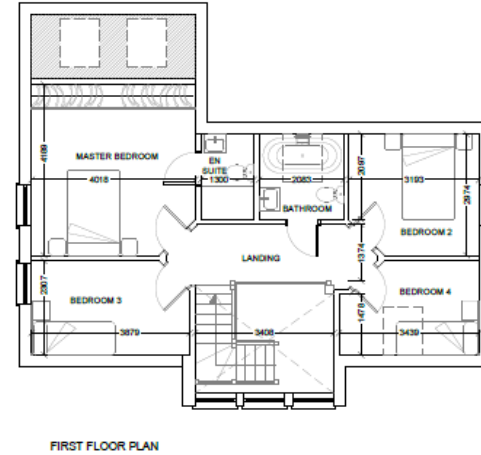
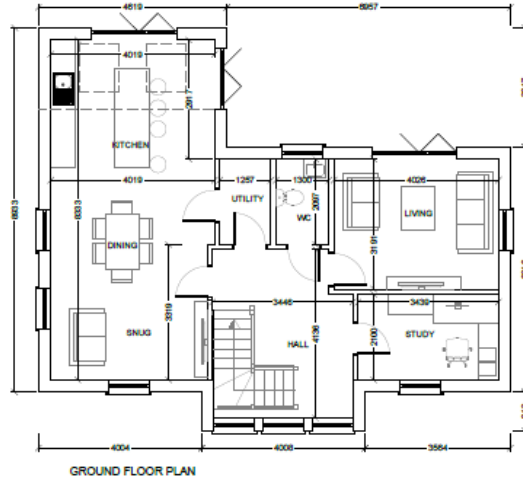
DESCRIPTION
Proposed Elevations
Plot 1

PROJECT NO.
19.15
10.03



Proposed Floor Plan Plot 1

PLOT 1
4b
139 sq.m.



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All works are to comply with the current edition of the Building Regulations and British Standards.
It is the contractor's responsibility to check all dimensions and quantities on site prior to starting the works.

Construction Design and Management (CDM) REGULATIONS 2015 - SITE ASSESSMENT

HAZ
Scaffolds required - CRANE, SAFES, MISC., see safe. Dampers to cutting where required.
Fire stopping where required.
Light fittings to be fire rated where ceilings are the suspended.
Fire Officer Testing and Certificate.

BUILDING REGULATIONS
To Building Regulations and other Standard Requirements in all respects.
The Building Contractor must include for all works required by the MIB Contractors.

CLIENT
Cordage 13 Limited

PROJECT
Six Bells
Church Road
Felsham IP30 0PJ

ISSUE
07.04.2020

RE-ISSUE
27.10.2020

SCALE
1:100@A3

DRAWN BY: AC

DESCRIPTION
Proposed Floor Plan
Plot 1

PROJECT NO.
19.15
10.01

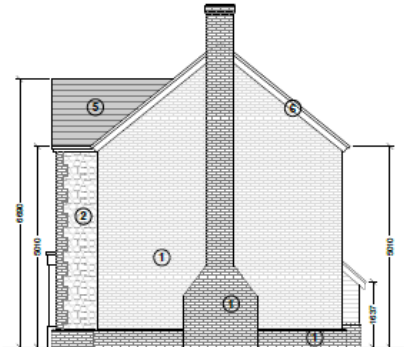


Proposed Elevations Plot 2

Page 234



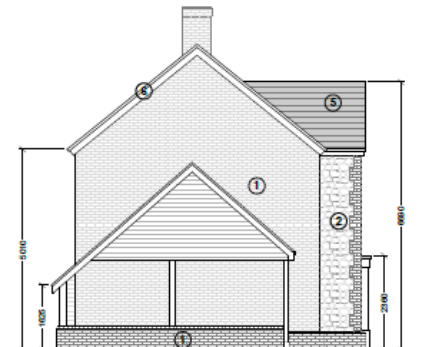
FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION



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 All works are to comply with the current edition of the Building Regulations and British Standards.
 It is the contractor's responsibility to check all dimensions and quantities on site prior to submitting his tender for the works.
Construction Design and Management (CDM)
STRUCTURES FOR THE PROVISION
M&E
 Standards required: CDM, BAF, NICK, Gas safe, Caravan to existing where required.
 Fire stopping where required.
 Light fittings to be Fire Rated where ceilings are the separation.
 Fire Officer: Testing and Certificate.
BUILDING REGULATIONS
 To Building Regulation and British Standard requirements in all respects.
 The Building Contractor must provide for all works required by the M&E Contractors.

KEY

- ① Flemish Bond Facing Brickwork / Colour Red Mud Block with light buff Mortar to Construction Officers Approval
- ② Flint Walling (underset / irregular)
- ③ White Painted Timberhane Sash Windows
- ④ Grey Painted Timber Door
- ⑤ Clay Tiled Roof
- ⑥ Painted Timber fascias / soffits boards
- Ⓜ Black Coated Aluminium Rainwater Goods

CLIENT
Cordage 13 Limited

PROJECT
**Six Bells
 Church Road
 Felsham IP30 0PJ**

ISSUE
07.04.2020

RE-ISSUE
27.10.2020

SCALE
1:100@A3

DRAWN BY: **AC**

DESCRIPTION
**Proposed Elevations
 Plot 2**

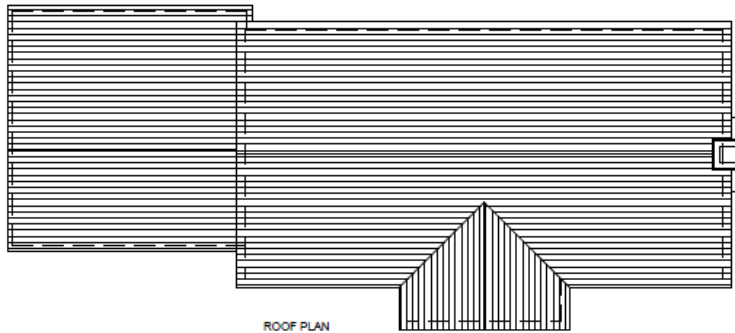
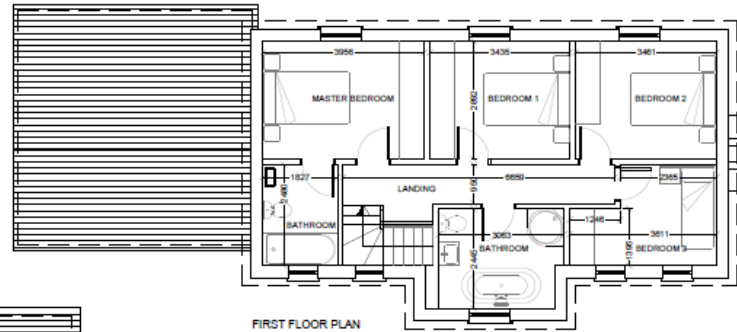
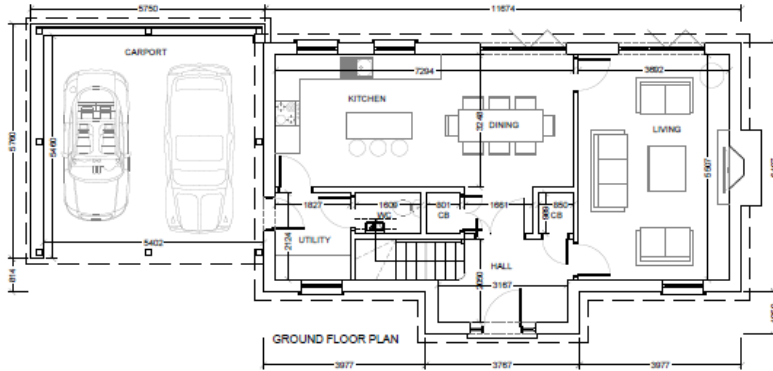
PROJECT NO.
19.15

10.04

Proposed Floor Plans Plot 2

Slide 13

PLOT 2
4b7p
129 sq.m.



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All works are to comply with the current edition of the Building Regulations and British Standards.
It is the contractor's responsibility to check all dimensions and quantities on site prior to starting the tender for the works.
Construction Design and Management (CDM) REGULATORY REQUIREMENTS:
M&E
Standards required: CDM, GATE, NICKEL, Gas safe, Carpets to meeting where required.
Fire stopping where required.
Light fittings to be fire rated where ceilings are the separation.
Fire Officer Testing and Certificate.
BUILDING REGULATIONS
To Building regulation and British Standard requirements in all respects.
To Fire Officer requirements in all respects.
The Building Contractor must include for all works required by the M&E Contractors.

CLIENT
Cordage 13 Limited

PROJECT
Six Bells
Church Road
Felsham IP30 0PJ

ISSUE
07.04.2020

RE-ISSUE
27.10.2020

SCALE
1:100@A3

DRAWN BY: AC

DESCRIPTION
Proposed Floor Plan
Plot 2

PROJECT NO.
19.15
10.02



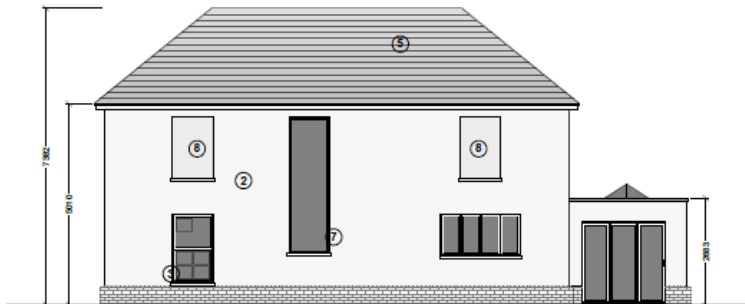
Proposed Elevations Plot 3



FRONT ELEVATION



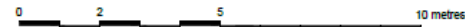
SIDE ELEVATION



REAR ELEVATION



- KEY**
- ① Flemish Bond Facing Brickwork / Colour Red Multi Stock with light buff Mortar to Conservation Officers Approval
 - ② Off White Sand and Cement Painted Render
 - ③ White Painted Timber Sash Windows
 - ④ Grey Painted Timber Door
 - ⑤ Clay Tiled Roof
 - ⑥ Painted timber fascia / soffit boards
 - ⑦ Feature window - non operable, obscure glazing
 - ⑧ infill



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 Piped dimensions are to be used in preference to axoned dimensions. However for Planning purposes axoning is permitted.
 No deviation from this drawing will be permitted without the express consent of Cordage Group via the Supervising Officer.
 All works are to comply with the current edition of the Building Regulations and British Standards.
 It is the contractor's responsibility to check all dimensions and quantities on site prior to starting his tender for the works.
Construction Design and Management (CDM) REGULATIONS (2015) - SITE ASSISTANCE:
M.A.S
 Services required: COMB, SAFE, NOISE, Gas with Certificate to ducting where required.
 Fire stopping where required.
 Light fittings to be File Rated where ceilings are the separation.
 Fire Officer Testing and Certificate.
REGULATIONS:
 To Building Regulations and other Standard Requirements in all respects.
 To Fire Officer requirements in all respects.
 The Building Contractor must include for all works required by the M&S Contractors.

CLIENT
 Cordage 13 Limited

PROJECT
 Six Bells
 Church Road
 Felsham IP30 0PJ

ISSUE
 07.04.2020

RE-ISSUE
 23.11.2020

SCALE
 1:100@A3

DRAWN BY: AC

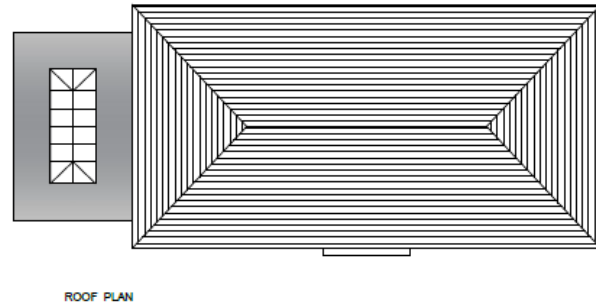
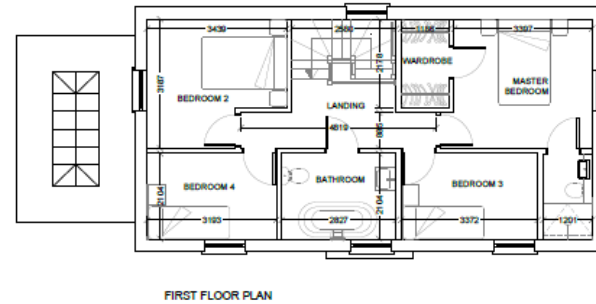
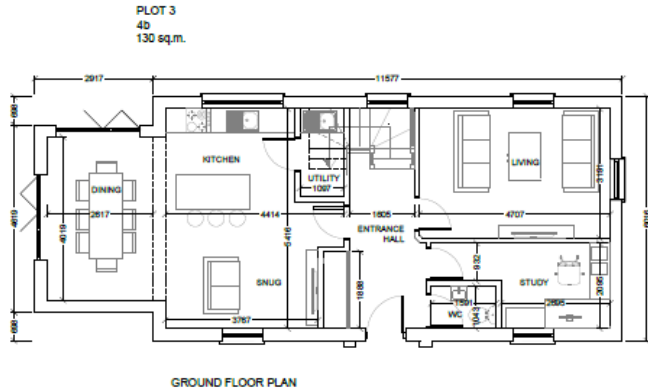
DESCRIPTION
 Proposed Elevations
 Plot 3

PROJECT NO.
 19.15

10.08



Proposed Floor Plans Plot 3



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All works are to comply with the current edition of the Building Regulations and British Standards.
It is the contractor's responsibility to check all dimensions and quantities on site prior to submitting his tender for the works.

Construction Design and Management (CDM) 2015/2016
2015/2016 APPROVED CONTRACT ADMINISTRATION

M&E
Products required - CO2/SE, SAFE, NICEIC, Gas safe, Dampers to shutting where required.
Flooring where required.
Light fittings to be Fire Rated where ceilings are fire escape.
Fire Officer Testing and Certificate.

WINDING REGULATIONS
To Building Regulation and British Standard Requirements in all respects.
To Fire Officer requirements in all respects.
The Building Contractor must include for all works required by the above Contractors.

CLIENT
Cordage 13 Limited

PROJECT
Six Bells
Church Road
Felsham IP30 0PJ

ISSUE
07.04.2020

RE-ISSUE
23.11.2020

SCALE
1:100@A3

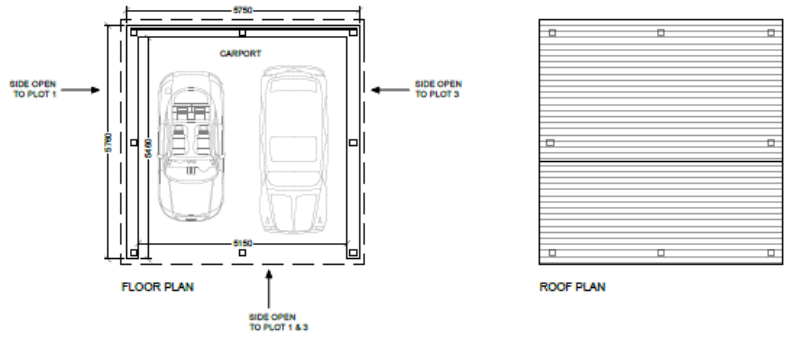
DRAWN BY: AC

DESCRIPTION
Proposed Floor Plan
Plot 3

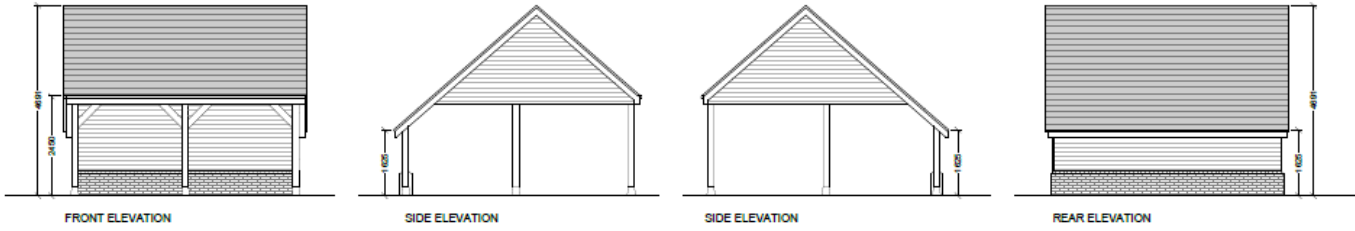
PROJECT NO.
19.15
10.07



Proposed Carport Plots 1 & 3



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 All works are to comply with the current edition of the Building Regulations and British Standards.
 It is the contractor's responsibility to check all dimensions and quantities on site prior to starting his tender for the works.
Construction Design and Management (CDM) Regulations 2015
Health and Safety
H.A.S
 Standards required: COSHH, S&S, MCHS, Gas safe, JCR/MS to cutting where required.
 Fire equipment where required.
 Light fittings to be Fire Rated where ceilings are the exception.
 Fire Officer Testing and Certificate.
BUILDING REGULATIONS
 To Building Regulation and British Standards Requirements in all respects.
 To Fire Officer requirements in all respects.
 The Building Contractor must ensure that all works comply with the Building Regulations.



CLIENT
Cordage 13 Limited

PROJECT
Six Bells Church Road Felsham IP30 0PJ

ISSUE
07.04.2020

RE-ISSUE
28.10.2020

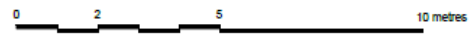
SCALE
1:100@A3

DRAWN BY: **AC**

DESCRIPTION
Proposed Carport Plots 1 & 3

PROJECT NO.
19.15

10.041 B



Agenda Item 7c

Committee Report

Item 7C

Reference: DC/20/04987

Case Officer: Alex Scott

Ward: Debenham.

Ward Member/s: Cllr Kathie Guthrie.

RECOMMENDATION – REFUSE OUTLINE PLANNING PERMISSION

Description of Development

Application for Outline Planning Permission (some matters reserved, access to be considered). Town and Country Planning Act 1990 - Erection of up to 32 dwellings following demolition of existing buildings (resubmission of DC/19/04553).

Location

Anchor Storage, Eye Road, Kenton, Stowmarket Suffolk IP14 6JJ

Expiry Date: 06/02/2021

Application Type: OUT - Outline Planning Application

Development Type: Major Small Scale - Dwellings

Applicant: Mr Stephen Britt

Agent: Philip Cobbold

Parish: Kenton

Site Area: 2.2ha

Density of Development:

Gross Density (Total Site): 14.55 dwellings per hectare

Net Density (Developed Site, excluding open space and SuDs): 16.31 dwellings per hectare

Details of Previous Committee / Resolutions and any member site visit: Outline Planning Permission, for a similar development on the site, was refused by MSDC Development Committee A on 19th February 2020 for the following reasons: Unsustainable Location; Loss of Employment Land; Harm to Heritage Asset; and not sufficiently addressing issues relating to Land Contamination and Flood Risk. (Further details appended).

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.

PART ONE – REASON FOR REFERENCE TO COMMITTEE

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.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

NPPF - National Planning Policy Framework
FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
FC02 - Provision And Distribution Of Housing
CS01 - Settlement Hierarchy
CS02 - Development in the Countryside & Countryside Villages
CS03 - Reduce Contributions to Climate Change
CS04 - Adapting to Climate Change
CS05 - Mid Suffolk's Environment
CS06 - Services and Infrastructure
GP01 - Design and layout of development
HB01 - Protection of historic buildings
HB14 - Ensuring archaeological remains are not destroyed
H04- Proportion of Affordable Housing
H07 - Restricting housing development unrelated to needs of countryside
H13 - Design and layout of housing development
H14 - A range of house types to meet different accommodation needs
H15 - Development to reflect local characteristics
H16 - Protecting existing residential amenity
H17 - Keeping residential development away from pollution
CL08 - Protecting wildlife habitats
RT04 - Amenity open space and play areas within residential development
RT12 - Footpaths and Bridleways
E03 - Warehousing, storage, distribution and haulage depots
E04 - Protecting existing industrial/business areas for employment generating uses
E05 - Change of Use within existing industrial/commercial areas
E06 - Retention of use within existing industrial/commercial areas
T09 - Parking Standards
T10 - Highway Considerations in Development

Neighbourhood Plan Status

This application site is not within a Neighbourhood Plan Area.

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)

Kenton Parish Meeting - 10.12.2020

Object and trust that the application will be refused outright - Comprehensive report provided -
Conclusions: The application is poorly conceived and disregards the provisions of the NPPF and Local Plan; The proposal would result in an unacceptable form of development to the detriment of the character and appearance of the surrounding countryside and local amenity, including from the surrounding countryside and public rights of way; The proposal is in an unsustainable location in respect of access to local services and facilities; and The proposed development would cause unacceptable harm to the significance of heritage assets.

National Consultee (Appendix 4)

Environment Agency - 25.11.2020

Holding Objection on Foul Drainage grounds - Further information to demonstrate that the risks of pollution posed to surface water can be safely managed if a package treatment plant is used - No objection on Flood Risk grounds raised.

East Suffolk Drainage Board - 26.11.2020

Note the applicant intends to discharge surface water to a watercourse within the watershed catchment of the Board's IDD - Recommend discharge from this site is attenuated to the Greenfield Runoff Rates wherever possible.

Historic England - 13.11.2020

Do not wish to offer any comments - Suggest the LPA seeks the views of their specialist conservation and archaeological advisers, as relevant.

Natural England - 10.11.2020

Natural England has no comments to make on this application.

County Council Responses (Appendix 5)

SCC - Highways - 19.11.2020

Consider a Transport Statement is required - The applicant has not adequately considered the impacts on the highway from the traffic generated by the development, especially during peak hours; A footway is required between the site and bus stops, and the existing footway and PROW networks of the village; Public Footpath 21 runs through the site and this has not been considered within the layout.

SCC - Public Rights of Way - 11.11.2020

Object to this proposal on the basis that: Neither the site plans nor the Design and Access Statement depict Public Footpath 21 (FP21); None of the documents describe the alignment of FP21; None of the documents explain how FP21 will be affected by the proposed development; None of the documents show how FP21 will be integrated and protected in the design of the proposed development; and None of the documents explain how FP21 will be protected during construction.

SCC - Lead Local Flood Authority - 10.11.2020

Holding Objection - The proposed site layout and surface water drainage is not conjunctive to good design and the proposed strategy for the disposal of surface water is also proposing to utilise a hybrid system; Information submitted in support of the application is also considered to be out of date.

SCC - Archaeology - 11.11.2020

No objection - There would be no significant impact on known archaeological sites or areas with archaeological potential - Do not believe any archaeological mitigation is required.

SCC - Fire and Rescue - 10.11.2020

Fire Hydrants required within the development on a suitable route for laying hose - Automatic Fire Sprinkler system(s) advised.

SCC - Development Contributions - 27.11.2020

S106 required to cover Secondary School Transport Contributions - all other infrastructure requirements to be covered by CIL.

Internal Consultee Responses (Appendix 6)

MSDC - Strategic Planning and Infrastructure - 09.12.2020

Recommend Refusal - Proposal considered Unsustainable and Harmful: Development is contrary to current development plan, national policy and the emerging JLP; This is major development proposal in a small rural settlement with very limited accessibility to essential services and facilities; The impact of the proposal would be significantly different to that of small scale / infill growth; This additional unplanned growth would create unnecessary adverse harm in respect of social and environmental conditions with regards the increased need to drive or bus pupils to and from School and the need to drive to access services and facilities, with no regular public transport available.

MSDC - Heritage - 27.11.2020

Proposal would result in low to medium less than substantial harm to the setting and significance of the Grade II Listed Sycamore Farmhouse - Scheme essentially a re-submission of that previously refused; Do not consider any additions or amendments which would alter assessment of the scheme in heritage terms.

MSDC - Ecology Consultants - 23.11.2020

Holding Objection due to insufficient ecological information - The ecological survey report submitted with the application is out of date and requires updating.

MSDC - Environmental Protection - Land Contamination - 01.12.2020

No objection – Have reviewed the application and supporting Geoenvironmental Risk Assessment by Sue Slaven (reference : P0135/R01 Issue 1 dated October 2020) - 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 - Also advise that the developer is made aware that the responsibility for the safe development of the site lies with them.

MSDC - Environmental Protection - Air Quality - 13.11.2020

No Objection - The development is highly unlikely to cause a significant adverse impact on local air quality when measured against guidance of the Institute of Air Quality Management and DEFRA.

MSDC - Environmental Protection - Noise/Odour/Light/Smoke - 12.11.2020

Further information required - The proposed residential premises would be in close proximity to existing agricultural/ commercial premises and there is potential for significant loss of amenity at new dwellings due to noise - Environmental Noise Assessment (ENA) required - Construction and Environmental Management Plan (CEMP) required.

MSDC - Environmental Protection - Sustainability - 12.11.2020

No objections - Subject to environmental sustainability measures being secured by way of condition.

MSDC - Strategic Housing - 12.11.2020

The policy position would be for 35% affordable housing on any site of 10 or more units or site area in excess of 0.5 hectares - 32 dwellings equates to 11.2 dwellings for this submission to be policy compliant. Therefore the Council require 11 dwellings and 0.2 as a commuted sum - Preferred Mix of affordable housing is:

Affordable Rented - 8 homes required:

- 2 x 1 bed 2-person houses @ 58 sqm
- 4 x 2 bed 4-person houses @ 79 sqm
- 2 x 3 bed 5-person houses @ 93 sqm

Shared Ownership - 3 homes required:

- 3 x 2 bedroom 4-person houses @ 79 sqm

MSDC - Waste Services - 27.11.2020

No objection subject to conditions - Ensure that the development is suitable for a 32 tonne Refuse Collection Vehicle (RCV) to manoeuvre around - 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. These are required for approval.

MSDC - Public Realm - 10.11.2020

Note the provision of public open space including an attenuation basin - Detailed design should include an adequate area of usable open space that does not include water storage - On site play Area should also be included in the detailed design.

Mid Suffolk Disability Forum - 14.11.2020

Would like to see a commitment to ensuring that all dwellings will meet part M4 of the Building Regulations.

MSDC - Economic Development - 29.01.2021

Do not Support this application - Object to the loss of Employment uses at this site - 14 persons employed currently, therefore cannot demonstrate site is unsuitable for employment - Employment opportunity in rural areas is important to the sustainability of our communities.

B: Representations

At the time of writing this report at least 23 letters/emails/online comments have been received. It is the officer opinion that this represents 18 objections, 5 support and 0 general comment. A verbal update shall be provided as necessary.

Views are summarised below:-

Material planning considerations raised by the objections include:

- Traffic impacts stemming from the increased use of the site by cars, van and motorcycles;
- Nature of local roads which are unlit, narrow and winding with few passing places;
- Lack of pedestrian footways through village;
- Lack of local infrastructure including GP or dental practice, shops or leisure facilities;
- Loss of local employment;
- Lack of parking on site;
- Lack of bus service to Kenton;
- Proposed development is out of keeping with the character of the area; and
- Likely contamination on site owing to asbestos construction of current buildings.

Material planning considerations raised by the supporters include:

- Development is on a Brownfield Site;
- Reduction in HGV Traffic through Village;
- Visual enhancement due to removal of Industrial Buildings;
- Local employment at Aspell Cider is near to the site;
- Will provide green open space 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/19/04553	Outline Planning Application (some matters reserved - access to be considered) - Erection of up to 32No dwellings (existing buildings to be demolished).	DECISION: REF 19.02.2020
REF: 3478/10	Retention of existing office building.	DECISION: GTD 17.02.2011
REF: 1384/04	RETENTION OF TEMPORARY OFFICE ACCOMMODATION FOR A FIVE YEAR PERIOD FROM 31/10/05.	DECISION: GTD 31.12.2004
REF: 0851/00/	CONTINUED USE OF TEMPORARY OFFICE ACCOMODATION FOR A PERIOD OF FIVE YEARS	DECISION: GTD 06.10.2000
REF: 0421/95/	ERECTION OF TEMPORARY OFFICE ACCOMMODATION USING PRIVATE FOUL DRAINAGE SYSTEM AND EXISTING VEHICULAR ACCESS.	DECISION: GTD 09.08.1995

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1. The 2.2ha site is located on the eastern side of Eye Road in Kenton, a designated countryside village. The site is occupied by a range of warehouses (8000sqm floor area) and single storey offices, operating as 'Anchor Storage'. The existing lawful use of the site is for Use Class B8 (storage and distribution).
- 1.2. Residential development and farm buildings are located north of the site. To the west (on the opposite side of Eye Road), and to the east of the site, is open countryside. Commercial units are located on land south of the site.
- 1.3. The site is not in a Conservation Area or special landscape designated for protection. The nearest designated heritage asset is the adjacent Grade II listed Sycamore Farmhouse which the site essentially wraps around on its eastern and southern boundaries. The proposed developable area of the site, as indicated, lies within Environment Agency Flood Zone 1, whilst the far eastern portion of the site (indicated for open space) lies within EA Flood Zones 2 and 3.
- 1.4. A Public Right of Way, Public Footpath 21, runs through the centre of the site, from east to west, connecting to the existing Public Right of Way network, extending away from the site, out into the countryside to the east of the Village.

2. The Proposal

- 2.1. The application seeks Outline Planning Permission, with all matters reserved save for access, for the erection of up to 32 new dwelling houses and public open space on the site, following demolition and removal of the existing industrial/commercial buildings on the site. An indicative masterplan has been provided with the application to indicate how the layout and landscaping of the site may be achieved, however such matters are presently reserved.
- 2.2. The applicant has not proposed to provide any affordable dwellings on-site, as part of the proposal and has suggested that a commuted sum in this respect would be sufficient to address the planning policy requirements in this respect.
- 2.3. The proposed means of access would be to Eye Road, to the east, via a single estate road access, in the approximately location of the existing commercial access to the site.
- 2.4. The indicative layout suggests a range of detached, semi-detached and terraced housing would be provided, and that public open space area, incorporating a surface water drainage attenuation basin as a feature, would be provided to the east of the site, adjacent to open countryside. Soft landscaping is also indicated to the site's perimeter. The supporting Planning Statement suggests the development outcome will comprise a mix of single storey, one and a half storey and two-storey dwellings of traditional form and appearance and incorporating the use of traditional materials. Such matters are, however, presently reserved at this outline stage.

3. Previous Application

- 3.1. The current application follows previous planning application reference DC/19/04553, for a very similar development of up to 32 dwellings on the site, which was considered by this committee in February 2020 and was refused planning permission for the following reasons:
 - 1) The proposed development, remote from local services and lacking accessible sustainable transport modes, will result in a high level of car dependency for future occupants. The density and scale of the development would result in landscape harm. The identified adverse impacts outweigh the scheme's public benefits, and therefore the proposal does not constitute sustainable development, contrary to Policies FC1 and FC1_1 of the Core Strategy Focused Review 2012 and the National Planning Policy Framework 2019.
 - 2) The proposal would also lead to the loss of employment land, with no significant benefit or alternative schemes provided, contrary to the directions of Saved Local Plan policy E4 and E6. Similarly, the area has not been shown to be one in high demand for housing such that the employment uses present on site should be replaced in line with the provisions of paragraph 121 of the NPPF.
 - 3) While it is acknowledged that the removal of the existing buildings from the site would be read as a benefit to the setting of Sycamore Farmhouse, the replacement of these buildings would still result in harm to its setting. This harm has been identified as being less than substantial when read against the NPPF and the public benefits offered by the site are insufficient to counter this harm due to the adverse impacts arising from the location of the scheme. This runs contrary to paragraph 196 of the NPPF and to the provisions of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 4) The application fails to demonstrate that the site is suitable for housing in the context of land contamination and cannot demonstrate that the remediation of the entirety of the site would result in land that was considered suitable for residential uses. This runs contrary to the requirements of paragraphs 178 and 180 of the National Planning Policy Framework 2019 which seeks to avoid development on sites which may reasonably pose a health risk to its end user.
 - 5) Paragraph 165 of the National Planning Policy Framework 2019 requires major developments to incorporate sustainable drainage systems, including taking advice from the lead local flood authority. The application fails to take account the advice from the lead local flood authority, contrary to paragraph 165 of the National Planning Policy Framework 2019.
- 3.2. Planning decision ref: DC/19/04553 is considered a material planning consideration in determination of the current application and, as such, the current proposal would be expected to overcome the reasons previously given for refusal, having also had regard to the current planning policy environment.

4. The Principle of Development

- 4.1. 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.
- 4.2. For the purposes of the application at hand, the following documents are considered to form the adopted Development Plan:
 - National Planning Policy Framework (NPPF) (2019)
 - Mid Suffolk Core Strategy Focussed Review (2012)
 - Mid Suffolk Core Strategy (2008)
 - Saved Policies of the Mid Suffolk Local Plan (1998)
- 4.3. Mid Suffolk currently benefits from a housing land supply in excess of five-year, as set out in the Council's Housing Land Supply Position Statement and Joint Annual Monitoring Report, both published in October 2020. There is, therefore, no requirement for the Council to determine what weight to attach to all the relevant development plan policies in the context of the tilted balance test, whether they are policies for the supply of housing or restrictive 'counterpart' policies, such as countryside protection policies. This said, there is a need for Council to determine whether relevant development policies generally conform to the NPPF. Where they do not, they will carry less statutory weight.
- 4.4. The NPPF requires the approval of proposals that accord with an up to date development plan without delay, or where there are no policies, or the policies which are most important are out of date, granting permission unless the NPPF policies provide a clear reason for refusal, or adverse impacts of doing so would demonstrably outweigh the benefits. The age of policies itself does not cause them to cease to be part of the development plan or become "out of date" as identified in paragraph 213 of the NPPF. Significant weight should be given to the general public interest in having plan-led decisions even if the particular policies in a development plan may be old, and weight can be attributed to policies based on their compliance with the requirements of the NPPF.
- 4.5. Policies CS1 and CS2 of the Core Strategy, and saved Policy H7 of the Local Plan are policies most important for determining the application. Policy CS1 identifies a settlement hierarchy as to

sequentially direct development, forming part of a strategy to provide for a sustainable level of growth. The Policy identifies categories of settlement within the district, with Towns representing the most preferable location for development, followed by the Key Service Centres, Primary then Secondary Villages. Policy CS2 restricts development in the countryside to defined categories. Local Plan Policy H7 seeks to restrict housing development in the countryside in the interests of protecting its existing character and appearance.

- 4.6. The exceptional circumstances test at Policy CS2 applies to all land outside the settlement boundary, as does saved Policy H7. This blanket approach is inconsistent with the NPPF, which favours a more balanced approach to decision-making. The NPPF does contain a not dissimilar exceptional circumstances test, set out at paragraph 79, however it is only engaged where development is isolated. The definition of isolation in the context of this policy has been shown within court judgements to relate to physical isolation only. The subject land is not physically isolated, and it must follow that paragraph 79 does not engage.
- 4.7. 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 attached to the above policies is reduced as required by paragraph 213. The fact that the site is outside the settlement boundary is therefore not a determinative factor upon which the application turns.
- 4.8. Saved Policy HB1 is a heritage policy that generally reiterates the statutory duty in relation to heritage assets set out within the Planning (Listed Buildings and Conservation Areas) Act 1990. It is not considered up to date as it does not allow for the weighing of public benefits against heritage harm, a key requirement of the NPPF which is set out in detail at paragraph 196. For the same reason CS Policy FC1-1 is deemed not up to date as it also does not allow for the weighing of public benefits against heritage harm.
- 4.9. Therefore, it cannot be shown that the policies of the Council carry sufficient weight to be determinative to this application. This conclusion is reached irrespective of the Council's five-year housing land supply position. Paragraph 11d) of the NPPF is relevant, it requires that 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.
- 4.10. Turning first to (i) above, footnote 6 of the NPPF given at paragraph 11d states that the areas or assets of particular importance referred to within the policy are those relating to: habitats sites and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets; and areas at risk of flooding or coastal change. Of these areas/assets, those relevant to the application are: (a) designated heritage assets; and (b) areas at risk of flooding.
- 4.11. The aim of the NPPF, the delivery of sustainable development, remains unchanged. The three dimensions of sustainable development, in the context of the proposed scheme, are assessed in detail below.
- 4.12. *Social Dimension* - The delivery of additional housing is recognised as a social benefit and while the Council can demonstrate a five-year housing land supply, this cannot be read as a cap on development but does reduce the level of weight attributed to this benefit. While the application

proposes 11 affordable housing units on the site, Strategic Housing do not support this element of the scheme because of the site's remoteness from services, noting 'tenants of the rented units would be dependent upon car travel for pretty much everything in terms of getting children to school or travelling to work'. This outcome offers limited social benefits.

- 4.13. *Economic Dimension* - The provision of up to 32 dwellings will give rise to considerable employment during the construction phase owing to the scale of development proposed. The New Anglia 'Strategic Economic Plan' (April 2014) acknowledges that house building is a powerful stimulus for growth and supports around 1.5 jobs directly and 2.4 additional jobs in the wider economy for every home built. The proposal will, therefore, result in job creation during the construction period which will have positive regional economy benefits.
- 4.14. Although not an allocated employment site, it is nonetheless a lawful, well established employment land parcel. The redevelopment of the site would therefore lead to the loss of the employment use. Saved Policy E4 states that the Council will resist developments which would likely prejudice the continued use of employment sites while E6 recognises the valuable contribution local employment sites bring to an area and requires significant benefits be offered to offset their loss.
- 4.15. Paragraph 121 of the NPPF is more flexible, allowing the use of retail and employment land for housing, but only in areas of high housing demand where the residential use of the site would not compromise key economic sectors.
- 4.16. There is nothing to suggest there is no reasonable prospect of the site being used for employment uses in the future, however, this opportunity is lost through a change to a residential use. There are limited commercial premises in the settlement which would enable employment generation to take place or to replace the loss of the employment. The loss of the site would significantly impact on the ability of the settlement to provide a modest range of employment opportunities. The loss of local employment opportunities not only has a longer-term economic consequence, it has an adverse environmental impact as it does not help to avoid unsustainable travel patterns to jobs and services elsewhere. These factors weigh negatively in the planning balance.
- 4.17. *Environmental Dimension* - The application is located within the countryside and no services or facilities are noted within Kenton itself. Connections to surrounding villages are poor, made down unlit country roads which are considered to be intimidating to pedestrians, especially when the distances to the surrounding villages are taken into account. This is considered to lead to a high degree of car dependency for the application, contrary to the provisions of the NPPF.
- 4.18. A limited degree of less than substantial harm to the setting of the listed building is also noted, however, the application does serve to remove the existing buildings which are also considered to form existing harm, therefore, it is considered that this element of the application is afforded a neutral weight.
- 4.19. In fully weighting the scheme against the strands of sustainable development, some benefits are noted. However, the site is isolated from services and facilities and would lead to the loss of an existing employment site with nothing to more permanently offset this loss or to demonstrate that this area is one of high housing demand.
- 4.20. The Joint Local Plan is emerging, with limited weight attached, given the preparatory stage of the document. Notwithstanding, as observed by Planning Policy, it is to be noted that the village of Kenton is progressing through the emerging Joint Local Plan as a Hamlet, where only small-scale infill growth would be considered appropriate.

- 4.21. In conclusion, the currently proposal is not considered to overcome reasons 1 and 2 given for refusal of previous application DC/19/04553 (see above and appended), having had due regard to the current planning policy environment. Information submitted by the applicant in support of the current application is also not considered to significantly alter planning considerations and reasons previously given for refusal.

5. Nearby Services and Connections Assessment of Proposal

- 5.1. Kenton is a small rural settlement and consequently has very limited accessibility to services and facilities. No services or facilities are noted within Kenton itself. Kenton is less than three miles (2.3 miles) from Debenham, which does provide access to a number of services including Co-Operative Store, cafes, two public houses, antiques dealers, as well as a doctor's surgery, veterinary practice and secondary school. However, the connection between the villages would be made down country lanes with an absence of continuous footways. It is considered that use of these routes would not be optimal for pedestrians given that they are likely to be viewed as being intimidating for pedestrians. There are no regular bus services to or from Kenton.

6. Site Access, Parking and Highway Safety Considerations

- 6.1. Access is a matter sought for approval. Policy T10 of the Local Plan requires the Local Planning Authority to consider a number of highway matters when determining planning applications, including; the provision of safe access, the safe and free flow of traffic and pedestrian safety, safe capacity of the road network and the provision of adequate parking and turning for vehicles. Policy T10 is a general transport policy which is generally consistent with Section 9 of the NPPF on promoting sustainable transport, and therefore is afforded considerable weight.
- 6.2. Paragraph 109 of the NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 6.3. The development proposes to utilise the well-established access that is used by the existing commercial operation. Existing sufficient visibility splays are provided. Your officers consider the proposed access arrangements are safe and suitable for all users, consistent with paragraph 108 of the NPPF and with Local Plan Policy T10.
- 6.4. The removal of the existing storage business would reduce the number of HGVs using the nearby local road network. This is considered to improve local amenity conditions for neighbouring residents. The improved conditions would be partly offset by the increase in private vehicle movements associated with 32 dwellings. On balance, however, it is considered that a public amenity benefit would accrue in this regard, weighing positively in the planning balance.
- 6.5. It is noted that SCC-Highways have requested further information with regards submission of a Transport Assessment and, had the application, been considered acceptable in all other regards your officers would have likely sought to secure this from the applicant in the interest of securing improvements to the existing access and highway network, however, on the basis of the information currently submitted the absence of such information is not considered to represent sufficient reason for refusal on highway safety grounds, for the reasons given above.

7. Public Right of Way

- 7.1. It is noted that Suffolk Country Council have raised objection to the application for the reason that the Public Right of Way which traverses the site (Public Footpath 21) is not shown on the indicative layout submitted and it is not considered that sufficient information has been submitted to demonstrate its integration within the proposed development and to ensure that its formal route would be protected.
- 7.2. Whilst the comments received from SCC in this respect are noted by your officers, there is nothing to suggest, at this outline stage that the formal route of this Right of Way could not be suitably accommodated within a detailed layout if it were the single point of concern and constraint, and that its formal route could not be suitably protected.
- 7.3. As such, your officers consider that this matter could suitably be addressed at a detailed reserved matters stage and it is not considered that this issue should represent a reason for refusal of the current outline application on a point of principle.

8. Design and Layout

- 8.1. No formal detail as to the final proposed scale and appearance of buildings, the site layout or landscaping thereof, has been provided with the application, and the layout currently presented in this respect is indicative only at this stage. Such details would be required to be submitted by way of condition should outline planning permission be granted, by way of a future Reserved Matters application. Such a reserved matters application would be required to be reported to MSDC Development Committee prior to determination.
- 8.2. Due to the potential need to reduce the area within the site available for construction of the proposed dwellings, due to the potential need for flood risk and surface water drainage attenuation, and noise impact mitigation, measures as detailed later in this report, your officers have concern with regards the ability of the site to provide the 32 no. dwellings as indicated, at a scale and density that would be appropriate to the existing character of the village. It is however acknowledged that the application proposes up to 32 dwellings and there would, therefore, be the opportunity to negotiate a reduction in the final number of properties, at a reserved matters stage, should this be required.

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

- 9.1. 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. However, blanket protection for the natural or historic environment as espoused by Policy CS5 is not consistent with the Framework and is afforded limited weight.
- 9.2. 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.
- 9.3. The site is already developed for commercial purposes. The warehouse buildings do not contribute positively to the character of the area. The loss of the commercial buildings is welcomed. A 32 dwelling development would arguably result in a less harmful landscape impact than the existing commercial site conditions. However, this is not to suggest that the landscape outcome would be an appropriate one having regard to local character. The density and level of housing proposed is of a relatively high level (in the context of the settlement) which would give

rise to a modern suburban character of development. The scale and density of housing proposed is large in the context of the small scale, rural settlement. A modern suburban enclave with an internalised road network, dominated by cul-de-sacs, would starkly contrast with the prevailing one-plot-deep linear development pattern. Moreover, currently there is an absence of any housing that wraps around the frontage dwellings along this section of Eye Road. Introducing such a discordant landscape element would undermine local character.

- 9.4. The layout is not fixed and could be changed at the reserved matters stage, but in light of the amount of development proposed and the site constraints (including the adjacent listed setting), in reality the changes to the layout or a reduction in the amount of dwellings within the housing site would not be able to avoid the adverse landscape effects (identified above) to any great degree. Harm to the general character and appearance of the area, including the landscape setting, is deemed greater than moderate. This harm is contrary to paragraph 127 of the NPPF, which seeks to ensure development adds to the quality of an area and is sympathetic to local character.
- 9.5. Regulation 9(3) of the Conservation of Habitats and Species Regulations 2017 (Implemented 30th November 2017) provides that all competent authorities (public bodies) to have regard to the Habitats Directive in the exercise of its functions. Whilst an ecology report supports the application, your Ecology Consultants have advised that this document is out of date and as such a holding objection to the application is raised in this respect. An up to date report is required to enable the LPA to demonstrate compliance with its statutory duties, including its biodiversity duty under section current legislation.
- 9.6. Should the application have been acceptable in all other respects your officers would have likely requested updated information in this respect from the applicant, however, on the basis of the information currently submitted the proposal does not sufficiently demonstrate acceptability with regards potential impact on protected and priority species, in accordance with Local Plan Policy CL08 and paragraphs 174 to 177 of the NPPF. As such, this matter being a point of principle, your officers advise that the absence of sufficient up to date Ecology and Biodiversity assessment should be included in the reasons given for refusal.

10. Land Contamination

- 10.1. Paragraph 178 of the NPPF suggests planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land contamination. Paragraph 180 states that decisions should also ensure that new development is appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment.
- 10.2. A comprehensive Contamination Report supports the application. Your Land Contamination Specialists in Environmental Protection have assessed the application proposal and the report provided and raise no objection with regards land contamination issues, subject to the LPA being contacted in the event of unexpected ground conditions being encountered during construction and that minimum precautions (as suggested) are undertaken until such time as the LPA responds to the notification. Your EP officers also advise that the developer is made aware that the responsibility for the safe development of the site lies with them. Your officers, therefore consider the application has sufficiently demonstrated that the site is suitable for housing, in accordance with paragraphs 178 and 180 of the NPPF.

11. Flood Risk and Surface Water Drainage

Flood Risk

- 11.1. Paragraph 157 of the NPPF requires a sequential, risk-based approach to the location of development - taking into account the current and future impacts of climate change - so as to avoid, where possible, flood risk to people and property. NPPF paragraph 158 requires the sequential approach should be used in areas known to be at risk now or in the future from any form of flooding. NPPF Paragraph 163 provides that applications should be supported by a site-specific flood-risk assessment. NPPF Paragraph 165 provides that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should, amongst other matters, take account of advice from the Lead Local Flood Authority (LLFA).
- 11.2. The rear-most portion of the site is prone to flooding (EA Flood Zones 2 and 3). The application is informed by a supporting flood risk assessment. As a result, the indicative layout provided excludes the siting of any housing on the flood prone area, with an open space area instead proposed. In essence, and as noted by the Environment Agency (EA), the applicant has sequentially sited all proposed development within Flood Zone 1. This approach is consistent with that advocated by the NPPF.
- 11.3. In addition to the above, your officers consider that a sequential test with regards the attenuation basin area, and proposed works within that area is required; or to demonstrate that these are water compatible. In otherwise, that surface water attenuation for the proposed scheme would function adequately in a flood event and not be a development that blocks/reduces flood capacity or results in flood risk by materials used to line the attenuation basin or due to already having water within it that would not allow further water addition. Your officers consider this requirement would likely result in a significant upscale in the size of the attenuation basin currently indicated, should it be required for water storage, and significantly reduce the area of the site available for the erection of the proposed dwellings.
- 11.4. Your officers are also concerned that the Flood Risk Assessment submitted with the application has not included and taken into account EA Flood Zone 2 + allowance for Climate Change Data, and that no + Climate Change outline map has been included. Your officers therefore consider further information is required to demonstrate that the proposed developable area of the site, as a whole (as indicated), does not lie within a Flood Zone, taking into consideration allowance for Climate Change, as required by section 14 of the NPPF.

Surface and Foul Water

- 11.5. The LLFA at Suffolk County Council raise a holding objection, noting there is insufficient detail within the surface water drainage strategy. The LLFA has made clear the information requirements needed in order to assess this element of the scheme. However, to date, this information has not been provided. The application therefore does not take account of advice from the lead local flood authority, contrary to paragraph 165 of the NPPF. This NPPF conflict provides a clear reason for refusing the development proposed, in accordance with the direction provided at paragraph 11d(i) of the NPPF.
- 11.6. The application indicates that foul sewage would be dealt with through package treatment plant(s). The EA has raised a holding objection with regards this proposal and has requested further information to demonstrate that the risks of pollution posed to surface water can be safely managed if a package treatment plant is used. Further information would have been requested from the applicant in order to establish the acceptability of the principle of this proposed means of foul water treatment and disposal should the application have been acceptable in all other regards.

12. Heritage Issues

- 12.1. 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.
- 12.2. Your Heritage Officers have considered the application proposal and advise that the existing warehouse and office buildings on site currently are considered to compromise the setting of the neighbouring Grade II Listed Sycamore Farmhouse, to the south of the site. Therefore, the removal of these existing large industrial character buildings is considered to benefit the setting and significance of this heritage asset. However, the scope of this benefit is reduced given that the application would replace the existing buildings with 32 residential dwellings. Whilst your officers note that the full extent of any harm associated with this application could not be fully judged until the layout, scale and design of the scheme is known, nevertheless you heritage officers have identified less than substantial harm to the significance of the heritage asset (Sycamore Farmhouse).
- 12.3. Paragraph 196 of the NPPF requires that levels of less than substantial harm to designated heritage assets be weighed against the positive public benefits of the scheme bearing in mind that the NPPF also gives great weight to the preservation of a heritage asset.
- 12.4. With regards to the public benefits offered by the application, these extend to the provision of additional housing within the District. To some extent the benefit of this additional housing supply is offset through the fact that the location is not considered to be a sustainable one for additional housing.
- 12.5. It is therefore considered that the benefits of the application are not sufficient to offset the identified level of less than substantial harm identified by the Council's Heritage Team. Therefore, the application is deficient when read against the provisions of the NPPF and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

13. Impact on Residential Amenity

- 13.1. 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.
- 13.2. Your Environmental Protection officers have raised concern with regards the potential for significant impact on amenity, with regards noise and disturbance for future occupants of the development, emanating from the existing adjacent agricultural/commercial premises, located adjacent to the south of the site. Whilst your Environmental Protection officers have not specifically raised objection to the proposed development on this basis, and have requested further information, your planning officers have concern that the need for noise mitigation measures may push the proposed dwellings back away from the south boundary of the site, than currently indicated. This may then have the effect of reducing the area within the site available for construction of the proposed dwellings yet further.

- 13.3. The proposed development itself is not considered to result in demonstrable harm to the amenities currently enjoyed by occupants of existing neighbouring properties in the vicinity of the site.

14. Affordable Housing

- 14.1. Current development plan policy H4 states that the LPA will seek to secure affordable housing, of up to 35% of the total provision of housing, on such sites, for such proposals, in such locations. Furthermore, NPPF paragraph 62 states that where a need for affordable housing is identified the need should be met on-site unless: a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and b) the agreed approach contributes to the objective of creating mixed and balanced communities.
- 14.2. The applicant has not proposed on-site provision of affordable housing and the total number of houses proposed would, therefore, be available for sale on the open market. The applicant has, however, proposed a financial contribution towards affordable housing provision elsewhere in the District.
- 14.3. Your Strategic Housing Officers have provided a comprehensive consultation response setting out the affordable housing need in the District and have recommended that the application should provide onsite provision of 11 no. affordable homes (of a type and tenure as set out earlier in the report) and a commuted sum to cover the 0.2 of a dwelling shortfall, equating to 35% of the total.
- 14.4. It is not, therefore, considered that the financial contribution offered by the applicant is robustly justified at the current time and it is not considered that the applicant's proposed approach would contribute to the objective of creating mixed and balanced communities. The proposal is, therefore, considered contrary to development plan policy H4 and NPPF paragraph 62 in this regard.

15. Planning Obligations and Community Infrastructure Levy

- 15.1. The application is liable to CIL which would be managed through the standard independent CIL process triggered at a reserved matters stage. The application, if approved, would require the completion of a Section 106 agreement to secure a management plan for the public open space areas contained within the site, as well as for an affordable housing contribution (as advised by your Strategic Housing Officers).
- 15.2. The County Council in their function as Education Authority have noted that a contribution would also be required to secure the transport of secondary school aged pupils, again by way of a Section 106 Agreement.

16. Parish Meeting Comments

- 16.1 The matters raised by the consultants acting on behalf of Kenton Parish Meeting have been addressed in the above report.

PART FOUR – CONCLUSION

17. Planning Balance and Conclusion

- 17.1. The most important development plan policies relevant to determining the application, including saved Policy H7 and Core Strategy Policies CS1, CS2, CS5 and FC1.1, are out-of-date. Accordingly, they must carry less than full weight. The default 'tilted balance' position at paragraph 11(d) of the NPPF is engaged.
- 17.2. The first test at paragraph 11(d) relates to the situation where specific policies in the NPPF indicate development should be restricted, such as where areas at risk of flooding are concerned. The NPPF contains specific policies aimed at areas at risk of flooding. It is not considered that the applicant has provided sufficient information to demonstrate the development proposal would be sufficiently flood resilient and would not result in increased flood risk elsewhere. The applicant has also not provided sufficient information in relation to allowance for climate change data with the application, in relation to the FRA assessment of EA Flood Zone 2. The applicant has also failed to take account of advice from the lead local flood authority in relation to incorporation of sustainable drainage systems proposed. The application is contrary to section 14 of the NPPF in these regards. This policy conflict provides a clear reason for refusing the development, in accordance with the direction provided at paragraph 11d(i) of the NPPF.
- 17.3. The second test at 11(d) states that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
- 17.4. The application is not considered to propose a suitable contribution towards affordable housing which would not fulfil the aims of the NPPF to create mixed and balanced communities. This is considered to weigh significantly negatively in both the social and environmental dimensions of sustainable development, as set out in the NPPF.
- 17.5. The density and level of housing proposed would be at odds with the low density, rural character of the area. A suburban housing estate of 32 dwellings set in a linear settlement pattern will result in adverse landscape impacts. Heritage impacts are also adverse, and despite the removal of the existing harm, the proposed development would still lead to harm which is not countered by the benefits of the application.
- 17.5. The site is remote from local services and sustainable transport modes are extremely limited if not non-existent. The site is not a sustainable one for housing. A high level of car dependency, at the density proposed, would result in considerable adverse environmental impacts. The loss of employment land (currently 14 employees), and the consequential reduction in opportunities for local commuting rather than out-of-settlement commuting (which will result if housing proceeds), serves as additional environmental harm.
- 17.6. The application has not demonstrated the site is suitable for housing in the context of potential impact on Ecology, Biodiversity, and protected and priority species, contrary to development plan policy CL08 and paragraphs 174 to 177 of the NPPF. This, in addition to the adverse effects identified above, weighs negatively in the planning balance.
- 17.7. To be set against the adverse impacts would be the public benefit arising from the contribution towards the Council's housing stock. However, the weight placed on this public benefit is reduced because the district does not have a housing shortfall. There are also economic benefits including job creation and local economy spend. These would be tangible and satisfy the economic role of sustainable development, albeit the weight afforded to this consideration is

significantly reduced by the loss of well-established employment land. A further benefit is the removal of HGV's from rural roads, offering improved local amenity conditions. This is a public benefit weighing positively in the planning balance. Collectively the benefits are attached moderate weight.

- 17.8. Paragraph 118c of the NPPF states that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes. For the reasons above the brownfield site is not deemed suitable for housing. The proposal does not gain any support from paragraph 118c of the NPPF and therefore does not offset or outweigh the identified harm.
- 17.9. Neutral in the planning balance is the acceptability of a number of scheme elements, including highway safety (highway safety is not deemed to be improved by the proposed removal of HGVs from the local roads), residential amenity and biodiversity. CIL contributions will be used to ensure existing infrastructure capacity is enhanced to meet additional demand, an additional neutral factor in the planning balance.
- 17.10. Collectively all the identified adverse impacts carry substantial weight. Based on the foregoing, the adverse impacts of the proposal would significantly and demonstrably outweigh the moderate benefits which would arise from the scheme. The proposal would therefore not constitute sustainable development.

RECOMMENDATION

That the application is REFUSED planning permission for the following reasons:

1. The proposed development, remote from local services and lacking accessible sustainable transport modes, will result in a high level of car dependency for future occupants. The density and scale of the development would result in landscape harm. The identified adverse impacts outweigh the scheme's public benefits, and therefore the proposal does not constitute sustainable development, contrary to Development Plan Policies FC1 and FC1_1 and the National Planning Policy Framework.
2. The proposal would also lead to the loss of employment land, with no significant benefit or alternative schemes provided, contrary to the directions of Saved Local Plan policy E4 and E6.
3. Paragraph 165 of the NPPF requires major developments to incorporate sustainable drainage systems, including taking advice from the lead local flood authority (LLFA). The LLFA have advised that insufficient detail has been provided within the surface water drainage strategy submitted with the application and as such the applicant has not sufficiently demonstrated that the proposal would not result in harm with regards increased flood risk to existing and future occupants. The application fails to take account the advice from the lead local flood authority, contrary to paragraph 165 of the NPPF.
4. Paragraph 157 of the NPPF requires a sequential, risk-based approach to the location of development - taking into account the current and future impacts of climate change - so as to avoid, where possible, flood risk to people and property. NPPF paragraph 158 requires the sequential approach should be used in areas known to be at risk now or in the future from any form of flooding. The applicant has failed to carry out a sequential test with regards the surface

water drainage attenuation basin area, as indicated, and has not demonstrated that the proposed surface water attenuation infrastructure would function adequately in a flood event. Furthermore, the Flood Risk Assessment submitted with the application has not taken into account Environmental Agency Flood Zone 2, with additional allowance for climate change data. As such, the applicant has not satisfactorily demonstrated that the proposed development would be sufficiently flood resilient and would not increase flood risk elsewhere.

5. Development plan policy H4 provides that the LPA will seek to secure affordable housing of up to 35% of the total provision of housing, on such sites, for such proposals, in such locations. Furthermore, NPPF paragraph 62 states that where a need for affordable housing is identified the need should be met on-site unless: a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and b) the agreed approach contributes to the objective of creating mixed and balanced communities.

The applicant has not proposed on-site provision of affordable housing and proposes a financial contribution towards affordable housing provision elsewhere in the District. It is not considered that the financial contribution offered by the applicant is robustly justified at the current time and it is not considered that the applicant's proposed approach would contribute to the objective of creating mixed and balanced communities. The proposal is, therefore, considered contrary to development plan policy H4 and NPPF paragraph 62.

6. While it is acknowledged that the removal of the existing buildings from the site would be read as a benefit to the setting of the Grade II Listed Sycamore Farmhouse, the replacement of these buildings would still result in harm to its setting. This harm has been identified as being less than substantial when read against the NPPF and the public benefits offered by the site are insufficient to outweigh this harm due to the adverse impacts arising from the location of the scheme. The proposal is, therefore, contrary to paragraph 196 of the NPPF and to the provisions of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
7. The application has failed to demonstrate that the site is suitable for housing in the context of potential impact on Ecology, Biodiversity, and protected and priority species. The Ecological Survey submitted with the application is of significant age and does not follow standing advice with regards the lifespan of ecology reports and surveys provided by the CIEEM. The development proposal is not, therefore, suitably informed with regards up to date Ecology survey information, and proposed mitigation, and in the absence of such the development poses significant risk of harm to protected and priority species, contrary to the requirements of Development Plan Policy CL08 and paragraphs 174 to 177 of the NPPF.
8. Paragraph 127 of the NPPF seeks to secure a high standard of amenity for all existing and future occupants of land and buildings and NPPF Paragraph 180 provides that planning decisions should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development - and avoid noise giving rise to significant adverse impacts on health and the quality of life. The applicant has failed to demonstrate that the amenities of future occupants of the proposed development would not be adversely affected from noise and disturbance emanating from existing adjacent land uses.
9. Development Plan Policy CS5 provides that developments shall be of a high quality design that maintain and enhance the environment and respect, retain and enhance the local distinctiveness and character and appearance of the area. Policy H13 provides that new housing development

will be expected to achieve a high standard of design and layout and be of a scale and density appropriate to the site and its surroundings. Furthermore policy H15 provides that new housing should be consistent with the pattern and form of development in the area, the character of its setting, particular site constraints such as access and drainage, and the configuration of the site, including natural features. The application has failed to demonstrate that the maximum number of dwellings proposed can be accommodated on the site, with a realistic expectation of a good standard of: design; layout; landscaping; amenity for existing and future occupants, and a safe and suitable environment ultimately being achievable and deliverable. As such the current proposal is considered contrary to the aforementioned planning policies.

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Application No: DC/20/04987

Location: Anchor Storage, Eye Road, Kenton

Appendix 1: Call In Request	N/a	
Appendix 2: Details of Previous Decision	Outline Planning Application - Refused ref: DC/19/04553	
Appendix 3: Town/Parish Council/s	Kenton Parish Meeting	
Appendix 4: National Consultee Responses	Environment Agency East Suffolk Drainage Board Historic England Natural England	
Appendix 5: County Council Responses	SCC - Highways SCC - Public Rights of Way SCC - Lead Local Flood Authority SCC - Archaeology SCC - Fire & Rescue SCC - Development Contributions	
Appendix 6: Internal Consultee Responses	MSDC - Planning Policy & Infrastructure MSDC - Heritage	



Babergh and Mid Suffolk District Councils



	MSDC - Ecology Consultants MSDC - Environmental Protection - Land Contamination MSDC - Environmental Protection - Air Quality MSDC - Environmental Protection - Noise/Odour/Light/Smoke MSDC - Environmental Protection - Sustainability MSDC - Public Realm MSDC - Waste Management Services MSDC - Disability Forum MSDC - Strategic Housing	
Appendix 7: Any other consultee responses	23 letters/emails/online comments received. 18 objections, 5 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.



Babergh and Mid Suffolk District Councils

PLANNING OBJECTION

Application Reference: DC/20/04987

Application for Outline Planning Permission (some matters reserved, access to be considered). Town and Country Planning Act 1990 - Erection of up to 32 dwellings following demolition of existing buildings (resubmission of DC/19/04553).

Land at Anchor Storage, Eye Road, Kenton, Stowmarket, Suffolk, IP14 6JJ

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- 2 Further Information Required**
- 3 National Planning Policy Framework**
- 4 Local Plan**
- 5 Planning Comment – Principle of Development**
- 6 Draft Reasons for Refusal**
- 7 Planning Comment – Other Material Considerations**
- 8 Conclusion**

1 INTRODUCTION

Instructions

- 1.1 AH Planning has been instructed by Kenton Parish Meeting to submit comments to Mid Suffolk District Council in relation to planning application ref. DC/20/04987 on Land at Anchor Storage, Eye Road, Kenton.
- 1.2 We are instructed to consider the papers, including the planning application form and supporting documents, against the relevant national planning policy and guidance and the Local Plan. Kenton Parish Meeting has concerns about the proposed development and has instructed us to consider the substance of the application and submit representations as appropriate.
- 1.3 Having reviewed the papers we have no option other than to object to the proposal, which would lead to unacceptable adverse impacts, contrary to the relevant policies in the Local Plan and the NPPF. The harms would, in our view, clearly and demonstrably outweigh the public benefits of the proposal. Furthermore, as submitted, the application does not provide sufficient information to consider the full impacts of the proposal. Should the applicant fail to provide this information (see section 2), the application should either be refused outright or withdrawn.

Description of Development

- 1.4 The description of development is as follows:

“Application for Outline Planning Permission (some matters reserved, access to be considered) for the erection of up to 32 dwellings following demolition of existing buildings (resubmission of DC/19/04553).”

Government Advice and Local Plan Policy

- 1.5 In preparing the comments made within this report, we have considered the papers submitted with the application, including the planning application form and supporting documents, against the relevant national and local planning policy and guidance.

Principle of Development

- 1.6 It is considered that the proposed development is unacceptable in principle in that it is in clear conflict with the policies in the adopted Local Plan and the NPPF (as detailed in Sections 3 and 4 of this document).

Procedural Matters

- 1.7 It is our contention that on the evidence submitted to date, the Applicant has failed to provide sufficient supporting information to judge the impact of the proposals. Further, that the Applicant has failed to understand and consider the issues; as such any grant of consent (based on that failure) may well fall foul of the tests laid out in the Crown Estates case mentioned below and, if approved, may well be susceptible to a claim for Judicial Review. As you will appreciate, the matter of fairness in the determination of

planning applications is discussed at [2004] J.P.L. 1316 with particular reference to *Auborn Court Ltd v Kingston and St. Andrew Corporation* [2004] WLR 62219 and *R. (on the applicant of David Rubin) v First Secretary of State, Harrow London Borough Council*, 9 February 2004. Whilst we have every confidence in the Council's diligence in processing this application, I am instructed to evaluate the process against the legal requirements detailed in the above cases.

Localism Agenda

- 1.8 On 15th November 2011 the Localism Act 2011 received Royal Assent. The Act contains provisions amending the principal planning statutes, including the Town and Country Planning Act 1990 in a series of fundamental reforms to most aspects of the planning system. The Localism Act sets out a series of measures with the potential to achieve a substantial and lasting shift in power away from central government and towards local people. A guide to the Localism Act outlines the principles of the Act as follows:

“There are, however, some significant flaws in the planning system that this Government inherited. Planning did not give members of the public enough influence over decisions that make a big difference to their lives. Too often, power was exercised by people who were not directly affected by the decisions they were taking. This meant, understandably, that people often resented what they saw as decisions and plans being foisted on them. The result was a confrontational and adversarial system where many applications end up being fought over.”

“The Localism Act contains provisions to make the planning system clearer, more democratic, and more effective.”

“Instead of local people being told what to do, the Government thinks that local communities should have genuine opportunities to influence the future of the places where they live.”

- 1.9 It is noted that the Parish Meeting supported the previous planning application on the site (DC/19/04553). However, this was due to a mistaken belief that the planning system was structured in a way that meant the village ‘had to take’ a housing development. This is clearly not the case. As will be set out within this Planning Objection, there are significant harms of the proposal, as well as policy conflict with the Local Plan and the NPPF, that indicate the planning application should again be refused.
- 1.10 The Parish Meeting has significant concerns, including in relation to specific harms of the proposal. As such, in the interests of the Localism Agenda and the desire to hand power back to local communities to influence the places where they live, we would strongly request that the local authority consider the relevant planning concerns raised by members of the local community.

2 FURTHER INFORMATION REQUIRED

Further Information required by the Local Planning Authority

- 2.1 The local planning authority may direct an applicant in writing to provide officers with any evidence in respect of the application, as is reasonable for them to call for, to verify any information given to them. If the direction is not complied with, the application is incomplete, and the local planning authority should notify the applicant accordingly.
- 2.2 We formally request the following documents:
- **Landscape and Visual Appraisal** –The site is located in a highly sensitive countryside location, with the topography offering long and short distance views to the site from the surrounding landscape, including from Public Rights of Way (PRoW). It is difficult to judge the impacts of the proposal on the landscape setting without additional evidence. At the very least, we would request that the Applicant be required to provide a Landscape and Visual Appraisal, with viewpoints agreed with the Local Planning Authority. This Planning Objection includes a series of photographs at Appendix A that show attractive countryside views of this rural site.
 - **Heritage Statement** – The site immediately abuts the curtilage of the Grade II listed Building (Sycamore Farmhouse, Listing No. 1300978), and the Applicant has accepted in the Planning Statement that the proposal could result in less than substantial harm to the significance of this asset. The application should be supported by a Heritage Statement that carefully appraises the impacts of the proposal as required by the NPPF.
 - **Transport Statement and Travel Plan** – The Applicant has not adequately considered the traffic impacts of the proposal. This is particularly important given the unsustainable location of the site in respect of access to local services and facilities. A Transport Statement and Travel should be provided to appraise the impacts and to ensure opportunities are taken to promote sustainable modes of transport.

Inchoate Application

- 2.3 Under s.327A (2) introduced by s.42 of the Planning and Compulsory Purchase Act 2004:
- “The Local Planning Authority must not entertain such an application if it fails to comply with the requirements.”*
- 2.4 ‘The requirement’ in this case is the formal manner in which the application must be made and the formal content of any document or other matter which accompanies the application. As detailed above, we would contest that the application, in its current form, is inchoate and does not provide sufficient information to give decision takers or neighbouring residents a clear understanding of the proposals. We would therefore ask that the Council refuse consent, in circumstances where the Applicant has submitted an application that does not meet “the requirements”, having regard to the referable tests set out in the statutory development plan.

3 NATIONAL PLANNING POLICY FRAMEWORK

- 3.1 The National Planning Policy Framework (NPPF) was published by the Ministry of Housing, Communities and Local Government in February 2019. The key paragraphs of relevance to the determination of this application include:

Achieving Sustainable Development

- 3.2 **Paragraph 8** states that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

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

c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

- 3.3 Comment: As will be set out within this objection, there are significant social and environmental harms that clearly and demonstrably outweigh the public benefits of the proposal. These include landscape harm and harm to the character and appearance of the countryside, harm to the setting of heritage assets and harm due to loss of employment. Furthermore, the proposal would be dependent on the use of the private car and would fail to promote sustainable modes of transport. For this reason, the application proposal does not represent sustainable development and should be refused.

Making Effective Use of Land

- 3.4 **Paragraph 117** states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or 'brownfield' land.

- 3.5 **Paragraph 118** outlines that planning policies and decisions should:

a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;

b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;

c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;

d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure); and

e) support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.

3.6 **Paragraph 121** states that local authorities should support the use of employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors and would be compatible with other policies in the Framework.

3.7 **Paragraph 122** outlines that planning policies and decisions should support development that makes efficient use of land, taking into account:

a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;

b) local market conditions and viability;

c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;

d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and

e) the importance of securing well-designed, attractive and healthy places.

3.8 **Comment:** The proposal site is in a rural location with very limited access to local services and facilities. The area does not benefit from key services such as a local shop or school, and there is no regular bus service either existing or proposed. It is therefore reasonable to assume that the new residents of the development will rely heavily on the use of the private car for both leisure and commuting purposes, contrary to Paragraph 122(c) of the NPPF.

3.9 In relation to character and setting, it is our view that the proposed development would fail to preserve the area's prevailing character and appearance by reason of its scale and urban nature, contrary to Paragraph 122(d) of the NPPF.

- 3.10 Furthermore, and notwithstanding the harms associated with the loss of employment land, the proposal fails to demonstrate that the site is in an area of 'high housing market demand' as set out in Paragraph 121.

Achieving Well-Designed Places

- 3.11 **Paragraph 124** notes that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.
- 3.12 **Paragraph 127** requires that planning policies and decisions should ensure that developments:
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
 - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
 - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
 - 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.
- 3.13 **Paragraph 130** outlines that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).
- 3.14 **Comment:** The proposed development is of a scale and mass that would have detrimental visual impacts on the amenity of the surrounding countryside, including from Public Rights of Way (PRoW) in the vicinity of the site. Notwithstanding that the application is submitted in Outline with design reserved for future consideration, the

proposals fails to demonstrate how an acceptable design could be delivered on the site, contrary to Paragraph 130 of the NPPF. A series of photographs are included at Appendix A of this document that show the rural character of the site and its surroundings, including clear views from Public Rights of Way in the surrounding countryside. We would encourage the decision taker to appreciate these views on their site visit.

Conserving and enhancing the natural environment

- 3.15 **Paragraph 170** states that planning policies and decisions “should contribute to and enhance the natural and local environment by:

...b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland”

- 3.16 Comment: The proposal fails to recognise the intrinsic character and beauty of the countryside and would lead to unacceptable harm to the rural character of the site and its surroundings. The proposal would alter the character of the site and its surroundings from rural to urban, without any clear consideration of the impacts. There is no Landscape and Visual Appraisal submitted with the application to appraise the impacts, but for a short paragraph in the Planning Statement. The proposal therefore fails to recognise the intrinsic character and beauty of the countryside, contrary to Paragraph 170 of the NPPF.

Conserving and enhancing the historic environment

- 3.17 **Paragraph 193** states that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the assets conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 3.18 **Paragraph 194** states that any harm to the significance of designated heritage assets should require clear and convincing justification.
- 3.19 **Paragraph 196** states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
- 3.20 Comment: The proposal will lead to less than substantial harm to the setting of Grade II listed Sycamore Farmouse, through the introduction of large-scale modern development immediately against the curtilage of the asset. Further, the benefits listed in the Applicant’s planning statement are not sufficient to outweigh the harm. The boundary landscaping is required due to the impact of the proposal, and will itself alter the character of the area from rural to urban/edge of settlement, and the reduction in HGV movements will be replaced by significant vehicle movements of new residents due to the poor accessibility of the site to key services and facilities. The less than substantial harm is not in this case outweighed by the public benefits of the proposal, contrary to Paragraph 196 of the NPPF.

Promoting sustainable transport

- 3.21 **Paragraph 108** states that in assessing applications for development, “it should be ensured that:

...b) safe and suitable access to the site can be achieved for all users”

- 3.22 **Paragraph 110** states that applications for development should “a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas... c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles”
- 3.23 Comment: The proposal is in an unsustainable rural location with limited access to any key services or facilities. Due to the reliance on use of the private car for commuting and leisure purposes, the proposal would lead to an intensity of traffic movements from the site into the surrounding highways network. It is clear, therefore, that the proposal fails to give priority to pedestrian and cycle movements and fails to minimise scope for conflict between pedestrians, cyclists and vehicles, contrary to paragraph 110 of the NPPF.

4 LOCAL PLAN

- 4.1 This Section considers the relevant policies of the Mid Suffolk Local Plan. At the time of writing, this comprises the following documents:
- Saved policies of the Mid Suffolk District Local Plan (1998);
 - First Alteration to the Mid Suffolk Local Plan (2006);
 - Mid Suffolk District Core Strategy Development Plan Document (2008);
 - Mid Suffolk District Core Strategy Focused Review (2012)
- 4.2 This Section considers only the policies that are most relevant to the proposal and the main areas of objection.
- 4.3 In terms of designations, the site is allocated in the countryside in the village of Kenton, which does not feature in the settlement hierarchy and has no key services or facilities. There are no other designations on the site.
- 4.4 It is noted that although the Council is able to demonstrate a 5-year housing land supply, several policies most important to the determination of the application are considered 'out-of-date' as they are not fully consistent with the NPPF. These policies carry diminished weight as a result but remain the starting point for the determination of the application.
- 4.5 It is noted that this is a 'second go' application, following refusal of the first application in February 2020. It is disappointing that the Applicant has not taken the opportunity to adequately address the unacceptable harms that were set out within the Officer's Report and Decision Notice. As a result, many of the harms and policy conflicts will inevitably remain the same.

Saved Policies of the Mid Suffolk District Local Plan (1998)

Design and Layout

- 4.6 **Mid Suffolk District Local Plan (1998) Policy GP1 – Design and Layout of Development:** Policy GP1 sets out that proposals should “maintain or enhance the character and appearance of their surroundings and respect the scale and density of surrounding development” and landscaping “should be regarded as an integral part of design proposals”
- 4.7 Comment: The proposal, by reason of its scale and urbanising influence, would fail to maintain the character and appearance of its surroundings. The proposal site extends into the countryside to the east of the village so its particularly sensitive in the surrounding landscape. Notwithstanding that design is a reserved matter, the Applicant has failed to demonstrate how a development of the scale proposed could be delivered on the site without giving rise to unacceptable adverse impacts in relation to the character and appearance of the village and the countryside, contrary to Policy GP1.

Development in the Countryside

- 4.8 **Mid Suffolk District Local Plan (1998) Policy H7 – Restricting Housing Development Unrelated to the Needs of the Countryside:** Policy H7 states that outside of settlement boundaries there will be strict control over proposals for new housing, and that the provision of housing will normally form part of existing settlements.

- 4.9 Comment: Notwithstanding the diminished weight to Policy H7 due to some inconsistency with the NPPF, it is evident that the proposal is not in or related to any existing settlement on the settlement hierarchy. Kenton is a village located within the open countryside, meaning there is a clear policy conflict with Policy H7. Further, the Application fails to demonstrate that this is a sustainable location for new development of the scale and type proposed, having regard to the poor provision of services and facilities in the local area.

Loss of Employment

- 4.10 **Mid Suffolk District Local Plan (1998) Policy E4 – Protecting Existing Industrial/Business Areas for Employment Generating Uses:** Policy E4 states that the Council “will refuse proposals for development adjacent to or within existing industrial/business areas which would be likely to prejudice the continued use of those areas for primarily industrial or commercial purposes”.
- 4.11 **Mid Suffolk District Local Plan (1998) Policy E6 – Retention of Use within Existing Industrial/Commercial Areas:** Policy E6 sets out that the Council recognises the importance of existing industrial and commercial sites as providing local employment opportunities, and in considering applications for redevelopment of existing premises to non-employment generating activities, “the Council will expect a significant benefit for the surrounding environment, particularly in terms of improved residential amenity or traffic safety”.
- 4.12 Comment: The proposal would lead to the loss of an existing employment-generating use, without significant public benefits. The provision of new housing is a benefit that will attract only moderate weight given the Council’s strong housing land supply position, and this benefit will be weighed in the planning balance against the harms of the proposal, including heritage harm and landscape and visual harm to the character and appearance of the surrounding area. Further, the site is adjacent to an existing employment site and the proposal has so far failed to demonstrate that this would not have an unacceptable amenity impact on the new residents of the proposal site.

Mid Suffolk District Core Strategy Development Plan Document (2008)

Location of Development

- 4.13 **Mid Suffolk Core Strategy (2008) Policy CS1 – Settlement Hierarchy:** Policy CS1 sets out the settlement hierarchy for the district and where development will be focussed over the plan-period. The majority of new development “will be directed to towns and key service centres, but also with some provision for meeting local housing needs in primary and secondary villages”. Kenton is not listed in the settlement hierarchy. For settlements not listed in the settlement hierarchy, the policy states that these areas “will be designated as countryside and countryside villages, and development will be restricted to particular types of development to support the rural economy, meet affordable housing, community needs and renewable energy”.
- 4.14 **Mid Suffolk Core Strategy (2008) Policy CS2 – Development in the Countryside and Countryside Villages:** Policy CS2 states that in the countryside, development will be restricted to defined categories – none of which include market housing.
- 4.15 Comment: Kenton is a village in the countryside, so proposals for major new housing development in this location are in conflict with the settlement hierarchy set out in Policy CS1 of the Core Strategy. Further, the proposal would lead to significant growth

in a settlement that has been identified as having very few local services and facilities. If this proposal were to be built, it would promote an unsustainable pattern of development, with clear harms, including increased use of the private car to access basic services and facilities, and landscape and visual harms to the character and appearance of the countryside.

- 4.16 The Parish Meeting has additional concerns that this level of harm would significantly alter the character of the village and make the surrounding area more prone to further unsuitable modern housing development as a result.

Landscape

- 4.17 **Mid Suffolk Core Strategy (2008) Policy CS5 – Mid Suffolk’s Environment:** Policy CS5 states that the Council “will 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”
- 4.18 Comment: The proposal, by reason of its scale and location, would fail to conserve the overall character of the landscape, contrary to Policy CS5. The proposal would adversely impact on the character and appearance of the village in the surrounding landscape – a significant harm to be weighed against the proposal in the planning balance.

Heritage

- 4.19 **Mid Suffolk Core Strategy (2008) Policy CS5 – Mid Suffolk’s Environment:** Policy CS5 states that the Council will introduce policies to protect, conserve and where possible enhance the natural and built historic environment including the residual archaeological remains.
- 4.20 Comment: As set out above in Section 3, the proposal would result in less than substantial harm to the significance of Sycamore Farmhouse which is not outweighed by the public benefits of the proposal, contrary to Policy CS5 and the NPPF.

Services and Infrastructure

- 4.21 **Mid Suffolk Core Strategy (2008) Policy CS6 – Services and Infrastructure:** Policy CS6 states that new development will be expected to provide or support the delivery of appropriate and accessible infrastructure to meet the justifiable needs of new development.
- 4.22 Comment: As set out above, the proposal is in an unsustainable location in respect of access to local services and facilities and does not propose to deliver any measures to improve this. As such, the proposal is both unsustainable and clearly contrary to Policy CS6.

Emerging Joint Babergh and Mid Suffolk Local Plan

- 4.23 It is noted that the Council is currently in the process of preparing a new Joint Local Plan with neighbouring Babergh District Council, which, on adoption, will form the statutory Local Plan for the District and supersede the existing documents discussed above in this section.

- 4.24 Paragraph 48 of the NPPF states that Local Planning Authorities may give weight to relevant policies in emerging plans according to:
- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
 - c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 4.25 At the time of writing, the Plan is currently at the Regulation 19 'Pre-Submission' consultation, which runs until 24th December 2020. As such, the Plan is at an early stage of preparation and afforded limited weight in planning decisions in accordance with paragraph 48.
- 4.26 It is noted however, that the site is not included as a proposed allocation in the emerging Local Plan. It is also noted that Kenton is progressing at this stage as a 'Hamlet' settlement, where only small-scale infill development will be acceptable. There is little indication, therefore, of any change in the policy approach towards development of the scale proposed by this planning application.

5 PLANNING COMMENT – PRINCIPLE OF DEVELOPMENT

- 5.1 Section 70(2) of the Town and Country Planning Act 1990 requires a local planning authority, in dealing with a planning application, to have regard to the provisions of the development plan, as far as material to the application, and to any other material considerations.
- 5.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 refers to determinations to be made under the Planning acts as follows:

“If regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.”

Location and Project

- 5.3 There is an elementary and fundamental problem which needs to be resolved at the outset in the making of decisions under s.38 (6). The first point is often determinative – location comes first followed by project because an examination of for example; the National Planning Policy Framework demonstrates that location governs what might or might not be granted permission in the area concerned.
- 5.4 In this regard, Policy CS1 is particularly referable, in circumstances where it not only addresses the issue of a sustainable location, but also site size and relationship with the local area which is directly referable to the scheme currently under consideration. In view of this, it is imperative that the proposal meets the Council’s requirements, as laid out at Policy CS1, detailed at Section 4 of this objection.
- 5.5 The ‘project’ in this instance is contrary to the provisions of the National Planning Policy Framework and the policies contained within the Local Plan as outlined at Sections 3 and 4 of this submission.

Statutory Development Plan

- 5.6 The statutory Development Plan comprises the following:
- Saved policies of the Mid Suffolk District Local Plan (1998);
 - First Alteration to the Mid Suffolk Local Plan (2006);
 - Mid Suffolk District Core Strategy Development Plan Document (2008);
 - Mid Suffolk District Core Strategy Focused Review (2012)

The principle of development falls to be considered against Policies CS1, CS2, CS5, GP1, H7, E4 and E6. All of these policies are dealt with in detail at Section 4 of this Statement and are contained within the draft reasons for refusal included at Section 6.

Summary

- 5.7 Given that the proposal does not constitute sustainable development and the criterion set out in Policies Policies CS1, CS2, CS5, GP1, H7, E4 and E6 of the adopted Local Plan are not met, there is a legitimate expectation, based on Section 70(2) of the Town and Country Planning Act 1990, Section 38(6) of the Planning and Compulsory

Purchase Act 2004 that the proposed development will be refused. The matter of other material considerations is dealt with in Section 7.

6 DRAFT REASONS FOR REFUSAL

- 6.1 As detailed throughout this objection, we consider that this application should be refused. To assist officers, please refer to the following draft reasons for refusal, which we consider summarise the key points raised within this document. They read as follows:

Reason for Refusal 1 – Unsustainable Location

The proposal site is in a rural location with limited access to local services and facilities. The area does not benefit from key services such as a local shop or school, and there is no regular bus service to the village. The new residents of the development would rely heavily on the use of the private car for both leisure and commuting purposes, contrary to Paragraph 122(c) of the NPPF.

Reason for Refusal 2 – Landscape

“The proposal would cause significant harm to the character of the landscape and the surrounding countryside. The proposal would also cause harm to the amenity value of the public footpaths to the east of the site. The proposal would therefore be contrary to Policy GP1 of the Local Plan and Paragraph 170 of the NPPF.”

Reason for Refusal 3 – Loss of Employment

“The proposal would result in the loss of an established local employment site, contrary to Policy E4 and E6 of the Local Plan. The proposal fails to provide sufficient justification for the loss of employment land, contrary to Paragraph 121 of the NPPF.

Reason for Refusal 4 – Heritage

“The proposal would cause less than substantial harm to the significance of Grade II listed Sycamore Farmhouse that is not outweighed by the public benefits of the proposal, contrary to Policy GP1 of the Local Plan and Paragraph 196 of the NPPF.”

Reasons for Refusal Comment

- 6.2 It is considered that the reasons outlined above are robust reasons for refusal, given that the development is contrary to the Local Plan and the National Planning Policy Framework. In circumstances where these considerations have been reflected in the above reasons, we would ask that the Council implement these as part of the ‘Refusal of Planning Permission’ notice.

7 PLANNING COMMENT – OTHER MATERIAL PLANNING CONSIDERATIONS

- 7.1 **Principle of Development - Other Material Considerations:** Where there are other material considerations which ‘indicate otherwise’ the development plan should nevertheless be the starting point, and those other material considerations weighed in reaching a decision. The issues involved are dealt with in the decision of the House of Lords in *City of Edinburgh Council v Secretary of State for Scotland* [1998] J.P.L. 224, HL. We have been asked to establish, in due course, whether the Council has had regard to the presumption in favour of the development plan, whether the other considerations which the Council regarded as material were relevant considerations to which they were entitled to have regard and whether, looked at as a whole, the decision is rational. Having reviewed the application it would be difficult to conclude other than the material considerations cited are of sufficient weight to override the fact that the development is not in accordance with the adopted development plan.
- 7.2 **Loss of visual amenity:** As correctly noted by the applicant in the Planning Statement, no one has a legal right to a view under the English planning regime. However, damage to the visual amenity of a locality is a material consideration, such as a building totally out of keeping with the surrounding area. In *Worcester City Council v Worcester Consolidated Municipal Charity* (1994) 9 P.A.D. 723 an inspector upheld the refusal of an application where the scale and location of the proposal would have a serious detrimental effect on the visual amenities of the locality.
- 7.3 **Design:** In determining whether or not to grant planning permission, the local planning authority clearly may use their own judgement as to whether the development in question is aesthetically ugly or visually intrusive.
- 7.4 The indicative site layout incorporates poor design given the scale, layout and form of development being proposed and would therefore be visually intrusive to neighbouring properties and the character and appearance of the surrounding area.
- 7.5 **Proposal itself offers poor amenity:** A quite distinct situation arises where the proposal itself offers poor amenity to the intended occupants, such as a lack of sunlight, over-crowded residential development generally, lack of amenity space, susceptibility to noise and so forth. In this instance given the scale of development being proposed, there are legitimate concerns that the proposal will not retain sufficient amenity space for both existing and future residents.
- 7.6 In *Jackson v Secretary of State for the Environment, Transport and the Regions and High Peak DC* (1999) J.P.L B41 the Inspector granted planning permission for a dwelling, which would obstruct not only the view but also the sunlight from a neighbour’s house. On Appeal the Learned Judge found, allowing the application, that the Inspector had erred when he concluded that the development “would not significantly detract from the character and appearance of the surrounding area, and from the quality of the living conditions of neighbourly properties as a result of loss of privacy, loss of sunlight and daylight, or the visual impact of the proposed house”.

- 7.7 In this instance it is considered that the proposal would significantly detract from the character and appearance of the surrounding area and could result in a poor quality of living conditions for the proposed residents
- 7.8 **Material consideration: sustainable development:** Sustainable development is a cornerstone of Government policy and is always a material consideration. It was held in *Aldi Stores Ltd and British Gas plc v Secretary of State for the Environment and Daventry DC (1996) J.P.L B93* that an inspector was entitled to find that there would be demonstrable harm in respect of proposals contrary to sustainability policies and the effects on local amenity. As laid out at Section 3 and 4, the development fails to demonstrate a sustainable form of development and as such should be refused outright.
- 7.9 **Decision Making: Planning Balance:** In addition to those matters relating to decision making, such as the development plan and sustainable development, there is inevitably a balancing exercise to be carried out; few decisions are free of such an approach. The phrase “overall-advantage” reflects this balance; the decision-maker must attach what weight they consider appropriate to the material consideration in question. The so-called “overall-advantage” is nothing more than the weighing of often disparate planning considerations so that it can be said that the advantages outweigh the disadvantages, or the reverse.
- 7.10 In this case, there are no other material considerations of sufficient weight to overcome the policy presumption against the development. We would therefore kindly request that the application be refused outright.
- 7.11 **Failure to take account of relevant matters:** There are several referable cases where there has been a failure to take account of the relevant matters two of which are noted, namely:
- 7.12 **Tameside Metropolitan Borough Council v Secretary of State for the Environment (1984) J.P.P. 180** It was alleged on appeal to the High Court that the Inspector had erred in law in that he had failed to take into account a material consideration, namely matters relating to traffic and other consequences likely to flow from the granting of planning permission. Held that the decision letter did not deal with the traffic issues raised at all, except referable in one sentence and thus a substantial point had not been properly dealt with. The decision was quashed.
- 7.13 The application fails to adequately take account of the issues of transport, heritage, and landscape, as set out in section 2 of this Planning Objection.
- 7.14 **Crown Estates Commissioners v. Secretary of State for the Environment and Holderness Borough Council (1994) J.P.P B113** Where there is evidence on a material issue, it is incumbent upon the Council to make a finding on that evidence, within reason. Further, the Council must be in a position to understand all live issues and thus be able to deal with them accordingly.
- 7.15 The decision-maker ought to take into account a matter, which might cause him to reach a different conclusion from which he would reach if he did not take it into account. Where statute obliges the decision-maker to take a matter into account, it is a matter of law whether or not it was done. *Bolton Metropolitan District Council v. Secretary for the Environment (1991) J.P.L 241*. This report details those matters, which the applicant has failed to deal with adequately, and failings in the applications.

- 7.16 It is our concern on the evidence submitted to date, that the Applicant has failed to provide sufficient supporting information to judge the impact of the proposals on the character and appearance of the local area, on heritage, and on transport and the local highway network. Further, the Applicant has not understood the live issues and has failed to deal with them; as such any grant of consent may well fall foul of the tests laid out in the Crown Estates case mentioned above and would be susceptible to a claim for Judicial Review if approved.

8 CONCLUSIONS

- 8.1 The Parish Meeting consider that this poorly conceived application has completely disregarded the provisions of the National Planning Policy Framework and the Local Plan. The proposed development would result in an unacceptable form of development to the detriment of the character and appearance of the surrounding countryside and local amenity, including from the surrounding countryside and Public Rights of Way.
- 8.2 The proposal site is in an unsustainable location in respect of access to local services and facilities, and the proposed development of 32 dwellings would cause unacceptable harm to the significance of heritage assets, contrary to national and local planning policy.
- 8.3 In view of the above we trust that the application will be refused outright or alternatively that the application be withdrawn. Should additional information be submitted, or a revised scheme be prepared, we would ask that third parties be given further opportunity to comment as necessary.
- 8.4 We would be grateful if you can telephone us to confirm receipt of this objection and to discuss the timeframe for determination of the application.

Appendix A

Photographs



Figure 1. Eye Road, looking south with the proposed site access far centre. Note the absence of footpaths and the rural character of the street scene



Figure 2. Eye Road, proposed site access. Note the absence of footpaths and the rural character



Figure 3. view from PRow looking west towards application site. Note the rural character of the site and the extent to which the site extends into the surrounding countryside



Figure 4. View from the PRow south east of the application site, looking south. Note the rural setting of the village.

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

Our ref: AE/2020/125644/01-L01
Your ref: DC/20/04987
Date: 25 November 2020

Dear Mr Scott

APPLICATION FOR OUTLINE PLANNING PERMISSION (SOME MATTERS RESERVED, ACCESS TO BE CONSIDERED). TOWN AND COUNTRY PLANNING ACT 1990 - ERECTION OF UP TO 32 DWELLINGS FOLLOWING DEMOLITION OF EXISTING BUILDINGS (RESUBMISSION OF DC/19/04553).

ANCHOR STORAGE, EYE ROAD, KENTON, STOWMARKET, SUFFOLK, IP14 6JJ

Thank you for your consultation dated 6 November 2020. We have reviewed the application as submitted and are raising a holding objection on foul drainage grounds. Details on how to overcome our objection can be found below. We have also included details relating to flood risk below. Our response remains unchanged from that of our response to the original submission (DC/19/04553).

Foul Drainage

We have reviewed the documents submitted and the application proposed the use of a package treatment plant for foul drainage. The applicant has not supplied adequate information to demonstrate that the risks of pollution posed to surface water quality can be safely managed if a package treatment plant is used. No assessment of the risks of pollution to the surface water environment has been provided by the applicant or details of site drainage.

Also no confirmation of responsibility of the package treatment plant has been provided by the applicant on completion of the development. Until we receive sufficient basis for an assessment to be made of the risks of pollution to ground and surface water, along with confirmation that Anglian Water or another DEFRA approved organisation will be adopting the package treatment plant, we must continue to recommend a holding objection.

We ask to be re-consulted once the applicant has provided assessments that cover the above. We will provide you with bespoke comments within 21 days of receiving formal re-consultation. If you are minded to approve the application contrary to this advice, we request that you contact us to allow further discussion and/or representations from us.

Please note that a discharge to the local watercourse, from a Package Treatment Plant of this size, will require a permit from the Environment Agency and may be refused if it cannot meet the requirements of permitting.

Flood Risk

The applicant has sequentially sited all proposed development within Flood Zone 1. Our maps show the site boundary lies within fluvial Flood Zone 3a/2 defined by the 'Planning Practice Guidance: Flood Risk and Coastal Change' as having a high/medium probability of flooding. The proposal is for Outline Planning Application for 32No dwellings (existing buildings to be demolished) which is classified as a 'more vulnerable' development, as defined in Table 2: Flood Risk Vulnerability Classification of the Planning Practice Guidance.

We are satisfied that the flood risk assessment, undertaken by G.H. Bullard and Associates referenced 010/2018/FADDS and dated Sept 19, provides you with the information necessary to make an informed decision.

J Flow

The Flood Zone maps in this area are formed of national generalised modelling, which was used in 2004 to create fluvial floodplain maps on a national scale. This modelling was improved more recently, using a more detailed terrain model for the area. This modelling is not a detailed local assessment, it is used to give an indication of areas at risk from flooding.

JFLOW outputs are not suitable for detailed decision making. Normally, in these circumstances, an FRA will need to undertake a modelling exercise in order to derive flood levels and extents, both with and without allowances for climate change, for the watercourse, in order to inform the design for the site.

However, as the applicant has sequentially sited their proposed development to be wholly within Flood Zone 1, we feel it is unnecessary to request the applicant to further model the ordinary watercourse with regards to the safety of the proposed development because the development should remain dry and provide refuge throughout the 0.1% (1 in 1000) annual probability event.

FEH Catchment Analysis and Flood Risk

The applicant has undertaken an FEH catchment analysis to determine if there is capacity within the channel of the watercourse to take the flows produced by the 1% (1 in 100) year rainfall event plus allowance for climate change or, whether it would overspill onto the floodplain.

The details of this can be found in Appendix I. There are no details of the flood levels in m AOD associated with these flows but based on this catchment and channel assessment, the site is not expected to flood, and hence the site is not considered to be located within Flood Zone 3. There is therefore a safe, dry means of access/ egress on the site during the 1% (1 in 100) plus climate change event, as the water will be

contained within the channel.

The 0.1% (1 in 1000) year event has not been assessed. However, given that the properties are 2 story, there will be refuge available above this associated flood level.

If you feel you do not have sufficient information with regards to flood levels on the access/egress routes, we advise that 1D modelling should be undertaken to accurately establish the risk to the access/egress routes in terms of potential depths and locations of flooding. The watercourse should be modelled in a range of return period events, including the 1 in 20 (5%), 1 in 100 (1%) and 1 in 1000 (0.1%) year events, both with and without the addition of climate change. Please remember to request the new climate change allowances. The flood levels on the access/egress routes should be determined and compared to a topographic site survey to determine the flood depths and extents along the access/egress routes. This should be used to establish a route of safe access.

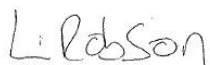
Modelling

Flood risk modelling undertaken by a third party has been used in support of this application and the we have applied a risk based approach to the assessment of this model. In this instance a basic review has been carried out.

We have not undertaken a full assessment of the fitness for purpose of the modelling and can accept no liability for any errors or inadequacies in the model.

We trust the above is useful.

Yours sincerely,



Mr Liam Robson
Sustainable Places - Planning Advisor

Direct dial 020 8474 8923

Direct e-mail Liam.Robson@environment-agency.gov.uk

End

Our Ref: 20_03404_P
Your Ref: DC/20/04987

26/11/2020

Dear Sir/Madam

RE: Application for Outline Planning Permission (some matters reserved, access to be considered). Town and Country Planning Act 1990 - Erection of up to 32 dwellings following demolition of existing buildings (resubmission of DC/19/04553). | Anchor Storage Eye Road Kenton Stowmarket Suffolk IP14 6J

The site is near to the Internal Drainage District (IDD) of the East Suffolk Internal Drainage Board (IDB) and is within the Board's Watershed Catchment (meaning water from the site will eventually enter the IDD). Maps are available on the Board's webpages showing the Internal Drainage District (https://www.wlma.org.uk/uploads/ESIDB_Index_plan.pdf) as well as the wider watershed catchment (https://www.wlma.org.uk/uploads/ESIDB_Watershed.pdf).

I note that the applicant intends to discharge surface water to a watercourse within the watershed catchment of the Board's IDD. We request that this discharge is facilitated in line with [the Non-Statutory technical standards for sustainable drainage systems](#) (SuDS), specifically S2 and S4. Resultantly we recommend that the discharge from this site is attenuated to the Greenfield Runoff Rates wherever possible.

The reason for our recommendation is to promote sustainable development within the Board's Watershed Catchment therefore ensuring that flood risk is not increased within the Internal Drainage District (required as per paragraph 163 of the [National Planning Policy Framework](#)). For further information regarding the Board's involvement in the planning process please see our [Planning and Byelaw Strategy](#), available online.

Kind Regards,

Jess

Jessica Nobbs

Senior Sustainable Development Officer
Water Management Alliance



Cert No. GB11990

Jane Marson (Chairman) Michael Paul (Vice-Chairman)

Phil Camamile (Chief Executive)



Cert No. GB11991



Sir/Madam Alex Scott
Babergh Mid Suffolk
Endeavour House
8 Russell Road
Ipswich
Suffolk
IP1 2BX

Direct Dial: 01223 582791

Our ref: **W:** P01301330

13 November 2020

Dear Sir/Madam Scott

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

**ANCHOR STORAGE, EYE ROAD, KENTON, STOWMARKET, SUFFOLK, IP14 6JJ
Application No. DC/20/04987**

Thank you for your letter of 6 November 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

Charlie Field

HISTORIC ENVIRONMENT ASSISTANT ADVISOR, EAST OF ENGLAND REGION:
REGION

E-mail: Charlie.Field@HistoricEngland.org.uk



24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU

Telephone 01223 582749
HistoricEngland.org.uk



From: SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>
Sent: 10 November 2020 11:16
To: BMSDC Planning Area Team Blue <planningblue@babberghmidsuffolk.gov.uk>
Subject: DC/20/04987 NE Response

Dear Mr Scott

Application ref: DC/20/04987
Our ref: 333317

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 sincerely,
Heather Ivinson

Heather Ivinson
Operations Delivery
Consultations Team
Natural England
Hornbeam House, Electra Way
Crewe, Cheshire, CW1 6GJ
Tel: 0300 060 0475

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.

Your Ref:DC/20/04987
Our Ref: SCC/CON/4484/20
Date: 19 November 2020



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

Email: planning@babberghmidsuffolk.gov.uk

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

For the attention of: Alex Scott

Dear Alex,

TOWN AND COUNTRY PLANNING ACT 1990

CONSULTATION RETURN: DC/20/04987

PROPOSAL: Application for Outline Planning Permission (some matters reserved, access to be considered). Town and Country Planning Act 1990 - Erection of up to 32 dwellings following demolition of existing buildings (resubmission of DC/19/04553).

LOCATION: Anchor Storage Eye Road Kenton Suffolk IP14 6JJ

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

The applicant has not adequately considered the impacts on the highway from the traffic generated by the development, especially during the peak hours. There may be a reduction in HGV traffic but a Transport statement is required as part of the formal planning permission consultation to determine if there is any intensification.

The NPPF focuses on the importance of promoting sustainable transport and give priority to pedestrian and cycle movements. We note the only scheduled bus services through Kenton are operated (infrequently) by High Suffolk Community Transport. Although there is not a frequent bus service at present, we recommend the developer looks into supplying a footway from the site to the existing bus stops and footway network in the village; this will also link the site to the PROW network.

The layout affects Public Right of Way Footpath 21 and at present, the footpath hasn't been considered within the layout. The footpath route must either be accommodated and unobstructed through the development, or legally diverted. As PROW comments dated 11th November, we recommend the applicant contacts the Definitive Maps team at SCC for more information regarding the legal alignment of FP01 and discuss their proposal further. Note, there is a fee for this service.

On receipt of the required documents, we will be able to respond to this application in full.

Yours sincerely,

Samantha Harvey
Senior Development Management Engineer
Growth, Highways and Infrastructure

From: GHI PROW Planning <PROWplanning@suffolk.gov.uk>
Sent: 11 November 2020 08:47
To: BMSDC Planning Area Team Blue <planningblue@babberghmidsuffolk.gov.uk>
Cc: David Falk <david.falk@suffolk.gov.uk>; Debbie Adams <Debbie.Adams@suffolk.gov.uk>; Sam Harvey <Sam.Harvey@suffolk.gov.uk>
Subject: RE: MSDC Planning Consultation Request - DC/20/04987

PUBLIC RIGHTS OF WAY AND ACCESS RESPONSE

REF: Anchor Storage, Eye Road, Kenton, IP14 6JJ – DC/20/04987

Thank you for your consultation concerning the above application.

The proposed site does contain a public right of way (PROW): Footpath 21 Kenton. The Definitive Map for Kenton can be seen at <https://www.suffolk.gov.uk/assets/Roads-and-transport/public-rights-of-way/Kenton.pdf>. A more detailed plot of public rights of way can be provided. Please contact DefinitiveMaps@suffolk.gov.uk for more information. Note, there is a fee for this service.

We object to this proposal on the basis that:

- **Neither the site plans nor the Design and Access Statement depict FP21;**
- **None of the documents describe the alignment of FP21;**
- **None of the documents explain how FP21 will be affected by the proposed development;**
- **None of the documents show how FP21 will be integrated and protected in the design of the proposed development;**
- **None of the documents explain how FP21 will be protected during construction;**

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.

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/

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

From: GHI Floods Planning <floods.planning@suffolk.gov.uk>
Sent: 10 November 2020 13:18
To: BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>
Cc: Alex Scott <Alex.Scott@baberghmidsuffolk.gov.uk>
Subject: 2020-11-10 JS Reply Anchor Storage, Eye Road, Kenton, Stowmarket Suffolk IP14 6JJ Ref DC/20/04987

Dear Alex Scott,

Subject: Anchor Storage, Eye Road, Kenton, Stowmarket Suffolk IP14 6JJ Ref DC/20/04987

Suffolk County Council, Flood and Water Management have reviewed application ref DC/20/04987.

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

- Proposed Surface Water Drainage Layout Ref 010-2018-02 P2
- Flood Risk Assessment & Drainage Strategy Ref 010/2018/FRADS
- Flood Risk Assessment & Drainage Strategy Addendum Ref 010/2018/FRADS/ADD P1
- Indicative Layout Ref 4303 01
- Location Plan (No Ref)

The reason why we are recommending a holding objection is because the proposed site layout and surface water drainage is not conjunctive to good design and the proposed strategy for the disposal of surface water is also proposing to utilise a hybrid system.

The supplied information and the letter submitted from the Environment Agency dated the 6th July 2018 (appendix H) is out of date. This needs to be reassessed and shall clearly indicated that the applicants assessment of the site being entirely within flood zone 1 is correct and has been accepted by the Environment Agency.

Please note that interim guidance was published in February 2020 regarding SuDS and outline planning applications that shall be given due consideration.

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

1. Update the assessment of flood risk as the information provide is out of date e.g. flood maps. New national surface water flood maps were published in January 2020.
2. Resubmit the proposed surface water drainage strategy with the attenuation basin relocated away from of flood zone 3 or clearly demonstrate that the site is entirely within flood zone 1 and that this has been accepted by the Environment Agency
3. Demonstrate why a full SuDs system cannot be utilise after considering the LLFA guidance.
4. Discharge point from the basin is to be as far away from the inlets as possible

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 <planningblue@baberghmidsuffolk.gov.uk>

Sent: 06 November 2020 15:53

To: GHI Floods Planning <floods.planning@suffolk.gov.uk>

Subject: MSDC Planning Consultation Request - DC/20/04987

Please find attached planning consultation request letter relating to planning application - DC/20/04987 - Anchor Storage, Eye Road, Kenton, Stowmarket Suffolk IP14 6JJ

Kind Regards

Planning Support Team

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

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

From: RM Archaeology Mailbox <archaeology@suffolk.gov.uk>
Sent: 11 November 2020 13:50
To: Planning Contributions Mailbox <planningcontributions.admin@suffolk.gov.uk>
Cc: Alex Scott <Alex.Scott@babberghmidsuffolk.gov.uk>
Subject: RE: Application - Kenton, Anchor Storage, Eye Road IP14 6JJ

Good afternoon,

Thank you for your email. As per the previous application received and discussions with the team at the time it is in our opinion there would be no significant impact on known archaeological sites or areas with archaeological potential. We have no objection to the development and do not believe any archaeological mitigation is required.

Many thanks,

Lisa

Lisamaria De Pasquale

Assistant Archaeological Officer (Technical Support)
Suffolk County Council Archaeological Service
Bury Resource Centre
Hollow Road
Bury St Edmunds
Suffolk IP32 7AY
Tel.:01284 741230
M: 07523931041
Email: lisa.depasquale@suffolk.gov.uk

Website: <http://www.suffolk.gov.uk/archaeology>
Suffolk Heritage Explorer: <https://heritage.suffolk.gov.uk>
Follow us on Twitter: [@SCCArchaeology](https://twitter.com/SCCArchaeology)
Like us on Facebook: [@SCCArchaeologicalService](https://www.facebook.com/SCCArchaeologicalService)
Follow us on Instagram: [@SCCArchaeology](https://www.instagram.com/SCCArchaeology)

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/F200783
Enquiries to: Water Officer
Direct Line: 01473 260588
E-mail: Fire.BusinessSupport@suffolk.gov.uk
Web Address: <http://www.suffolk.gov.uk>

Date: 10/11/2020

Dear Sirs

Anchor Storage, Eye Road, Kenton, Stowmarket IP14 6JJ

Planning Application No: DC/20/04987/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), 2019 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, 2019 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 or Approved Inspectors 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
Flood Risk Letter

Copy: 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: 10 November 2020

Planning Ref: DC/20/04987/OUT

Dear Sirs

RE: PROVISION OF WATER FOR FIRE FIGHTING
ADDRESS: Anchor Storage, Eye Road, Kenton, Stowmarket IP14 6JJ
DESCRIPTION: 32 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



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/20/04987/OUT
 Our ref: Kenton, Anchor Storage,
 Eye Road, IP14 6JJ.
 Matter No: 60095
 Date: 27 November 2020
 Enquiries to: Ruby Shepperson
 Tel: 01473 265063
 Email: Ruby.Shepperson@suffolk.gov.uk



By e-mail only:
planningblue@baberghmidsuffolk.gov.uk
Alex.Scott@baberghmidsuffolk.gov.uk

Dear Alex,

Kenton: Anchor Storage, Eye Road – developer contributions

I refer to the proposal: outline planning application (some matters reserved, access to be considered) – erection of up to 32 No. dwellings following demolition of existing buildings (resubmission of DC/19/04553).

Summary of infrastructure requirements:

CIL	Education	Capital Contribution
	- Primary	£138,144
	- Secondary	£142,650
	- Sixth form	£23,775
CIL	Early years	£51,804
CIL	Libraries improvements	£6,912
CIL	Waste	£4,352
S106	Education	
	- Secondary school transport	£36,150
S106	Highways	Tbc
S106	Monitoring fee for each trigger point	£412

Paragraph 56 of the National Planning Policy Framework (NPPF) 2018 sets out the requirements of planning obligations, which are that they must be:

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

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

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

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

The emerging Joint Local Plan contains policy proposals that will form an important tool for the day to day determination of planning application in both districts. Infrastructure is one of the key planning issues and the Infrastructure chapter states that the Councils fully appreciate that the delivery of new homes and jobs needs to be supported by necessary infrastructure, and new development must provide for the educational needs of new residents.

Community Infrastructure Levy

Mid Suffolk District Council adopted a CIL Charging Schedule on 21st January 2016 and started charging CIL on planning permissions granted from 11th 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’).

Site specific mitigation will be covered by a planning obligation and/or planning conditions.

The details of specific contribution requirements related to the proposed scheme are set out below:

- 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) publication 'Securing developer contributions for education' (April 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 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 'Securing developer contributions for education' 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 DfE scorecard costs have been adjusted for inflation using the latest Building Cost Information Service (BCIS) All-In Tender Price of Index (TPI), published March 2020. The technical notes state to adjust the national average to the region of interest, divide the national average cost by the weight for the region, given in the Scorecard underlying data (the regional weight has been calculated using the regional location factors).

The most recent scorecard is 2019 and the national average school expansion build cost per pupil for primary schools is £17,268 (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 (£17,268 / 1.00) produces a total of £17,268 per pupil for permanent expansion 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) 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".

School level	Minimum pupil yield:	Required:	Cost per place £ (2020/21):
Primary school age range, 5-11:	8	8	£17,268
High school age range, 11-16:	6	6	£23,775
Sixth school age range, 16+:	1	1	£23,775

Total education CIL contributions:	£304,569
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The local schools are Sir Robert Hitcham's CEVA Primary School (catchment school and second nearest), Bedfield CEVC Primary School (nearest school), Debenham High School ((ages 11-16) catchment school and nearest but over 3 miles away from the proposed development), and Hartismere School (local school and sixth form). Based on the existing forecasts and potential developments in the area and local plans coming forward, SCC will have no surplus places available at the catchment primary and secondary schools.

At the primary school level, the strategy is to expand existing primary school provision to meet the demands arising from basic need and housing growth. The DfE publication talks about the importance of safeguarding land for schools by working with LPAs and developers to ensure that long-term pupil place planning objectives are secured.

At the secondary school and sixth form levels, the strategy is to expand existing provision to meet the demands arising from basic need and housing growth.

Based on existing school forecasts, SCC will have no surplus places available at the local primary, secondary and sixth form schools. On this basis, at the primary school level a future **CIL** funding bid of at least (8 pupils x £17,268) = £138,144 (2020/21 costs) will be made, at the secondary school level a future **CIL** funding bid of at least (6 pupils x £23,775) = £142,650 (2020/21 costs) will be made and at sixth form level a future **CIL** funding bid of a lease (1 pupil x £23,775) = £23,775 will be made.

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** – 6 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, **£106** contribution is £1,205 x 6 pupils x 5 years = **£36,150** (2020/21 costs), increased by RPI.

- 2. Pre-school provision.** Provision 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 these development proposals SCC would anticipate up to 3 FTE pre-school child arising (FTE is equivalent to 30 hours per week). This matter is in the Debenham ward where there is a deficit of FTEs. On this basis, an Early Years **CIL** contribution of (3 FTEs x £17,268) = **£51,804** (2020/21 costs) will be sought to go towards the enhancement and improvement to local provision.

- 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 further 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'. A comprehensive assessment of highways and transport issues will be required as part of a planning application. This will include travel plan, pedestrian and 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 agreements as appropriate, and infrastructure delivered to adoptable standards via Section 38 and Section 278. Suffolk County Council FAO Sam Harvey will coordinate a response, which will outline the strategy in more detail.

Suffolk County Council, in its role as a 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 Section 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 is sought (i.e. £6,912) which will be spent on enhancing provision at the nearest library. A minimum standard of 30 square metres of new library space per 1,000 populations is required. Construction and initial fit out cost of £3,000 per square metre for libraries (based on RICS Building Cost Information Service data but excluding land costs). This gives a cost of (3 x £3,000) = £90,000 per 1,000 people or £90 per person for library space. Assumes average of 2.4 persons per dwelling.

Libraries CIL contribution:	£6,912
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6. Waste. All local planning authorities should have regard to both the Waste Management Plan for England and the National Planning Policy for Waste when discharging their responsibilities to the extent that they are appropriate to waste management. The Waste Management Plan for England sets out the Government's ambition to work towards a more sustainable and efficient approach to resource use and management.

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

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

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

Every additional dwelling potentially accessing Stowmarket Recycling Centre is now exacerbating the need for a new Recycling Centre on this side of Ipswich. This is becoming a more urgent priority for the Waste Service as the likely cost of a new Recycling Centre is £3.35m. This is a priority site in the Waste Infrastructure Strategy and budget will be identified for this purpose. However, the Waste Service would expect contributions of £136 per household from any significant development in this area (2020/21 costs).

- 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. Suffolk County Council is the lead local flood authority. 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.

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

- 9. 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 plants to attract & support insects, reptiles, birds & mammals. Refer to the MHCLG guidance on the Natural environment [updated 21 July 2019].

- 10. 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.

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

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

12. Legal costs. SCC will require an undertaking for the reimbursement of its own legal costs, whether or not the matter proceeds to completion.

13. Monitoring Fee. The new CIL Regs allow for charging of monitoring fees. In this respect the county council charges **£412** for each trigger point in a planning obligation, payable upon commencement.

14. Time Limits. The above information is time-limited for 6 months only from the date of this letter.

This development will mitigate its impact by contributing via both s106 and CIL as per the summary table on page 1. Site-specific matters identified by SCC services directly will also need to be secured by way of a planning obligation or planning conditions.

Yours sincerely,

Ruby Shepperson
Planning Officer
Growth, Highways & Infrastructure Directorate

cc Carol Barber, Suffolk County Council
Floods Planning, Suffolk County Council
Sam Harvey, Suffolk County Council

Planning Application – Consultation Response

Planning Application Reference:	DC/20/04987
Site:	Anchor Storage Eye Road Kenton Stowmarket Suffolk IP14 6JJ
Proposal:	Application for Outline Planning Permission (some matters reserved, access to be considered). Town and Country Planning Act 1990 - Erection of up to 32 dwellings following demolition of existing buildings (resubmission of DC/19/04553).
Prepared by:	BMSDC Strategic Planning Policy and Infrastructure
Date:	09/12/2020

1. Introduction

A response to planning application DC/19/04553 was submitted from Strategic Planning Policy and Infrastructure in November 2019. Since this response, the Joint Local Plan has progressed to Pre-Submission Regulation 19 consultation stage. The principles of the response from a policy and infrastructure point of view remains the same, where this development proposal is not being supported, principally due to the unsustainability of its location.

2. Policy position

The relevant Development Plan policies to consider are:

- 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)

Kenton is currently identified as a village in the countryside in the adopted MSDC Core Strategy (<https://www.midsuffolk.gov.uk/assets/Strategic-Planning/Mid-Suffolk-Core-Strategy/Core-Strategy-with-CSFR-label-and-insert-sheet-07-01-13.pdf>), policy CS1 (page 24-25), where: *development will be restricted to particular types of development to support the rural economy, meet affordable housing, community needs and provide renewable energy*, as stated in the policy.

The proposed development is considered contrary to policy, in respect to saved Policies GP1 and H7 of the Mid Suffolk Local Plan (1998), Policies CS2 and CS5 of the Mid Suffolk Core Strategy (2008) and Policies FC1 and FC1.1 of the Mid Suffolk Core Strategy Focused Review (2012) which seek to direct development to settlements with a greater range of services and facilities, to control development in the countryside and maintain and enhance the environment, amongst other considerations.

As per our response to the previous planning application DC/19/04553, Kenton is progressing through the Regulation 19 Pre-Submission Joint Local Plan (November 2020) as a 'Hamlet' village, where only small-scale infill growth would be considered appropriate. The proposed development is for 32 dwellings, which is a large application

in a settlement where only small-scale growth is currently and proposed thought the Regulation 19 Pre-Submission Joint Local Plan to be considered appropriate.

3. Infrastructure Delivery Plan (IDP) position

The IDP of September 2020 provides an updated position from the previous IDP of July 2019, and it sets out both Babergh and Mid Suffolk's infrastructure requirements and priorities. It was published on the 12th November 2020 as evidence which supports the draft Pre-Submission Regulation 19 Joint Local Plan. The IDP is an iterative document which is updated annually to reflect the changes in infrastructure capacities, requirements and priorities.

The proposed development is not part of the proposed site allocations of the draft Joint Local Plan. 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.

Over the last five years, only minor development has taken place within the settlement, with no current pending or approved planning applications for over 10 dwellings, other than this outline application, subject to determination. There are no proposed site allocations for Kenton in the draft Joint Local Plan, and therefore there are no site-specific infrastructure needs set out for this site in the IDP.

This proposed development is not therefore part of the planned growth and the infrastructure required to support it are assessed through the planning application consultation process.

As referred above and stated in our response of November 2019, Kenton is a village in the countryside, where there are no key services or facilities. Whilst it is generally accepted that small scale growth can generally be supported through existing infrastructure and rural housing is encouraged in villages where it will support local services (NPPF, Paragraph 77-79). In this case, the local services are only available in Debenham (nearest to the development site) and will primarily be accessed by car. Access, including the means of access, to infrastructure, services and facilities is a key consideration in determining the sustainability of the proposal. In this regard there is considered to be limited and unsustainable access to services and facilities. The nearest facilities are located in Debenham, approximately 2.5 miles away from the site to the centre of Debenham (a Parish which has a made Neighbourhood Plan with proposed allocations).

Infrastructure considerations are:

- Education

There is no primary school within the settlement. The catchment primary school is Sir Robert Hitcham's CEVAP, in Debenham, and the nearest school is Bedfield CEVC Primary School. Sir Robert Hitcham is planned to expand in the IDP, Bedfield CEVC Primary School is not planned to expand in relation to the planned growth of the Joint Local Plan.

The catchment secondary school is Debenham High School, which is planned to expand in relation to planned and committed growth. For Post 16 education, Hartismere School (Sixth Form) in Eye, is the nearest, and is due to expand.

As stated by the County Council in their response of the 27th November 2020, contributions towards additional provision would be required to provide for this

development. CIL contributions would be required towards the expansion of Early Years, Primary, Secondary and Sixth Form education.

It is important to note that the pupils deriving from this development will primarily be driven or bused to their primary and secondary schools, as it is already the case for the existing pupils within Kenton, this additional unplanned growth would therefore create unnecessary adverse harm in respect of social and environmental conditions, and is contradictory to the paragraphs 103, 104a) and 108a) of the NPPF.

- Transport

Specific site details and required contributions would be provided through the County Council Highway response.

In relation to public transport, there are no regular bus services to and from Kenton, this further limits the opportunities for using sustainable modes of travel from this proposed development. Although Kenton is within 3 miles of the centre of Debenham, the two settlements are linked by country lanes, where no continuous footways exist to enable safe walking. It is therefore realistic to assume that most trip to access infrastructure and services generated from the development will be made by car, in contradiction with the objectives of the NPPF, paragraph 79. Further to this national policy, the proposal is also in contradiction with the Regulation 19 Pre-Submission Joint Local Plan policy LP32 concerning the strategy for Safe, Sustainable and Active Transport, where all developments are to maximise the uptake in sustainable and active transport.

Within the settlement itself there are poor footpath provision and although the development could provide additional connections to existing footpaths, there are no services and facilities available within the settlement.

- Health

The nearest health centre is the Debenham practice, where the IDP states that mitigation will be sought for cumulative growth in the vicinity of this practice, however the growth proposed from this site would increase capacity on an already over capacity surgery and therefore impacting on the provision made for the planned growth of the Joint Local Plan and the Neighbourhood Plan, and committed growth within Debenham.

4. Summary

It will be essential that the above points are considered in conjunction with the current application process and infrastructure needs are addressed in accordance with the respective infrastructure providers consultation replies, this response and the IDP.

As stated in our response to the previous planning application DC/19/04553, overall this application is a major development proposal in a small rural settlement with very limited accessibility to essential services and facilities. The impact of this proposal would be significantly different to that of small scale/ infill growth. Consequently, the proposed development is considered contrary to the relevant current development plan policies, national policy and the Regulation 19 Pre-Submission Joint Local Plan (November 2020).

From an education infrastructure point of view, the pupils deriving from this development will primarily be driven or bused to their primary and secondary schools. Although this is already the case for the existing pupils within Kenton, this additional, unplanned growth would create unnecessary adverse harm in respect of social and environmental conditions, and as such this proposal weighs against paragraphs 103,

104a) and 108a) of the NPPF. Adding to the fact that there are no other key services and facilities in Kenton, and no access to regular public transport, it is therefore realistic to assume that most trip to access infrastructure and services generated from the development will be made by car, in contradiction with the objectives of the NPPF, paragraph 79, and of draft Joint Local Plan policy LP32.

In consideration of the above the proposed development is not considered to conform to national and local planning policy and due to its remoteness/ poor accessibility is considered unsustainable and consequently harmful in accordance with para 79 and 103 of the NPPF.

It is not considered a suitable location for a major housing scheme, having regard to access to services and facilities, the Strategic Planning Team therefore cannot support the proposal and recommends that planning permission is refused.

Anik Bennett, Infrastructure Officer
Strategic Planning Policy and Infrastructure
Babergh and Mid Suffolk District Councils

From: Paul Harrison <Paul.Harrison@babberghmidsuffolk.gov.uk>

Sent: 27 November 2020 17:59

To: Alex Scott <Alex.Scott@babberghmidsuffolk.gov.uk>; BMSDC Planning Area Team Blue <planningblue@babberghmidsuffolk.gov.uk>

Subject: DC 20 04987 Kenton

Heritage consultation response

Alex

The scheme is essentially a re-submission of that refused as DC/19/04553, which my colleague commented on. I cannot detect any additions or amendments which would alter our assessment of the impact of the scheme in heritage terms, and therefore can only repeat my colleague's comment:

This is an outline planning application for the erection of up to 32 dwellings next to the Grade II listed Sycamore Farmhouse, following the demolition of existing warehouses. Only access is considered, although an indicative layout has been submitted. The heritage concern relates to the impact of the principle of residential development on this site (following demolition of the existing buildings) on the setting of the listed building, which contributes to its significance.

Sycamore Farmhouse is located to the north of the historic core of Kenton. Historic OS maps show a scattering of farmhouses with outbuildings spread out along this part of the road, which were gradually connected by modern development throughout the C20. The 1884 and 1904 maps show Sycamore Farmhouse with a close grouping of outbuildings to the south and two ponds and possibly an orchard to the north, separating the farmhouse from Sycamore Cottage. By 1978, the smaller outbuildings to the south of the farmhouse were replaced with large structures, surrounding the farmhouse from the north-east to the south, leaving only the area immediately to the north of the listed building undeveloped. The physical form and character of these warehouses compromise the setting of the listed building and its connection to the surrounding landscape to the east.

The introduction of up to 32 dwellings on this site would be contrary to the existing linear pattern of development on this part of Eye Road and would change the character of this land. However, the existing structures and their character currently detract from the setting of Sycamore Farmhouse, therefore their demolition would be positive. Smaller scale dwellings may be less harmful to the setting of the listed building than the existing buildings.

There would likely be some harm associated with the introduction of a residential development on this site. However, this harm would be limited by the extent that the setting of the listed building has already been compromised. The full extent of the impact on the setting of the listed building would depend on the layout, scale, design, boundary treatment and use of materials of the proposed development. Based on the information submitted at this stage, the resulting level of harm would likely be a low to medium level of less than substantial harm, which should be weighed against public benefits as per para. 196 of the NPPF.

To minimise the level of harm, the layout of the development as shown on the indicative drawing could be improved. For example, maintaining the undeveloped area to the front of the site as open space would better preserve the immediate setting of Sycamore Farmhouse and its position in the streetscape.

Paul

Paul Harrison

Heritage and Design Officer

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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/>



23 November 2020

Alex Scott
Mid Suffolk District Council
Endeavour House
8 Russell Road
Ipswich, IP1 2BX

By email only

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/20/04987
Location: Anchor Storage Eye Road Kenton Stowmarket Suffolk IP14 6JJ
Proposal: Application for Outline Planning Permission (some matters reserved, access to be considered). Town and Country Planning Act 1990 - Erection of up to 32 dwellings following demolition of existing buildings (resubmission of DC/19/04553).

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 Extended Phase 1 Survey Report (Hillier Ecology Limited, September 2018) provided by the applicant, relating to the likely impacts of development on designated sites, Protected & Priority species/habitats.

We are not satisfied that sufficient ecological information is currently available for determination. This is because the Extended Phase 1 Survey Report (Hillier Ecology Limited, September 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>.

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.



Consequently, this further information is required to enable the LPA 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 the holding objection.

Please contact us with any queries.

Yours sincerely,

Hamish Jackson ACIEEM BSc (Hons)
Ecological Consultant
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: 01 December 2020 11:03
To: Alex Scott <Alex.Scott@babberghmidsuffolk.gov.uk>
Cc: BMSDC Planning Mailbox <planning@babberghmidsuffolk.gov.uk>
Subject: DC/20/04987. Land Contamination

Dear Alex

EP Reference : 285240
DC/20/04987. Land Contamination
Anchor Storage, Eye Road, Kenton, STOWMARKET, Suffolk, IP14 6JJ.
Application for Outline Planning Permission (some matters reserved, access to be considered).Town and Country Planning Act 1990 - Erection of up to 32 dwellings

Many thanks for your request for comments in relation to the above application. Having reviewed the application and support Geoenvironmental Risk Assessment by Sue Slaven (reference : P0135/R01 Issue 1 dated October 2020) I can confirm that I have no objection to the proposed development from the perspective of land contamination. I would only request that the LPA are contacted in the event of unexpected ground conditions being encountered during construction and that the below minimum precautions are undertaken until such time as the LPA responds to the notification. I would also advise that the developer is made aware that the responsibility for the safe development of the site lies with them.

Kind regards

Nathan

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

Babergh and Mid Suffolk District Councils – Working Together

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

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.

From: Nathan Pittam <Nathan.Pittam@babberghmidsuffolk.gov.uk>
Sent: 13 November 2020 13:21
To: Alex Scott <Alex.Scott@babberghmidsuffolk.gov.uk>
Cc: BMSDC Planning Mailbox <planning@babberghmidsuffolk.gov.uk>
Subject: DC/20/04987. Air Quality

Dear Alex

EP Reference : 283510
DC/20/04987. Air Quality
Anchor Storage, Eye Road, Kenton, STOWMARKET, Suffolk, IP14 6JJ.
Application for Outline PP (some matters reserved, access to be considered).Town and Country Planning Act 1990 - Erection of up to 32 dwellings following demolition of existing buildings (resubmission of DC/19/04553).

Many thanks for your request for comments in relation to the above application from the perspective of Local Air Quality Management. Having reviewed the application I can confirm that the likelihood of a development of this scale is highly unlikely to cause a significant adverse impact on local air quality when measured against guidance of the Institute of Air Quality Management and DEFRA and as such we would have no objection to the proposed development.

Kind regards

Nathan

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

Babergh and Mid Suffolk District Councils – Working Together

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

From: Andy Rutson-Edwards <Andy.Rutson-Edwards@baberghmidsuffolk.gov.uk>
Sent: 12 November 2020 11:03
To: Alex Scott <Alex.Scott@baberghmidsuffolk.gov.uk>; BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>
Subject: DC/20/04987

Environmental Health -
Noise/Odour/Light/Smoke

APPLICATION FOR OUTLINE PLANNING PERMISSION - DC/20/04987

Proposal: Application for Outline Planning Permission (some matters reserved, access to be

considered). Town and Country Planning Act 1990 - Erection of up to 32 dwellings following demolition of existing buildings (resubmission of DC/19/04553).

Location: Anchor Storage, Eye Road, Kenton, Stowmarket Suffolk IP14 6JJ

Thank you for consulting me on this application. From the proposed layout I can see that residential premises are to be in close proximity to the adjacent existing agricultural/commercial premises. There is potential for significant loss of amenity at new dwellings due to noise.

If the class of use of this adjacent land has any commercial use or there are commercial units operating on the adjacent site I shall require an Environmental Noise Assessment (ENA) for the residential development prepared by competent person.

The assessment and any mitigation identified shall ensure through design that internal and external WHO and BS8223 guideline values for both daytime and night-time will not be exceeded.

I would also recommend that following condition is included in any permissions granted:

No development shall commence until a Construction and Environmental Management Plan (CEMP), to cover both demolition/site clearance and construction phases of the development, has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall be undertaken in accordance with best practice guidelines and BS: 5228:2009 + A1:2014 (and any revisions thereof). The plan shall include details of operating hours, scheduled timing/phasing of development for the overall construction period, means of access, traffic routes, vehicle parking and manoeuvring areas (site operatives and visitors), loading and unloading of plant and materials, location and management of wheel washing facilities, external lighting, location and nature of compounds and storage areas (including maximum storage heights), waste removal, location and nature of temporary buildings and boundary treatments, dust management, noise management (both in terms of workers and local residents, and to include noise limit at the nearest sensitive residential property, or agreed representative accessible monitoring point) and waste/litter management during the construction phases of the development. Thereafter, the approved construction plan shall be fully implemented and adhered to during the construction phases of the development hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Note: the Construction Management Plan shall be submitted in phases for each phase of construction so as to take account of protection measures for both newly constructed (and occupier) dwellings as well as those dwellings which existed prior to commencement

- *No burning shall take place on site during the site clearance/demolition or construction phases of the development.*

Andy

Andy Rutson-Edwards, MCIEH AMIOA

Senior Environmental Protection Officer

Babergh and Mid Suffolk District Council - Working Together

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From: Peter Chisnall <Peter.Chisnall@baberghmidsuffolk.gov.uk>
Sent: 26 November 2020 17:22
To: BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>
Subject: DC/20/04987

Dear Alex,

APPLICATION FOR OUTLINE PLANNING PERMISSION - DC/20/04987

Proposal: Application for Outline Planning Permission (some matters reserved, access to be considered). Town and Country Planning Act 1990 - Erection of up to 32 dwellings following demolition of existing buildings (resubmission of DC/19/04553).

Location: Anchor Storage, Eye Road, Kenton, Stowmarket Suffolk IP14 6JJ

Many thanks for your request to comment on the sustainability/Climate Change 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.

Babergh and 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.

I raise no objections to this application. 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.

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.

I note that the applicant confirms compliance with the Suffolk Parking Guide. 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/>

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 Together
Tel: 01449 724611
Email: peter.chisnall@baberghmidsuffolk.gov.uk
www.babergh.gov.uk www.midsuffolk.gov.uk

MID SUFFOLK DISTRICT COUNCIL

MEMORANDUM

TO: Alex Scott - Planning

From: Sacha Tiller – Strategic Housing

Date: 13th November 2020

Proposal: Application for Outline Planning Permission (some matters reserved, access to be considered). Town and Country Planning Act 1990 - Erection of 32 dwellings following demolition of existing buildings (re-submission of DC/19/04553)

Location: DC-20-04987 - Anchor Storage, Eye Road, Kenton, Stowmarket, Suffolk, IP14 6JJ

Key Points

1. Background Information

A development proposal for 32 dwellings.

The policy position would be for 35% affordable housing on any site of 10 or more units or site area in excess of 0.5 hectares.

32 dwellings equates to 11.2 dwellings for this submission to be policy compliant. Therefore we require 11 dwellings and 0.2 as a commuted sum.

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. **Ref1 SHMA 2019, p.122 – Summary section.**
- 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 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.

3. Preferred Mix for Open Market homes.

3.0 There is strong need for homes more suited to the over 55 age brackets within the district and the 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.

3.1 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.

3.2 Broadband and satellite facilities as part of the design for all tenures should be standard to support.

3.3 All new properties need to have high levels of energy efficiency.

4. Preferred mix for Affordable Housing = 11 affordable housing homes

Affordable Rented = 8 homes required

2 x 1 bed 2-person houses @ 58 sqm

4 x 2 bed 4-person houses @ 79 sqm

2 x 3 bed 5-person houses @ 93 sqm

Shared Ownership = 3 homes required

3 x 2 bedroom 4-person houses @ 79 sqm



4.1 The scheme will need to pay 0.2 of the site as a commuted sum.

5. Other requirements for affordable homes:

- Properties must be built to current Homes England National Housing Standards March 2015.
- The council is granted 100% nomination rights to all the affordable units on first lets and 100% on subsequent lets.
- Any Shared Ownership properties must have an initial share limit of 70%.
- The Council will not support a bid for Homes England grant funding on the affordable homes delivered as part of an open market development. Therefore, the affordable units on that part of the site must be delivered grant free.
- The location and phasing of the affordable housing units must be agreed with the Council to ensure they are integrated within the proposed development according to current best practice.

- (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
- On larger sites, the affordable housing should not be placed in groups of more than 8 units
- Adequate parking provision is made for the affordable housing units and cycle storage and bin stores.
- It is preferred that the affordable units are transferred to one of the Council's partner Registered Providers – please see www.baberghmidsuffolk.gov.uk under Housing and Affordable Housing for full details.

Consultation Response Pro forma

1	Application Number	DC/20/04987	
2	Date of Response		
3	Responding Officer	Name:	James Fadeyi
		Job Title:	Waste Management Officer
		Responding on behalf of...	Waste Services
4	Recommendation (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	
5	Discussion 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> <div style="text-align: center;">  ELITE 6 - 8x4MS (Mid Steer) Wide Track Dat </div> <p>See the latest waste guidance on new developments.</p> <div style="text-align: center;">  SWP Waste Guidance v.21.docx </div> <hr style="width: 20%; margin: 10px auto;"/> <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. These are required for approval.</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.

6	Amendments, Clarification or Additional Information Required (if holding objection) If concerns are raised, can they be overcome with changes? Please ensure any requests are proportionate	
7	Recommended conditions	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.

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

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

Sent: 10 November 2020 10:21

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

Subject: RE: MSDC Planning Consultation Request - DC/20/04987

Public Realm Officers note the provision of an area of public open space within this development including what appears to be an attenuation basin within this area. In the detailed design Officers would like to see plans that show an adequate area of usable open space that does not include water storage. Attenuation basins are often deep and require fencing and in these cases should not be treated as public open space when calculating open space requirements within a proposed development.

In addition, for a development of this size (32 houses) some provision for on site play would be expected in the more detailed design

Regards

Dave Hughes
Public Realm Officer

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

From: planningblue@baberghmidsuffolk.gov.uk <planningblue@baberghmidsuffolk.gov.uk>

Sent: 06 November 2020 15:52

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

Subject: MSDC Planning Consultation Request - DC/20/04987

Please find attached planning consultation request letter relating to planning application - DC/20/04987 - Anchor Storage, Eye Road, Kenton, Stowmarket Suffolk IP14 6JJ

Kind Regards

Planning Support Team

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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.

Comments for Planning Application DC/20/04987

Application Summary

Application Number: DC/20/04987

Address: Anchor Storage Eye Road Kenton Stowmarket Suffolk IP14 6JJ

Proposal: Application for Outline Planning Permission (some matters reserved, access to be considered). Town and Country Planning Act 1990 - Erection of up to 32 dwellings following demolition of existing buildings (resubmission of DC/19/04553).

Case Officer: Alex Scott

Customer Details

Name: Mrs Linda Hoggarth

Address: 26 Gipping Way, Bramford, Ipswich, Suffolk IP8 4HP

Comment Details

Commenter Type: Amenity Group

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: 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 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.

Surfaces should be firm, durable and level. No loose gravel, cobbles or uneven setts should be used.

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

From: BMSDC Economic Development

<BMSDCEconomicDevelopment@baberghmidsuffolk.gov.uk>

Sent: 29 January 2021 16:23

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

Cc: Alex Scott <Alex.Scott@baberghmidsuffolk.gov.uk>

Subject: RE: MSDC Planning Consultation Request - DC/20/04987 - 27/11/2020

Good afternoon

Thank you for this consultation.

Employment opportunity in rural areas is important to the sustainability of our communities, however it is limited and once employment space is lost to other uses is rarely recovered. This site currently provides employment to 14 people and therefore cannot demonstrate that it is unsuitable for continued employment use either by the current business or an alternative user.

Economic development do not support this application, objecting to the loss of employment uses at this site.

Kind Regards

Clare

Sector and Skills Specialist – Economic Development and Regeneration team Babergh and Mid Suffolk District Councils – Working Together

t: 01449 724880

m: 07860827637

e: clare.free@baberghmidsuffolk.gov.uk

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

From: planningblue@baberghmidsuffolk.gov.uk <planningblue@baberghmidsuffolk.gov.uk>

Sent: 06 November 2020 15:59

To: BMSDC Economic Development

<BMSDCEconomicDevelopment@baberghmidsuffolk.gov.uk>

Subject: MSDC Planning Consultation Request - DC/20/04987 - 27/11/2020

Please find attached planning consultation request letter relating to planning application - DC/20/04987 - Anchor Storage, Eye Road, Kenton, Stowmarket Suffolk IP14 6JJ

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.

Philip Isbell – Chief Planning Officer
Sustainable Communities

Mid Suffolk District Council
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

Website: www.midsuffolk.gov.uk



REFUSAL OF OUTLINE PLANNING PERMISSION

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

Correspondence Address:

Philip Cobbold
Phil Cobbold Planning Ltd
42 Beatrice Avenue
Felixstowe IP11 9HB

Applicant:

Anchor Storage Ltd
Anchor Storage
Eye Road
Kenton
Stowmarket
Suffolk IP14 6JJ

Date Application Received: 27-Sep-19

Application Reference: DC/19/04553

Date Registered: 05-Oct-19

Proposal & Location of Development:

Outline Planning Application (some matters reserved - access to be considered) - Erection of up to 32No dwellings (existing buildings to be demolished).

Anchor Storage, Eye Road, Kenton, Stowmarket Suffolk IP14 6JJ

Section A – Plans & Documents:

This decision refers to drawing no./entitled un-numbered received 31/10/2019 as the defined red line plan with the site shown edged red. Any other drawing showing land edged red whether as part of another document or as a separate plan/drawing has not been accepted or treated as the defined application site for the purposes of this decision.

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

Defined Red Line Plan un-numbered - Received 31/10/2019

Section B:

Mid Suffolk District Council as Local Planning Authority, hereby give notice that **OUTLINE PLANNING PERMISSION HAS BEEN REFUSED** for the development proposed in the application in accordance with the particulars and plans listed in section A for the following reasons:

1. The proposed development, remote from local services and lacking accessible sustainable transport modes, will result in a high level of car dependency for future occupants. The

density and scale of the development would result in landscape harm. The identified adverse impacts outweigh the scheme's public benefits, and therefore the proposal does not constitute sustainable development, contrary to Policies FC1 and FC1_1 of the Core Strategy Focused Review 2012 and the National Planning Policy Framework 2019.

2. The proposal would also lead to the loss of employment land, with no significant benefit or alternative schemes provided, contrary to the directions of Saved Local Plan policy E4 and E6. Similarly, the area has not been shown to be one in high demand for housing such that the employment uses present on site should be replaced in line with the provisions of paragraph 121 of the NPPF.
3. While it is acknowledged that the removal of the existing buildings from the site would be read as a benefit to the setting of Sycamore Farmhouse, the replacement of these buildings would still result in harm to its setting. This harm has been identified as being less than substantial when read against the NPPF and the public benefits offered by the site are insufficient to counter this harm due to the adverse impacts arising from the location of the scheme. This runs contrary to paragraph 196 of the NPPF and to the provisions of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
4. The application fails to demonstrate that the site is suitable for housing in the context of land contamination and cannot demonstrate that the remediation of the entirety of the site would result in land that was considered suitable for residential uses. This runs contrary to the requirements of paragraphs 178 and 180 of the National Planning Policy Framework 2019 which seeks to avoid development on sites which may reasonably pose a health risk to its end user.
5. Paragraph 165 of the National Planning Policy Framework 2019 requires major developments to incorporate sustainable drainage systems, including taking advice from the lead local flood authority. The application fails to take account the advice from the lead local flood authority, contrary to paragraph 165 of the National Planning Policy Framework 2019 .

SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:

NPPF - National Planning Policy Framework
NPPG-National Planning Policy Guidance
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
CS03 - Reduce Contributions to Climate Change
CS04 - Adapting to Climate Change
CS05 - Mid Suffolk's Environment
CS06 - Services and Infrastructure
GP01 - Design and layout of development
HB01 - Protection of historic buildings
HB14 - Ensuring archaeological remains are not destroyed
H04- Proportion of Affordable Housing
H07 - Restricting housing development unrelated to needs of countryside
H13 - Design and layout of housing development

H14 - A range of house types to meet different accommodation needs
H15 - Development to reflect local characteristics
H16 - Protecting existing residential amenity
H17 - Keeping residential development away from pollution
T09 - Parking Standards
T10 - Highway Considerations in Development
T11 - Facilities for pedestrians and cyclists
E03 - Warehousing, storage, distribution and haulage depots
E04 - Protecting existing industrial/business areas for employment generating uses
E05 - Change of Use within existing industrial/commercial areas
E06 - Retention of use within existing industrial/commercial areas
CL08 - Protecting wildlife habitats
RT04 - Amenity open space and play areas within residential development
RT12 - Footpaths and Bridleways

NOTES:

1. The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. The NPPF encourages a positive and proactive approach to decision taking, delivery of sustainable development, achievement of high quality development and working proactively to secure developments that improve the economic, social and environmental conditions of the area:

In this case the Local Planning Authority attempted to discuss its concerns with the applicant but was not able to secure the necessary improvements to the scheme that would have enabled the proposals to be considered more favourably.

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

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

This relates to document reference: DC/19/04553

Signed: Philip Isbell

Dated: 19th February 2020

**Chief Planning Officer
Sustainable Communities**

Appeals to the Secretary of State

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or consent, or to grant permission or consent subject to condition, they may appeal to the Secretary of State for Communities and Local Government. The applicant's right of appeal is in accordance with the appropriate statutory provisions which follow:

Planning Applications: Section 78 Town and Country Planning Act 1990

Listed Building Applications: Section 20 Planning (Listed Buildings and Conservation Areas) Act 1990

Advertisement Applications: Section 78 Town and Country Planning Act 1990
Regulation 15

Town and Country Planning (Control of Advertisements) Regulations 2007

Notice of appeal in the case of applications for advertisement consent must be served within eight weeks of receipt of this notice. Notice of Householder and Minor Commercial Appeals must be served within 12 weeks, in all other cases, notice of appeal must be served within six months of this notice. If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within six months of the date of this notice, whichever period expires earlier.

Appeals must be made on a form which is obtainable from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at <https://www.gov.uk/government/publications/modelnotification-notice-to-be-sent-to-an-applicant-when-permission-is-refused>

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he/she will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him/her that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by it, having regard to the statutory requirements*, to the provisions of the Development Order, and to any directions given under the Order. The Secretary of State does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him/her.

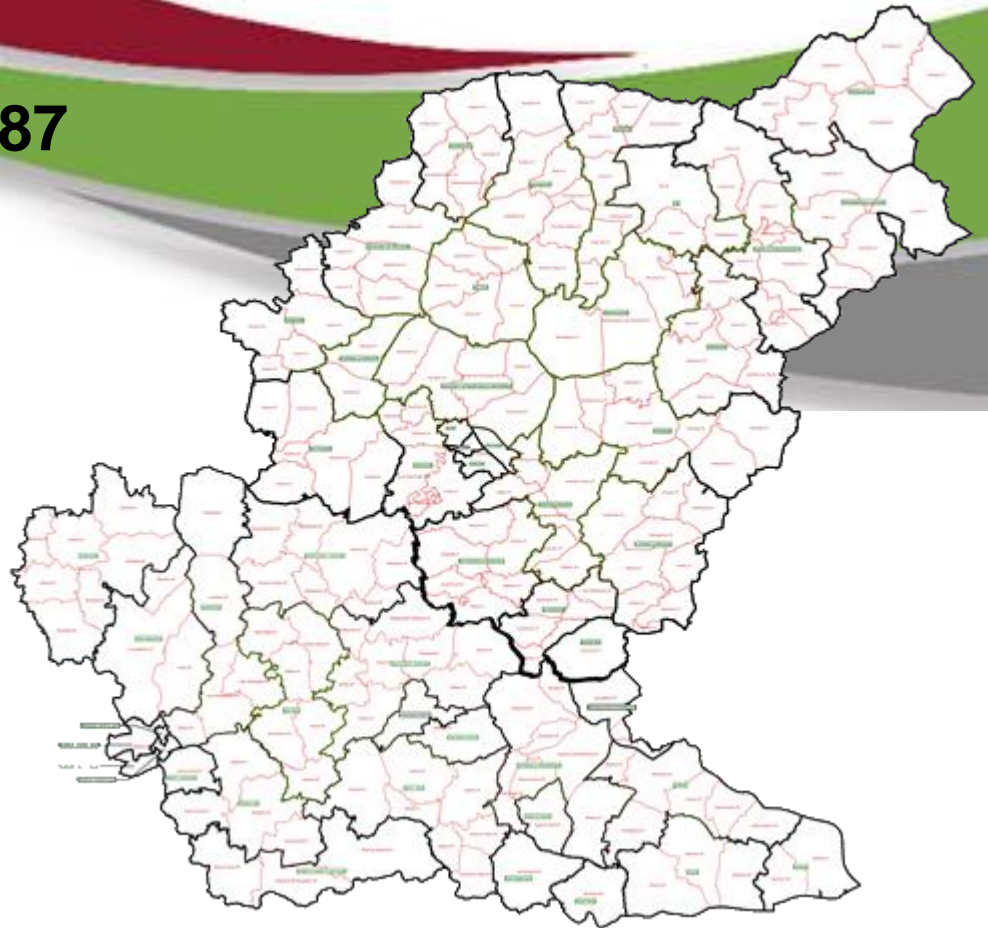
2. If permission or consent to develop land or carry out works is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonable beneficial use by the carrying out of any development or works which has been or would be permitted they may serve on the Council of the district in which the land is situated, a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Section 137 of the Town and Country Planning Act 1990 or Section 32 Planning (Listed Buildings and Conservation Areas) Act 1990.

*The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70 and 72(1) of the Act.

Application No: DC/20/04987

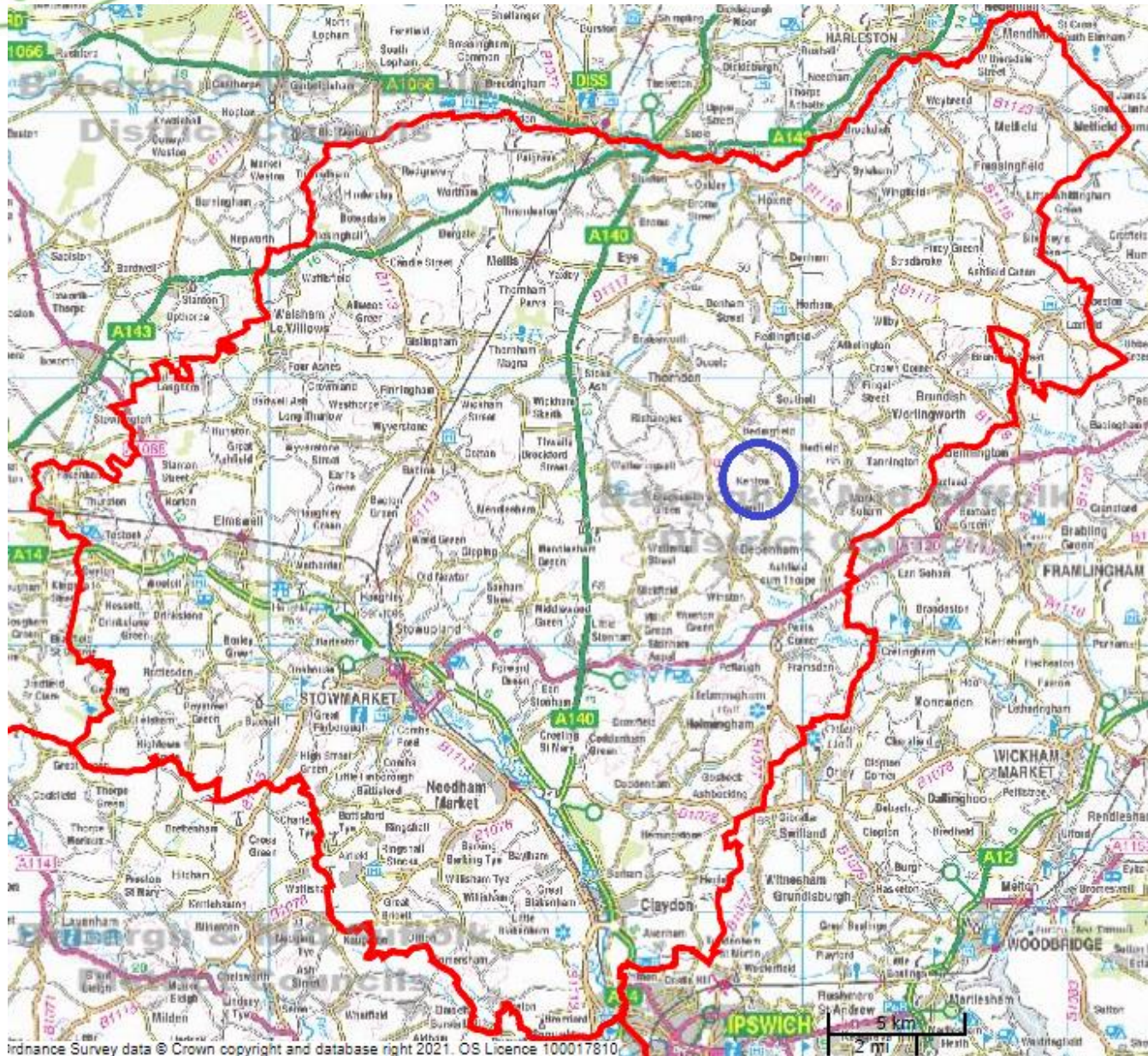
**Address: Anchor Storage,
Eye Road, Kenton**

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Site Location

Page 344



Site Location



Page 345

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Aerial Map - closer view



Constraints Map

Listed Buildings

-  Grade I
-  Grade II
-  Grade II*

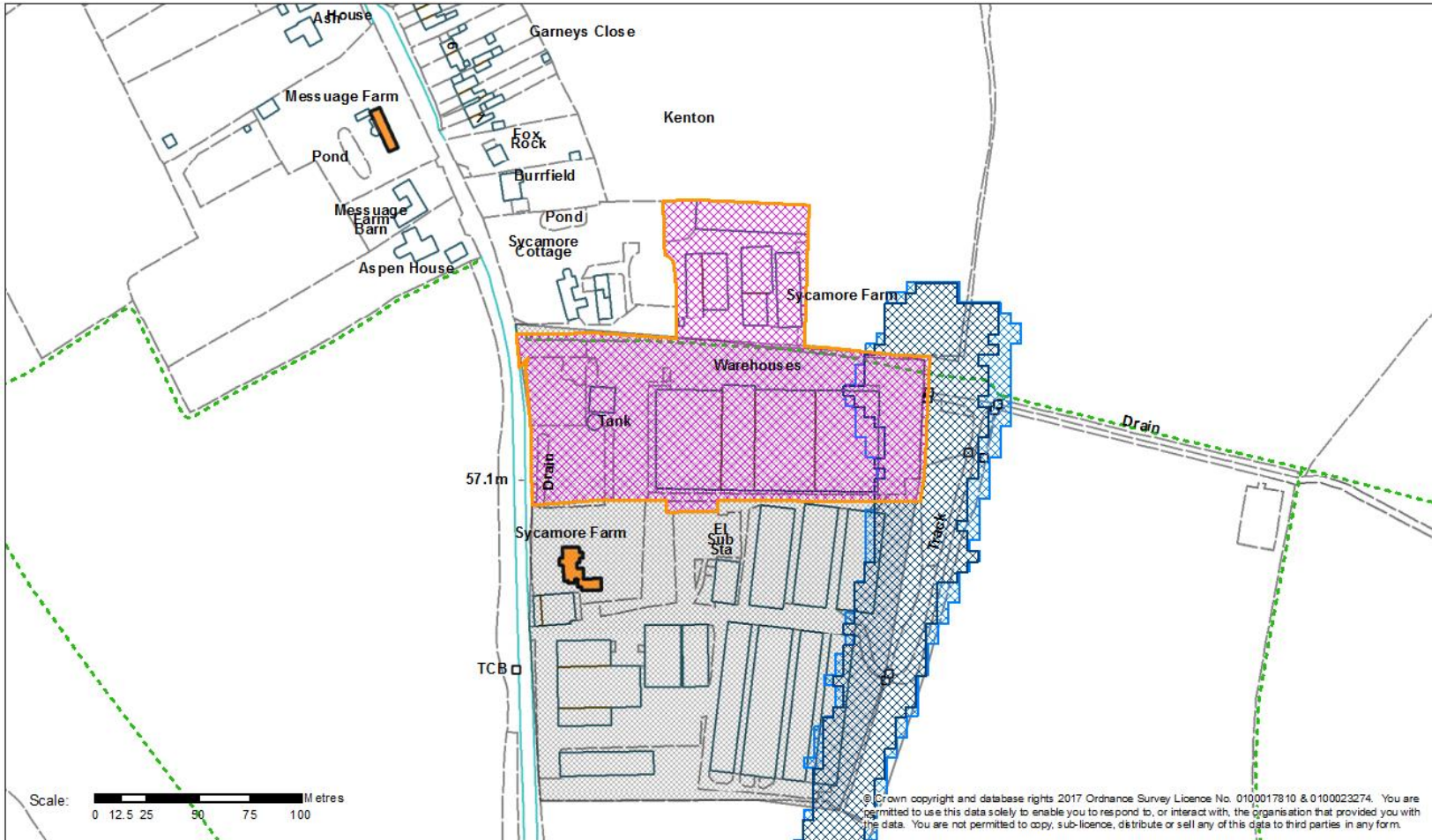
 Potentially Contaminated Land

Slide 6

 Public Rights of Way

-  Flood Zone 2
-  Flood Zone 3

Page 348



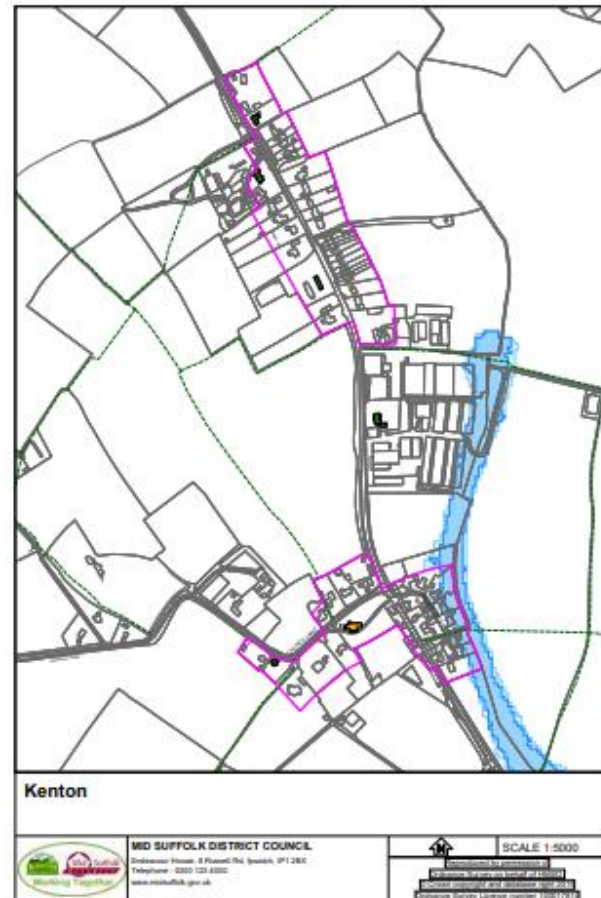
- The JLP identifies Kenton as a hamlet, meaning it is unsuited for large development, but could accommodate infill residential development within the settlement boundary.
- The site is located outside of the settlement boundary for Kenton.

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Mid Suffolk District Council Place Maps

Kenton (Hamlet)

Located approximately 4km north-east of Debenham, Kenton is classified as a Hamlet Village. The settlement consists of two clusters of dwellings, with a Grade II listed farmhouse located between the two. The southern section of the settlement is centred around the Grade II* listed All Saints Church.





Site Location Plan



Indicative Site Layout - wider

Slide 10



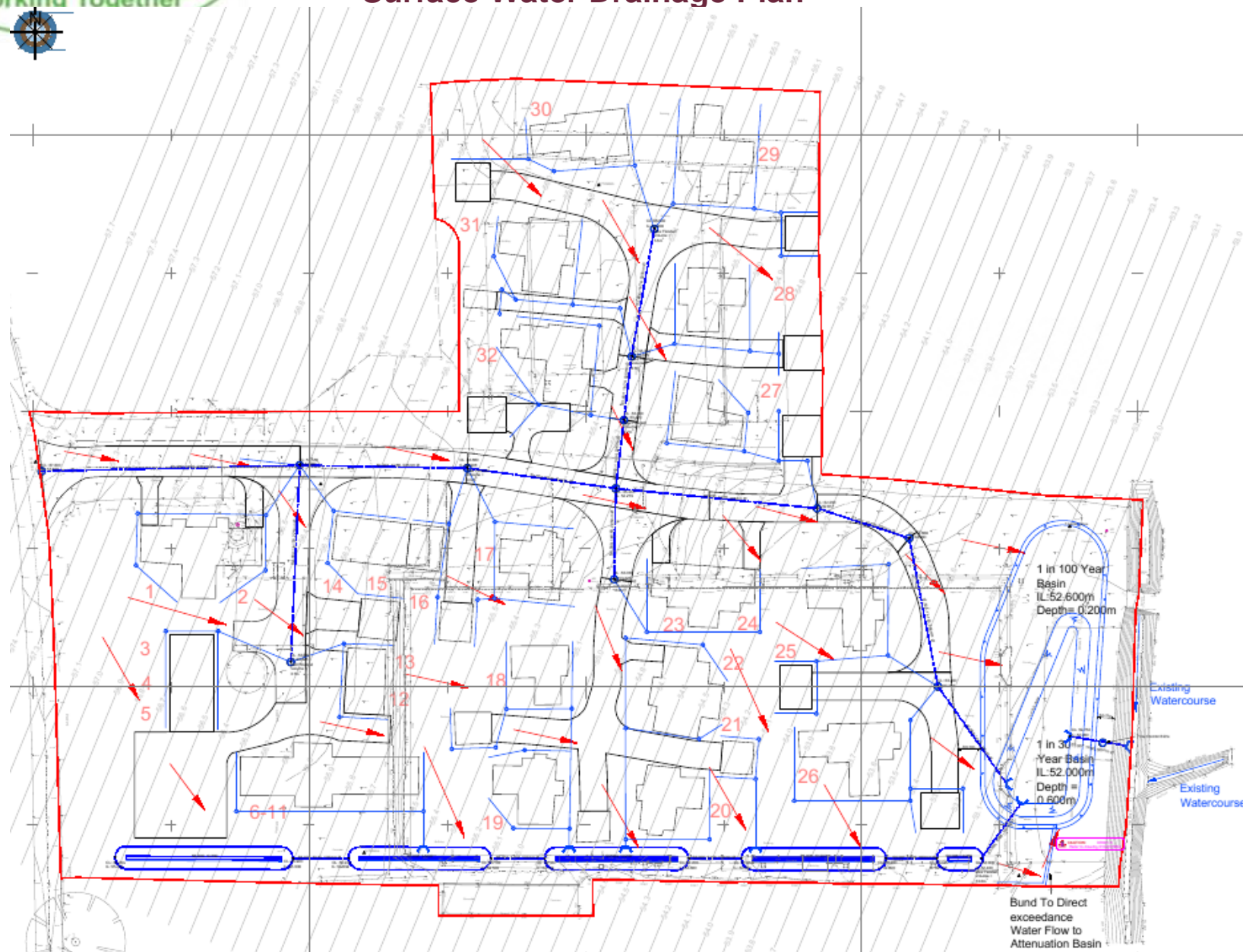
Page 352

Indicative Site Layout - closer



Surface Water Drainage Plan

Page 354



Previous Layout - Current Layout

DC/19/04553



Page 355

DC/20/04987



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Agenda Item 7d

Committee Report

Item 7D

Reference: DC/20/05595

Case Officer: Alex Scott

Ward: Debenham.

Ward Member/s: Cllr Kathie Guthrie.

RECOMMENDATION – REFUSE PLANNING PERMISSION/AGREE PUTATIVE REASON(S) IN RESPONSE TO APPEAL REF APP/W3520/W/21/3271036

Description of Development

Planning Application. Change of Use of mixed C3/Sui Generis drinking establishment use to mixed C3/Class E and replacement of C20 rear extension

Location

The Angel Inn, 5 High Street, Debenham , Stowmarket Suffolk IP14 6QL

Expiry Date: 26/02/2021

Application Type: FUL - Full Planning Application

Development Type: Change of Use

Applicant: Mrs Stacey Paine

Agent: Mr T Mckechnie

Parish: Debenham

Site Area: 0.0148 ha

Density of Development:

Gross Density (Total Site): NA.

Net Density (Developed Site, excluding open space and SuDs): NA.

Details of Previous Committee / Resolutions and any member site visit: Planning Application Ref: 4374/15, which sought Planning Permission for “Partial change of use, erection of first floor extension to reinstate former 2 storey rear wing, internal alterations to public house to reinstate former separate dwelling at The Angel whilst retaining the public house as a community facility” was previously considered by Committee on 3rd March 2016. Committee resolved to refuse planning permission for the following reasons:

1. The proposal would lead to the diminution of an established village facility, which may prejudice its longer term future as a community and tourism asset and contributor to the rural economy. A such it conflicts with the aims and requirements of paragraphs 17, 28, 69 and 70 of the National Planning Policy Framework, and Policies FC1 and FC1.1 of the adopted Mid Suffolk Core Strategy Focused Review (2012).

2. The proposed subdivision of the applicant listed building at ground and first floor level would cause harm to its character and status as a building of architectural and historic interest. The harm to the designated Heritage Asset, is not regarded as substantial, however, the application as submitted fails to demonstrate that this harm is outweighed by the public benefit of securing the longer term financial viability of the public house through a reduction in its operational floorspace. The proposal would therefore conflict with the aims and requirements of paragraphs 17, 131, 132, and 134 of the National Planning Policy Framework, Policy CS5 of the adopted Mid Suffolk Core Strategy (2008), Policy FC1 of the adopted Mid Suffolk Core Strategy Focused Review (2012) and saved Policies SB2 and HB3 of the adopted Mid Suffolk Local Plan (1998), which are consistent with those aims.

An appeal was then lodged with the Planning Inspectorate against the decision made by Mid Suffolk District Council to refuse Planning Application Ref: 4374/15 (Appeal ref: APP/W3520/W/16/3146428). The appeal was subsequently allowed and planning permission was granted by the Planning Inspectorate on 14th June 2016.

The relevant committee report, decision notice and appeal decision are appended to this report.

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.

Introduction

The Council has received notification of an appeal lodged by the Applicant (now Appellant) on grounds of non-determination. That appeal has not yet, at the time of drafting this report, received a start date from the Planning Inspectorate ("PINS") but there is no reason to consider that the appeal will not be found to be valid. Being the case, there remains an application to determine but with an understanding that there is a likelihood the appeal will start before a decision can be taken.

On that basis, a recommendation is set out that will either: [a] authorise officers to refuse the application for the reason(s) set out; or, [b] resolve putative reasons for refusal upon which to defend the appeal i.e. resolve to agree those reason(s) on the basis that the Council would have refused planning permission had the appeal not been registered. As the registration of that appeal is outside the hands of the local planning authority and the resolution of Committee does not constitute the issue of the decision notice, it is procedurally appropriate to ensure that both [a] and [b] are instructed lest the appeal be registered after committee has heard the application but before the decision notice has been issued.

PART ONE – REASON FOR REFERENCE TO COMMITTEE

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

Your officers consider the application to be of a controversial nature having regard to the planning reasoning expressed by the Parish Council, the extent and planning substance of comments received from third parties, and the nature of the application.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

NPPF - National Planning Policy Framework
FC1 - Presumption In Favour Of Sustainable Development
FC1.1 - Mid Suffolk Approach To Delivering Sustainable Development
CS1 - Settlement Hierarchy
CS5 - Mid Suffolk's Environment
CS6 - Services and Infrastructure
E6 - Retention of Industrial and Commercial Sites
GP1 - Design and layout of development
HB1 - Protection of historic buildings
HB3 - Conversions and alterations to historic buildings
HB4 - Extensions to Listed Buildings
HB8 - Safeguarding the character of conservation areas
HB9 - Controlling the demolition in conservation areas
H16 - Protecting existing residential amenity
T9 - Parking Standards
T10 - Highway Considerations in Development
Debenham Neighbourhood Plan

Neighbourhood Plan Status

This application site is within an adopted Neighbourhood Plan Area. Accordingly, the adopted Neighbourhood Plan forms part of the current development plan.

The following Neighbourhood Plan Policies are considered most relevant to the current proposal:

DEB 1 - Growth
DEB 2 - Appropriate Housing
DEB 6 - Housing Mix
DEB 7 - Residential Car Parking
DEB 8 - Traffic flows and non-residential car parking
DEB 11 - Employment
DEB 12 - Broadband

DEB 17 - Public Realm
DEB 18 - Historic Environment
DEB 20 - Nature Conservation
DEB 21 - Financial Contributions

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)

Debenham Parish Council - 8th January 2021

Strongly recommend refusal of both applications (Planning Permission and Listed Building Consent) which are intrinsically linked:

- The applications are against a number of policies in the NPPF, existing Local Plan, emerging Local Plan and Neighbourhood Plan;
- No evidence of diligent, fair priced marketing, for the required length of time. Evidence provided by the applicant can easily be challenged and their veracity is being contested by third parties;
- There is strong evidence of community support for retention of the establishment;
- The establishment has historic association with the village and is a valued community asset;
- The Parish Council has applied to register the premises as an Asset of Community Value (ACV).

Debenham Parish Council - 1st March 2021

Following the recent re-submission of both Angel Inn applications (DC/20/05596 and DC/20/05595), please note that the Debenham Parish Council would like to re-submit the comments previously sent to Planning, with the addition of the following:

- The Parish Council concurs with the Heritage Officer's report and continues to strongly recommend the refusal of both planning applications;
- May we please also add that since the first applications were submitted, the Parish Council has successfully applied for the re-registration of the Angel Inn as an Asset of Community Value.

Debenham Parish Council - 5th March 2021

Re-iterate comments given on the 8th January and 1st March (above), with the omission of reference to Neighbourhood Plan Policy DEB 13.

National Consultee (Appendix 4)

Historic England - 21st December 2020

Do not wish to offer any comments - Suggest MSDC seek the views of their specialist conservation and archaeological advisers, as relevant.

Historic England - 5th February 2021

On the basis of the further information submitted by the applicant: Do not wish to offer any comments - Suggest MSDC seek the views of their specialist conservation and archaeological advisers, as relevant.

County Council Responses (Appendix 5)

SCC - Highways - 22nd December 2020

The current proposal would not have a detrimental impact on the highway network at this location. Therefore, do not wish to raise objection under highway safety grounds.

SCC - Highways - 23rd February 2021

The proposed change of use would not have a significant impact on the highway network and is not considered to be detrimental to highway safety. Therefore, do not wish to raise objection under highway safety grounds.

Internal Consultee Responses (Appendix 6)

MSDC - Economic Development - 3rd March 2021

Do not support the application in its current format - The application appears to be significantly weighted to residential with a small inadequately serviced area and would be unlikely to attract a business occupier. Public Houses are a valued amenity, and your Economic Development Officers would regret the loss of the social and visitor amenity provided by a pub, and would be against the principal of an alternative commercial employment generating use.

MSDC - Heritage Officers - 19th January 2021

The proposal would cause a medium level of less than substantial harm to the designated heritage asset because the proposed extensions would detract from its architectural and historic significance - Recommend the application is amended so as to omit the proposed extensions or reduce their impact.

MSDC - Heritage Officers - 5th March 2021

The proposed extensions, as amended, would have a harmful impact on the building's special architectural and historic significance - The level of harm has been reduced by the amendments but remains medium - The harm to the building's significance is in relation to the size, scale and design of the proposed extension - The two-storey rear extension would still appear assertive and incongruous - Do not agree that the change to a lean-to glazed roof extension represents an improvement as this would not be invisible, and do not agree that the evidence of a 1930's extension submitted represents a suitable precedent - Maintain view that proposed lean-to extension would be detrimental to the appreciation of the building and would not better reveal its significance - Additional investigation and opening up of the rear gallery is required - The statement submitted offers no explanation why an extension is proposed and makes no case for the success of the change of use being dependent on the extension - Recommend omission or further amendment of the rear extensions.

MSDC - Environmental Protection - Noise/Odour/Light/Smoke Issues - 16th December 2020

No objections in principle - subject to Demolition and Construction Hours Condition and Construction Management Condition.

MSDC - Environmental Protection - Noise/Odour/Light/Smoke Issues - 16th February 2021

On basis of further information received from applicant - Do not have any further comments to make.

B: Representations

At the time of writing this report at least 105 letters/emails/online comments have been received. It is the officer opinion that this represents 105 objections, 0 support and 0 general comment. A verbal update shall be provided as necessary.

Views are summarised below:-

- The Angel Public House is an essential community asset, in an essential location, at the heart of the village and so should be retained as a matter of principle;
- Proposal will remove the possibility of this historic building ever returning to be a public house;
- The building has always been a public house historically and should, therefore, be preserved as such for heritage reasons, as well as being a valued community facility;
- The building needs to continue as a public house for the benefit of the community;
- It is important to preserve this community asset at the centre of the Village for the enjoyment of future generations;
- The applicant claims the pub business is unviable but two previous owners/operators have said that the business was profitable;
- Do not consider the pub business to be unviable as the applicant claims;
- Question the validity of the viability assessment provided with the application, which the application places considerable reliance on, and is inconclusive;
- For a number of years the pub's restaurant was fully booked through December serving Christmas meals;
- Consider there are no other such facilities in the village where people can meet and socialise: The Cherry Tree is now a Vets, The Woolpack is too small and has no disabled access, and the leisure lacks ambiance and is too far away from the village centre;
- Debenham used to have 4 pubs in the 1990's, now it has one and a half;
- This is the last venue of its kind left in the village;
- The village needs more than one pub with such a large number of houses;
- Debenham is renowned for its community events, which have more often than not been centred around the Angel;
- The decision taken, which resulted in the previous approval to reduce the size of the Pub, was misguided and in doing so planners have made the property and potential business less viable;
- Consider the present is an extraordinary time (Covid 19 lockdowns) and does not fairly reflect usual circumstances where such a business would usually be more profitable and viable;
- The opportunity for proper scrutiny of the proposal is severely limited by the timing of the application and the overbearing limitations imposed by the Covid pandemic;
- Consider the Public House in in the wrong ownership and consider that someone with a more entrepreneurial attitude and determination to succeed could make the business work;
- Consider the current owner/landlord's conduct throughout should not be overlooked in the decision making process;
- The applicant is running another pub in Earl Soham, which shows that it is possible for the pub to be run as a viable concern;
- Consider the pub is only disused because owners have marketed it at an inflated price and not accepted offers of purchase and/or rent;

- Terms put forward by the applicant to a potential lessee in 2019 were rejected as being unreasonable;
- Other derogatory remarks made against the applicant/owner/operator/landlady;
- Consider that all the new housing development proposed in Debenham over the next few years will need a usable Pub, which will make the business more profitable;
- A proposal for change of use of the Pub is, at the present time, premature;
- The Angel has been and will continue to be a thriving business if given a chance;
- The community must be given a chance to retain the building as a public house and restaurant;
- Conversations had in the village indicate a significant and concerted determination to retain the pub;
- Consider the proposed change of use of the pub to essentially a four bedroom house should not be accepted in principle;
- There is absolutely no need for a house in the village where there are, and will be in the near future, plentiful homes available for purchase;
- It is against the interests of the village and the local region for the applicant to destroy a communal building with over 400 years of history and culture;
- The proposal wilfully ignores the interests of the local community;
- The loss of the Angel Public House would be a tragic loss for the community;
- The pub is essential to community and mental wellbeing;
- The loss of the Pub would be detrimental to the Tourist Trade;
- Businesses in Debenham benefit from Tourists visiting, especially in the summer. This has been in decline since the Angel has closed, as visitors are unable to stop for a drink or a meal;
- The pub previously employed a team of over 10 staff, providing much needed work for local people and could again;
- Consider pub has great potential for employment for young people in the village - surely this must be a sustainable aspiration;
- The pub is needed in this location in order to maintain a good and viable High Street;
- Another retail outlet or office space is not needed in the village at this particular time;
- Have little faith that the proposed commercial space would be taken up and used and consider the whole building will eventually be given over to housing;
- Consider the proposed extensions to the listed building would harm its character and significance and are inappropriate with the conservation area;
- Agree with the Heritage and Design Officer's comment that the best use for a listed building will be the one it was built for, in this instance a Public House;
- Questions raised with regards land ownership, notices served and the accuracy of plans submitted;
- Consider proposal is contrary to Neighbourhood Plan Policies DEB 11, DEB 13, DEB 18, Local Plan Policy E6 and MSDC SPD Retention of Shops, Post Offices and Public Houses (2004);
- The application states that the community group did not make an offer on the Pub - evidence provided that this was not the case.

(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: 4374/15	Planning Application - Partial change of use, erection of first floor extension to reinstate former 2 storey rear wing, internal alterations to public house to reinstate former separate dwelling at The Angel whilst retaining the public house as a community facility (Revised scheme to that submitted under ref. 2494/14 & 2475/14)	DECISION: Refused by MSDC - 03.03.2016 Granted by PINS on Appeal - Ref: APP/W3520/W/16/3146428 - 14.06.2016
REF: 4375/15	Application for Listed Building Consent - Erection of first floor extension to reinstate former 2 storey rear wing and former separate dwelling, internal alterations including relocation of toilet facilities, to retain the public house as a community facility	DECISION: Refused by MSDC - 03.03.2016 Granted by PINS on Appeal - Ref: APP/W3520/Y/16/3146429 - 14.06.2016
REF: 2423/15	First floor extension to re-instate former 2 storey rear wing and former separate dwelling, internal alterations including re-location of toilet facilities, to retain the public house as a community facility.	DECISION: Withdrawn 21.10.2015
REF: 2424/15	Revised Scheme to that submitted ref. 2494/14 & 2475/14 - Partial change of use, first floor extension to re-instate former 2 storey rear wing, internal alterations to public house to reinstate former separate dwelling at The Angel whilst retaining the public house as a community facility	DECISION: Withdrawn 21.10.2015
REF: 2494/14	Partial change of use, re-instatement of former 2 storey rear wing and further extensions to rear, internal alterations to public house to reinstate former separate dwelling at The Angel whilst retaining the public house in a reduced form as a community facility	DECISION: Failed to determine - Appeal Dismissed - 31.10.2014
REF: 2475/14	Re-instatement of a former 2 storey rear wing and further extensions to rear to re-instate former separate dwelling adjacent to the Angel, internal alterations including re-location of toilet facilities, to retain the public house as a community facility.	DECISION: Failed to determine - Appeal Dismissed - 31.10.2014
REF: 2648/13	Re-location of existing wall hung sign depicting "The Angel" and associated lighting	DECISION: GTD 31.10.2013

REF: 2637/13	Advertisement Consent Application: Re-location of existing wall hung sign depicting "The Angel" and associated lighting.	DECISION: GTD 01.11.2013
REF: 2623/12	Erection of two storey detached 3 bedroom dwelling with integrated garage. Creation of new vehicular access.	DECISION: REF 18.04.2013
REF: 1747/11	Erection of a willow panel fence and a gate in the rear garden.	DECISION: GTD 19.07.2011
REF: 0148/03/LB	Re-build damaged out buildings. The walls to be re-built with re-claimed Suffolk red bricks. The previous flat Asbestos Concrete had to be replaced with a pitched roof with ridge in pantiles (re-claimed) to match adjoining buildings.	DECISION: GTD 22.09.2003

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1. The application site lies on the eastern side of High Street, Debenham, at the centre of the village, within the village settlement boundary. Debenham is defined as a Key Service Centre within the current development plan.
- 1.2. The site comprises the existing Angel Public House, which is Grade II listed. The core of the building dates from the 1400s, with extensions added in the 1500s and 1600s. Your Heritage Officers consider the building is likely to have been an Inn from the mid 1500's, and the building is first recorded as 'The Angel' in 1621. In more recent times the building has been subdivided into residential and commercial elements. Your Heritage Officers advise that, although after several significant phases of development the building does not have the importance and integrity as a whole that would warrant a grading at II* (Two Star), it has several rare features including an open first floor gallery added in the 1500s to the rear elevation. Such features allowed spectators to watch performance and spectacles in the yard, and are generally associated with inns. The gallery extends along the rear of the 1500s element and is now enclosed as a first-floor passage. The existing modern single-storey addition to the rear of the building slightly obscures its original form.
- 1.3. In 2016 a scheme for change of use and extension of the northern bay of the building was granted upon appeal by the planning inspectorate (MSDC refs: 4374/15 and 4375/15).
- 1.4. The site affects the setting of Grade II* buildings, at nos. 1 and 3 High Street (The former 'Swiss Farm Butchers'), which lies adjacent to the north.
- 1.5. The site lies within, and therefore directly affects, the Debenham Conservation Area.
- 1.6. Although located within the High Street and Historic Core of the Village, the site lies outside the Retail Core of the Village, as defined in the Neighbourhood Plan proposals maps. Your officers therefore consider that Neighbourhood Plan Policy DEB 13 is not engaged.

- 1.7. A large proportion of the site and building also lie within Environment Agency (EA) Flood Zone 2, where there is between a 1 in 100 and 1 in 1,000 annual probability of flooding.
- 1.8. Whilst the site does not provide on-site parking for patrons, on-site parking is currently available for approximately 8 no. Cars within a gravel courtyard to the rear of the building, via an access archway to High Street.

2. The Proposal

- 2.1. The application seeks planning permission for the change of use of the existing Public House (Planning Land Use Class: Sui Generis) and ancillary residential accommodation (Planning Land Use Class: C3) to 1 no. 4 Bedroom Dwelling (Class: C3), and a Retail/Office unit (Class: E) at ground floor level.
- 2.2. The application proposal would result in the reduction in the amount of usable commercial floorspace within the building, at ground-floor level, from 110.7 square metres presently to 29.4 square metres (as proposed). This would be a reduction of 81.3 metres of usable commercial floor space, or 73.45%.
- 2.3. The existing gravelled courtyard to the rear of the building would be converted to a private residential garden. 4 no. private parking spaces are proposed to be retained, within the rear-courtyard area, as part of the proposal.
- 2.4. Within the historic part of the building, proposed physical alterations would involve: The removal of an internal draught lobby at ground floor; The removal of an existing window and part of the existing south wall of the historic gallery at first-floor level (to gain access to the proposed two-storey extension and bedroom 2); and Insertion of a partition to form a bathroom at first-floor.
- 2.5. The existing single-storey flat-roofed extension to the rear elevation is proposed to be removed and replaced with a single-storey lean-to extension and a two-storey extension, which would provide a master bedroom at first-floor.
- 2.6. The proposed single-storey lean-to extension would be predominantly glazed, with a glazed roof intended to better reveal the significance of the historic gallery to the rear of the building.
- 2.7. The proposed two-storey element would leave a gap of 450mm between the existing rear external wall of the building and the main structure of the extension and would be filled with fa valley gutter and other panels. The proposed extension would appear as a separate structure immediately behind the listed building, only minimally attached and avoiding subservience. The proposed extension would be of a contrasting, contemporary design finished in external facing softwood weatherboarding, stained black, with a natural slate roof.

3. The Principle of Development

- 3.1. Policy DEB 11 of the Neighbourhood Plan Provides that:
Any non-employment use proposed on such sites, which are considered to have an adverse impact on employment generation, will only be permitted where one or more of the following criteria has been met:
 - o There is sufficient supply of alternative sites available;
 - o No suitable and viable alternative employment uses are likely to be found in the foreseeable future;

- The proposed use would result in a substantial environmental benefit;
 - The proposal would assist in the urban regeneration and would benefit the community in meeting local business and employment needs;
 - The proposal It is for an employment related support facility; or
 - The proposal would provide sustainability benefits that would outweigh the loss of the employment site.
- 3.2. Paragraph 83 of the National Planning Policy Framework (the Framework) states that planning policies and decisions should enable the retention and development of accessible local services and community facilities, such as...public houses. Paragraph 84 states that decisions should recognise that sites to meet local community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. Furthermore, Paragraph 92 states that planning policies and decisions should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.
- 3.3. In addition to the above relevant planning policies the Council have previously relied upon their Supplementary Planning Guidance titled 'Retention of shops, post offices, and public houses in villages' (2004) (SPG) in assessment of similar applications since 2004. The objectives of this guidance are to: i) encourage the retention of rural services; ii) ensure that proposals for changes of use are properly justified; and iii) enable the reopening of a service or facility at a future stage by resisting specific building alterations that would prevent reopening.
- 3.5. To assist in the consideration of proposals for change of use, the SPG provides criteria relating to accessibility, marketing, economic viability and level of community support for retention. It also states that where permission is granted for change of use, preference will be given to the premises remaining in some form of community or employment use. It is however noted that the SPG was not the subject of detailed public consultation and its policy background, which was originally provided by the Suffolk Structure Plan (2001), has now been removed. However, in assessing a recent planning appeal in the District, in July 2019 (ref: APP/W3520/W/18/3205959), the inspector acknowledged that this document advocates a cautious approach when considering the loss of community facilities and recognises the role that such facilities can play in everyday life and consequently considered that the SPG is consistent with the aims and objectives of the latest version of the NPPF. The inspector, therefore concluded that a moderate level of weight can be attached to this document.
- 3.6. Several representations received refer to saved Policy E6 of the Mid Suffolk Local Plan (1998) which relates to the retention of individual industrial and commercial sites. Despite this, the supporting text of the policy defines references to industrial and commercial sites as those falling within the traditional B1, B2 and B8 Use Classes. Your officers do not, therefore, consider that this policy affords protection to public houses, which are within Sui Generis Use Class (previously A4 Use Class).
- 3.7. According to information provided by the applicant, the application site was originally placed on the market in May 2018 at an asking price of £385,000. Despite interest, no offers were received, and the asking price was subsequently reduced to £375,000 in March 2019. It is understood that an offer was received in April 2019, which proceeded to the point of exchange, however the exchange was delayed and ultimately fell through, and the applicant has cited reasons relating to the 6 month moratorium initiated by the community group and complications caused by the initial Asset of Community Value (ACV) status applied at the time. Consequently, the asking price was reduced to £340,000, and the property was marketed for a further period from September 2019. Whilst interest was again received between December 2019 and February 2020 it is understood

that negotiations again fell through, with the prospectors citing reasons of funding for the property being an obstacle, despite the applicant offering a lease, leading to purchase option. In June 2020 the asking price was again reduced to £295,000 and despite 3 interests between June and December 2020, no further offers were received.

- 3.8. The applicant's viability report concludes that the current building's configuration, size and age is unsuitable for the diverse requirements of a modern business and that due to numerous competitors in the area and a number of facilities within a short walking distance, the existing business is not profitable or viable. The applicant adds that no provision would be lost given no facility is currently being provided.
- 3.9. Counter to the applicant's viability assessment the Angel Community Bid Steering Group has produced their own Valuation Report which values the property, for the current use, at £270,000 (£25,000 lower than the applicant's last marketed offer).
- 3.10. Although the SPG refers to selling or letting the property as a public house, it also encourages premises to remain in some form of community or employment use where changes of use are proposed. Your officers consider that such an approach is supported by the NPPF, which identifies the importance of community facilities.
- 3.11. It is not disputed that the property has been marketed for a considerable period of time. However, since reducing the asking price, there have been several interests in the property. Although the property has been marketed for a continued public house use, no evidence has been presented which details efforts made by the applicant to enable the premises to remain in some form of community use. Consequently, the potential market has, therefore, been restricted and constrained.
- 3.12. Whilst evidence has been provided by the applicant that the business has been marketed for a significant amount of time, evidence provided by the community bid steering group has questioned the value put on the property by the applicant, and your officers consider the marketed range to be restricted and constrained. Your officers, therefore, conclude that insufficient efforts have been made to market the property on appropriate terms.
- 3.13. The premises is currently listed as an ACV, the current listing dating from 16th February 2021. The premises is, therefore, evidently valued by the community. The ACV process exists to protect assets of community value. Having considered planning appeal cases relevant to the Secretary of State's approach to ACV status, while your officers consider it is a material consideration, none of the cases examined resulted in planning permission being refused for a change of use which would effectively end the community uses. Your officers consider that whilst ACV status may be considered material, and afforded some limited weight in planning decisions when assessing proposals against current planning policies, ACV status alone is not considered sufficient reason for refusal of planning permission.
- 3.14. The marketing of the property that did take place was over an extensive period of time. However, evidence provided suggests that much of this may have been done at a high asking price. Since reducing the price, and subsequent to the ACV decision, several interests and offers made on the property have fallen through. The current economic climate brought about by Covid 19, since March 2020 has also brought about a considerable period of time whereby it is uncertain whether additional offers would have been received and given due consideration. Due to this uncertainty, as well as the absence of opportunities for consideration of other uses that would support community activities, your officers conclude that marketing of the property has not been conducted on suitable terms.

- 3.15. Section 38(6) of the Planning and Compulsory Purchase Act requires decisions to be made in accordance with the development plan unless material considerations indicate otherwise.
- 3.16. As identified above Neighbourhood Plan Policy DEB 11 is considered relevant to the application proposal. In accordance with the provisions of that policy the current proposal is considered to result in an adverse effect on employment generation, with no evidence being provided of sufficient supply of alternative and suitable sites available. The applicant has also not sufficiently demonstrated that suitable and viable alternative employment uses can be found, for the entire property, in the foreseeable future. Furthermore, the environmental and sustainability benefits of the proposal are not considered to outweigh the loss, the proposal would not assist in urban regeneration, does not offer benefits for the community and does not relate to a proposal for an employment related support facility. The proposal is not, therefore, considered to be in accordance with Neighbourhood Plan Policy DEB 11 for these reasons.
- 3.17. In addition, as mentioned above, your officers consider the SPG to be a material consideration of moderate weight and the NPPF is a material consideration of significant weight in consideration of the current proposal. Consequently, having had regard to the marketing of the property, your officers' conclusion is that the proposal would result in the unnecessary loss of a valued community facility. It would therefore fail to accord with guidance contained within the SPG which guards against the change of use of public houses unless it can be demonstrated that all reasonable efforts have been made to sell or let, and which give preference to premises remaining in some form of community beneficial use. In this respect, it is entirely consistent with paragraphs 83, 84 and 92 of the NPPF, which seek to guard against the unnecessary loss of valued facilities and services, having considered comments received from the local community.
- 3.18. For the reasons given above, your officers do not support the principle of the proposal.

4. Design, Layout and Impact on Heritage Assets

- 4.1. Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. It is the view of your officers that the optimum viable use for a listed building is that for which it was originally constructed for. In this instance the first preference should be for the building to remain a public house or in a related hospitality use.
- 4.2. Your Heritage Officers advise that, should it be demonstrated to the Council's satisfaction that the present use and similar uses are not viable, then there would likely be some compromise to the building's heritage value resulting from necessary alterations to facilitate a new use. Your Heritage Officers advise that the harm resulting from such works should be avoided or minimised.
- 4.3. Within the historic part of the building, your Heritage Officers advise that alterations would be quite limited. As the integrity of the planform at first-floor has been lost in previous alterations, this is not considered to have harmful impact provided the partition is not on the line of the chamfered tie-beam. Your Heritage Officers advise that the Heritage Statement provided with the application incorrectly states that it is.
- 4.4. Your Heritage Officers have considerable concerns with regards the impact of the proposed extensions on the building's existing fabric, on its architectural character, and on appreciation of its features of special interest.

- 4.5. Your Officers consider the proposed extension would appear as a separate structure immediately behind the listed building, minimally attached and avoiding subservience, which contrasts with traditional buildings where subsequent additions are intimately attached with an impression of organic development. Your officers consider the proposed extension would appear assertive and incongruous in this context. In particular its northern wall would sit over a void at ground floor, a disturbing effect that seems to make the relationship of internal and external volumes incoherent and ambiguous, which should be avoided in extending traditional buildings.
- 4.6. Your officers you not agree with the applicant's view that the current unsatisfactory situation, where the flat roof attaches below the gallery, would be improved by attaching a lean-to glazed roof along the whole of its rear face. Your officers consider that the glazed roof would not be invisible, and at best it would be transparent and highly reflective. Your officers also do not consider that the flat roof's predecessor, a short pentice roof seen in a photograph of the 1930s, to be a suitable precedent.
- 4.7. Your officer's therefore consider that the proposed glazed lean-to would be detrimental to appreciation of the 16th Century Gallery to the rear of the building and the proposal would not, therefore, better reveal the significance of this very important feature. Your Heritage officers advise that the gallery is of very great interest and in the words of the NPPF its form should be 'better revealed' by new work, not obscured. It is the view of your Heritage Officers that the proposed extensions would have a harmful impact on the building's special architectural and historic significance and that the level of harm would be a medium level of less than substantial harm.
- 4.8. Your Heritage Officers stress that in their view harm to the building's heritage significance would arise not from the proposed change of use, from subdivision of the property, or from the associated alterations, but only from the size, scale and design of the proposed extension.
- 4.9. The NPPF expects 'clear and convincing justification' for any harm. Where the level of harm is considered to be less than substantial public benefits can also outweigh harm, whether benefits in heritage terms such as securing a new use for a building, or in other terms.
- 4.10. Your officers do not consider that statements accompanying the application offer sufficient justification for the harm identified. Your officers do not consider the applicant has provided sufficient explanation as to why extension of the building is required, and the existing building appears to be capable of providing a three or four bedroom dwelling without the need to extend further. Nowhere in the application is it suggested that the extension would enable some beneficial outcome that would not otherwise happen. Clear and convincing justification for the resultant harm to the significance of the heritage asset has not, therefore been provided.
- 4.11. For these reasons the application proposal is considered contrary to the provisions of Development Plan Policies CS5, HB1, HB3, HB4 and DEB 18 and to section 16 of the NPPF.

5. Site Access, Parking and Highway Safety Considerations

- 5.1. The existing site provides access from High Street, which would not change as a result of the current proposal.
- 5.2. In accordance with current advisory parking standards provided by Suffolk County Council the development proposal would be required to provide a minimum of 3 no. on-site parking spaces in relation to the proposed dwelling and 1 no. parking space in relation to the commercial element proposed. Each parking space should also measure 5 metres long by 2.5 metres wide.

- 5.3. The proposed layout shows that 4 no. parking bays, each measuring 5 metres by 2.5 metres are proposed to the rear of the building. The proposal is, therefore, considered to provide sufficient on-site parking.
- 5.4. SCC-Highways have been consulted on the application and consider the current proposal and proposed change of use would not have a significant and detrimental impact on the highway network in this location and is not considered to be detrimental to highway safety. SCC-Highways do not, therefore, wish to raise an objection to the current application under highway safety grounds.
- 5.5. No objection is, therefore, raised with regards impact on existing highway safety and the application proposal is, therefore considered to be in accordance with development plan policies T9, T10, DEB 7, DEB 8 and NPPF paragraphs 108 and 109, in this regard.

6. Impact on Residential Amenity

- 6.1. The proposed change of use and extension of the existing building are not considered to result in significant increased harm to the amenities enjoyed by occupants of neighbouring properties, having had due regard to the existing and proposed land uses, the amount of extension proposed and the location of existing and proposed windows and private amenity areas.
- 6.2. Subject to conditions, as proposed by your environmental protection officers, the proposed development is, therefore considered to be in accordance with the provisions of development plan policy H16 and with NPPF paragraph 127 in this regard.

7. Flood Risk and Drainage

- 9.1. Whilst the site and building lie within EA Flood Zone 2 (with between a 1 in 100 and 1 in 1,000 annual probability of flooding), the proposal seeks change of use and replacement of existing extensions at ground floor level. Under the provisions of the NPPF change of use to residential development, and residential extension, is deemed to be acceptable in Flood Zone 2 and does not require a Sequential Test to be completed. No objection to the proposed development is, therefore, raised in these regards.

8. Protected Species

- 8.1. The physical works proposed by way of the application relate to internal alterations and re-building of existing habitable parts of the existing building only. No works to the buildings existing historic roof structure are proposed. As such the proposal would not result in demonstrable harm to protected species or their habitats.

9. Parish Council Comments

- 9.1 The matters raised by Debenham Parish Council have been addressed in the above report.

PART FOUR – CONCLUSION

10. Planning Balance and Conclusion

- 10.1. The proposal is considered contrary to the provisions of development plan policy DEB 11 and the provisions of NPPF Paragraphs 83, 84 and 92, having had regard to the Council's 'Retention of shops, post offices, and public houses in villages' SPG (2004) as a material consideration. The principle of the proposal is not, therefore, supported.
- 10.2. The proposal would result in unjustified harm to the significant of the host Listed Building, a designated Heritage Asset, without sufficient justification for the harm being provided, and with no associated public benefit(s) being proposed to outweigh the harm identified. The proposal is, therefore, contrary to the provisions of development plan policies CS5, HB1, HB3, HB4 and DEB 18, and with paragraphs 194 and 196 of the NPPF in this regard.
- 10.3. The proposal is not considered to result in significant harm in relation to: Highway Safety; Residential Amenity; Flood Risk and Drainage; or Impact on Protected Species.
- 10.4. The proposal is considered to result in significant social and economic disbenefits due to the loss of a community service/facility and the loss of a significant portion of available business floorspace. The proposal would also result in significant environmental harm by reason of the identified harm to the significance of the listed building. There are no social, economic or environmental benefits associated with the proposal which would outweigh the aforementioned disbenefits. In accordance with the provisions of the NPPF, therefore, the proposal is not considered to result in sustainable development.

RECOMMENDATION

That Members resolve to: REFUSE planning permission, or in the event that the appeal has begun agree putative reasons for refusal, for the following reasons:-

- 1) It is not considered that the applicant has provided sufficient evidence to demonstrate that there is a sufficient supply of alternative and suitable sites available, or that no suitable and viable alternative employment uses for the entire site can be found or are likely to be found in the foreseeable future. Furthermore, it is not considered that the environmental and sustainability benefits of the proposal would outweigh the loss of the current employment use, and the mix of uses proposed by the applicant would not assist in the urban regeneration of the village or offer greater benefits to the community in meeting local business and employment needs. The proposal is, therefore, considered contrary to Neighbourhood Plan policy DEB 11 in these regards.

Furthermore NPPF Paragraph 83 states that planning policies and decisions should enable the retention and development of accessible local services and community facilities, such as public houses. NPPF Paragraph 84 also recognises the need for such sites in rural areas, in locations that are not well served by public transport. Furthermore, Paragraph 92 states that planning policies and decisions should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs. The proposal is also, therefore, contrary to the provisions of the NPPF, in this regard.

- 2) It is considered that the proposed two-storey extension would appear assertive and incongruous and the proposed glazed lean-to extension would be detrimental to appreciation of the 16th Century Gallery to the rear of the building and would not, therefore, better reveal its significance. The proposed extensions would, therefore, result in less than substantial harm to the building's special architectural and historic significance. It is also not considered that statements

accompanying the application offer sufficient justification for the harm identified. Furthermore, there are no public benefits associated with the proposed development which would outweigh the harm identified.

The proposal is, therefore, considered contrary to development plan policies FC1.1, CS5, HB1, HB3, HB4 and DEB 18, and to NPPF paragraphs 194 and 196 in these regards.

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Application No: DC/20/05595

Location: The Angel Inn, 5 High Street,
Debenham

Appendix 1: Call In Request	N/a	
Appendix 2: Details of Previous Decision	Refused Planning Application Ref: 4374/15 Appeal Decision ref: APP/W3520/W/16/3146428	
Appendix 3: Town/Parish Council/s	Debenham Parish Council	
Appendix 4: National Consultee Responses	Historic England	
Appendix 5: County Council Responses	SCC - Highways	
Appendix 6: Internal Consultee Responses	MSDC - Economic Development MSDC - Heritage MSDC - Environmental Protection - Noise/Odour/Light/Smoke	
Appendix 7: Any other consultee responses	105 letters/emails/online comments received. 105 objections, 0 support and 0 general comment.	
Appendix 8: Application Site Location Plan	Yes	



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.



Debenham Parish Council- Recommendation and comments re. planning applications for “The Angel Inn”, 5 High Street, Debenham:

DC/20/05596 - Application for Listed Building Consent. Works to facilitate change of use from mixed C3/Sui Generis drinking establishment use to mixed C3/Class E and replacement of C20 rear extension and

DC/20/05595- Planning Application. Change of Use of mixed C3/Sui Generis drinking establishment use to mixed C3/Class E and replacement of C20 rear extension.

Recommendation: The Debenham Parish Council strongly recommends the refusal of both planning implications (which are intrinsically linked).

Comments: The Debenham Parish Council’s recommendation for the refusal of both applications was formed on the following basis:

- a) The applications are against a number of planning policies within the NPPF, MSDC Existing and emerging Local Plans, the Debenham Neighbourhood Plan and the Supplementary Planning Guidance- Retention of shops, post offices and public houses in villages (adopted February 2004).
- b) There is no evidence that the establishment was marketed diligently, at a fair price, for the required minimum length of time. A considerable number of statements made by the applicant can easily be challenged and their veracity is being contested by third parties.
- c) There is strong evidence of community support for the retention of the establishment. It has been in our village since the 16th Century and due to its central location has been the hub of the community for many years. It has brought the village together, has supported community events such as the Village Fete, has provided somewhere where people from all walks of life could meet and get to know each other, thus supporting community cohesion, and has a long-established symbiotic relationship with other businesses and organisations
 - A local community group was formed at the early stages when there was a risk this facility could be lost and this group has engaged with the Parish Council and the owners on numerous occasions.
 - There has been strong representation by the parish at meetings where similar applications have been discussed, including the latest one, albeit the meeting was held virtually.
 - A social media page was formed by the parish and some four hundred comments were logged against the application (representatives are looking at ways of transferring these to the planning portal).
 - The level of comments on the planning portal at this stage continues to be representative of the depth of feeling of this community.
 - The Parish Council applied for registration of ACV in May 2020 and although there have been some COVID-19 related delays, the process is ongoing.

Planning Policies:

DEBENHAM NEIGHBOURHOOD PLAN

Deb 10 (Supporting Financial Sustainability) a) 1. *“1. the siting, scale and design of any new buildings, or conversions of existing buildings and associated works, has regard to the local character and the historic and natural assets of the surrounding area;”* and 3 *“there will be no significant adverse impact from any traffic generated by the proposed development.”*

Deb 11 (Employment) *Any non-employment use proposed on sites and premises used for employment purposes, and that is expected to have an adverse effect on employment generation, will only be permitted where the local planning authority is satisfied that the proposal can demonstrate that it complies with other policies in this neighbourhood plan and other relevant adopted development plan policies, and one or more of the following criteria has been met (as appropriate to the site/premises and location); a) there is sufficient supply of alternative and suitable employment land available to meet local employment job growth requirements; b) evidence can be provided that genuine attempts have been made to sell/let the site in its current use, and that no suitable and viable alternative employment uses can be found or are likely to be found in the foreseeable future; c) the existing use has created over-riding environmental problems (e.g. noise, odours or traffic) and permitting an alternative use would be a substantial environmental benefit that would outweigh the loss of an employment site; d) an alternative use or mix of uses would offer greater benefits to the community in meeting local business and employment needs”*

DEB 13 (Policy 13 – Debenham’s Retail Core) *a) Change of use of ground floor shops or services to residential within the core retail area identified on the Proposals Map will only be considered favourably where the business has been marketed diligently at a fair market price and continuously for at least one year.”*

DEB 18 (Policy 18 – Historic Environment) *To ensure the conservation and enhancement of Debenham’s historic environment, proposals should, where appropriate: preserve or enhance the significance of the heritage assets of the village, their setting and the wider streetscape, including views into, within and out of the conservation area; b) retain buildings and spaces, the loss of which would cause harm to the character or appearance of the conservation area; e) demonstrate a clear understanding of the significance of the asset and of the wider context in which the heritage asset sits, alongside assessment of the potential impact of the development on the heritage asset and its context.”*

MID SUFFOLK DISTRICT COUNCIL- (EMERGING) LOCAL PLAN

Policy SP07 – Tourism *1) Settlements across Babergh and Mid Suffolk, many of which contain historic assets, tourism and leisure facilities, play an important role within the Districts. New development that supports this role will be encouraged, where appropriate in the scale, character and nature of their locality. 2) Historic, recreational and landscape-based tourism proposals that demonstrate protection and enhancement of heritage, the environment and landscape assets will be actively encouraged.*

Policy LP03 - Residential Extensions and Conversions *d) Will not materially, unacceptably or detrimentally affect the amenities of neighbouring properties or adversely affect neighbouring commercial uses. d) Will not materially, unacceptably or detrimentally affect the amenities of neighbouring properties or adversely affect neighbouring commercial uses.*

Policy LP13 - Safeguarding Economic Opportunities *2. The Councils shall resist the loss of identified employment sites, as well as other land and premises in lawful employment /commercial use.*

Policy LP21 - The Historic Environment

Policy LP31 - Services and Facilities Within the Community *2. Loss of facilities -Development involving or comprising of the loss of an existing community facility, service or a premises, which is currently or last used to provide such use, will only be permitted if either; a. Compensatory provision of an alternative or improved facility will be, provided in an equally accessible or improved location; or b. The applicant can sufficiently demonstrate that the service or facility is not viable or valued by the community, either in its current or future form and is not needed for an alternative community use. 3. Evidence to demonstrate that a service or facility is not viable, either in its current or future form should be agreed with the Council in advance (before being gathered) and should include: a. A sustained marketing period of 6 months, undertaken at a realistic asking price and on a range of terms and in an appropriate format by an independent qualified assessor; and b. Regard to any material considerations, designations or adopted plans for the area.*

MID SUFFOLK DISTRICT COUNCIL LOCAL PLAN 1998- E6 RETENTION OF INDIVIDUAL INDUSTRIAL AND COMERCIAL SITES, Policy E6

The district planning authority recognises the importance of existing industrial and commercial sites as providing local employment opportunities. In considering applications for change of use or the redevelopment of existing premises to non-employment generating activities, the district planning authority will expect a significant benefit for the surrounding environment, particularly in terms of improved residential amenity or traffic safety

SUPPLEMENTARY PLANNING GUIDANCE- RETENTION OF SHOPS, POST OFFICES AND PUBLIC HOUSES IN VILLAGES (ADOPTED FEBRUARY 2004) 3.2 and 5.4.

Please note case law and appeal decision in the case of North Wiltshire District Council v The White Horse Inn, Station road, Minety, in particular the similarities with the applications being considered:

In the case of The Angel Inn, the applicant argued that the business was not viable before its closure. Evidence can be provided that this was not the case and that the previous Landlady was willing to continue managing this profitable business but that her lease/tenancy were terminated by the owner.

Although there is another pub in the village, "The Woolpack", it is an extremely small one, which cannot cater for families or groups and is without disabled access, thus excluding a considerable proportion of a growing core village.

The projections for growth and development on the Debenham Neighbourhood Plan have also highlighted the need for a suitably sized, accessible and mixed provision public house/restaurant/community hub, for which the Angel is ideally located due to its central, High Street location.

The loss of this remaining principle public house in the village would be detrimental to the well-being of the community in general and would unnecessarily add to the unfair feeling of exclusion and discrimination not just to parishioners with a physical disability but also families. It would also be detrimental to tourism and visitors and would therefore affect the economic viability of some of our existing businesses.

Contrary to the information provided with the application, it can be evidenced that the pub was not suitably marketed for sale at a competitive price for the period indicated. It can also be evidenced that offers to purchase the business by a local community group were not progressed due to the owner's inability to negotiate in a fair and timely manner.

The financial viability of the business itself can be further evidenced by a full professional survey, which was commissioned by the Debenham Parish Council in response to public demand for action. This may be provided by request.

NATIONAL PLANNING POLICY FRAMEWORK (February 2019)

29. *Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies¹⁶.*

30. *Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently*

80. *Planning policies and 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. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.*

83. *Planning policies and decisions should enable: (...) d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.*

91. *Planning policies and decisions should aim to achieve healthy, inclusive and safe places which: a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other.*

92. *To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments; c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs; d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community.*

184. *Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value⁶¹. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.*

192. *In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality.*

194. *Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*

195. *Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent,*

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

From: debenham.pc@btinternet.com <debenham.pc@btinternet.com>

Sent: 01 March 2021 14:24

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

Cc: Alex Scott <Alex.Scott@baberghmidsuffolk.gov.uk>

Subject: RE: MSDC Planning Consultation Request - DC/20/05596

Dear Alex

Following the recent re-submission of both Angel Inn applications (DC/20/05596 and DC/20/05595), please note that the Debenham Parish Council would like to re-submit the comments previously sent to Planning, with the addition of the following:

The Parish Council concurs with the Heritage Officer's report and continues to strongly recommend the refusal of both planning applications .

May we please also add that since the first applications were submitted, the Parish Council has successfully applied for the re-registration of the Angel Inn as an Asset of Community Value.

Kindest regards

Dina

Mrs Dina Bedwell, BEd (Hons), CPE, CiLCA Parish Clerk and Responsible Financial Officer- Debenham Parish Council Office Hours: Monday, Tuesday and Friday 9.30am to 3.30pm Tel. 01473 787861 (messages may be left on answermachine)

Thank you for contacting the Debenham Parish Council. Should a response to your e-mail be necessary, we aim to respond within the next seven working days.

debenham.pc@btinternet.com

Confidentiality and Privilege: This email and its attachments are intended for the above named only and may be confidential. If they have come to you in error you must take no action based on them, nor must you copy or show them to anyone; please reply to this email and highlight the error. This document is privileged and the benefit of the privilege belongs to Debenham Parish Council. The provision of this document does not amount to any waiver of privilege. This document is provided to the recipient intended in complete confidence and should not be disclosed to any other person without the Debenham Parish Council's prior consent.

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92. *To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments; c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs; d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community.*

184. *Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value⁶¹. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.*

192. *In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality.*

194. *Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*

195. *Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent,*



Sir/Madam Alex Scott
Babergh Mid Suffolk District Council
Endeavour House
8 Russell Road
Ipswich
Suffolk
IP1 2BX

Direct Dial: 01223 582751

Our ref: **W:** P01332830

5 February 2021

Dear Sir/Madam Scott

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

**THE ANGEL INN, 5 HIGH STREET, DEBENHAM, STOWMARKET, SUFFOLK, IP14
6QL
Application No. DC/20/05595**

Thank you for your letter of 4 February 2021 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

L. Fawkes

Lynette Fawkes

Inspector of Historic Building and Areas
E-mail: lynette.fawkes@historicengland.org.uk



24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU

Telephone 01223 582749
HistoricEngland.org.uk





Alex Scott
Babergh Mid Suffolk District Council
Endeavour House
8 Russell Road
Ipswich
Suffolk
IP1 2BX

Direct Dial: 01223 582751

Our ref: **W:** P01332830

21 December 2020

Dear Alex Scott

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

**THE ANGEL INN, 5 HIGH STREET, DEBENHAM, STOWMARKET, SUFFOLK, IP14
6QL
Application No. DC/20/05595**

Thank you for your letter of 11 December 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 Building and Areas
E-mail: lynette.fawkes@historicengland.org.uk



24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU

Telephone 01223 582749
HistoricEngland.org.uk



Your Ref:DC/20/05595
Our Ref: SCC/CON/0529/21
Date: 23 February 2021
Highways Enquiries to: Highways.DevelopmentControl@suffolk.gov.uk



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

Email: planning@babberghmidsuffolk.gov.uk

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

For the attention of: Alex Scott

Dear Alex,

TOWN AND COUNTRY PLANNING ACT 1990

CONSULTATION RETURN: DC/20/05595

PROPOSAL: Planning Application. Change of Use of mixed C3/Sui Generis drinking establishment use to mixed C3/Class E and replacement of C20 rear extension

LOCATION: The Angel Inn, 5 High Street, Debenham, Stowmarket Suffolk IP14 6QL

Notice is hereby given that the County Council as Highway Authority make the following comments:

The proposed change of use would not have a significant impact on the highway network and is not considered to be detrimental to highway safety.

Therefore, SCC does not wish to raise an objection to DC/20/05595 under highway safety grounds.

Yours sincerely,

Kyle Porter
Development Management Technician
Growth, Highways and Infrastructure

Your Ref:DC/20/05595
Our Ref: SCC/CON/5102/20
Date: 22 December 2020
Highways Enquiries to: Highways.DevelopmentControl@suffolk.gov.uk



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

Email: planning@babberghmidsuffolk.gov.uk

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

For the attention of: Alex Scott

Dear Alex,

TOWN AND COUNTRY PLANNING ACT 1990

CONSULTATION RETURN: DC/20/05595

PROPOSAL: Change of Use of mixed C3/Sui Generis drinking establishment
use to mixed C3/Class E and replacement of C20 rear extension

LOCATION: The Angel Inn, 5 High Street, Debenham, Stowmarket Suffolk IP14 6QL

Notice is hereby given that the County Council as Highway Authority make the following comments:

The current proposal would not have a detrimental impact on the highway network at this location. Therefore, SCC does not wish to raise an objection to DC/20/05595 under highway safety grounds.

Yours sincerely,

Kyle Porter
Development Management Technician
Growth, Highways and Infrastructure

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

From: BMSDC Economic Development <BMSDCEconomicDevelopment@baberghmidsuffolk.gov.uk>

Sent: 03 March 2021 10:13

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

Cc: Alex Scott <Alex.Scott@baberghmidsuffolk.gov.uk>

Subject: RE: MSDC Planning Consultation Request - DC/20/05595 - 01/01/2021

The plans that have been submitted, appears (although unclear) to be significantly weighted to residential with a small inadequately serviced area and would be unlikely to attract a business occupier.

Public Houses are a valued amenity, and we would regret the loss of the social and visitor amenity provided by a pub, and would be against the principal of an alternative commercial employment generating use.

Therefore we would not support it in its current format.

Kind Regards

Beccy Coombs

From: Paul Harrison <Paul.Harrison@babberghmidsuffolk.gov.uk>
Sent: 05 March 2021 16:27
To: Alex Scott <Alex.Scott@babberghmidsuffolk.gov.uk>; BMSDC Planning Area Team Blue <planningblue@babberghmidsuffolk.gov.uk>
Subject: DC 20 05595 Debenham amended plans

Heritage consultation response

Alex

In some respects the amended plans address my first comment.

The proposed two-storey extension is reduced in width so that it is attached to the later part of the listed building only rather than straddling across two parts. The structure's physical relationship with the existing building is not improved, with a gap of 450mm between the existing rear external wall and the main structure of the extension, filled with a valley gutter and other panels. The effect is that the extension would appear as a separate structure immediately behind the listed building, but only minimally attached and avoiding subservience, which contrasts with traditional buildings where subsequent additions are intimately attached with an impression of organic development.

The design of the extension as amended would now have a symmetrical rear elevation with less horizontal emphasis, and lower ridge, but would still appear assertive and incongruous in this context. In particular its northern wall seems now to sit over a void at ground floor, a disturbing effect that seems to make the relationship of internal and external volumes incoherent and ambiguous, which should be avoided in extending traditional buildings.

Reduction in the width of the two-storey extension leaves the first-floor gallery remaining exposed, but I do not agree that the current unsatisfactory situation, where the flat roof attaches below the gallery, would be improved by attaching a lean-to glazed roof along the whole of its rear face. The glazed roof would not be invisible – at best it would be transparent, and highly reflective. Neither do I consider the flat roof's predecessor, a short pentice roof seen in a photograph of the 1930s, to be a suitable precedent. My view remains that the lean-to would be detrimental to appreciation of this very important feature, and would not 'better reveal' its significance.

Investigative opening-up has been carried out where the proposed extension's first floor would be accessed from the rear gallery. The details describe modern finishes but do not describe the stud flanking the window. More importantly, the opening-up is in an area that would be unaffected by the proposed opening, which would be to the right of the window (as seen in the photo) up to the wall, and partly under the window. The opening-up should be extended to this area with horizontal and vertical strips to the full extent of the proposed opening.

In my view the proposed extensions as amended would have a harmful impact on the building's special architectural and historic significance; the level of harm is reduced by the amendments, but remains close to medium. I would repeat that in my view harm to the building's heritage significance would arise not from the change of use, or from subdivision of the property, or from the alterations associated with subdivision, but only from the size, scale and design of the proposed extension.

The statement submitted offers no explanation why an extension is proposed, and in particular makes no case for the success of the change of use being dependent on the extension. Accordingly I repeat my view that the extension does not offer any tangible

outcome that could be construed as a public benefit in the terms of the balance required in NPPF 196. Without the proposed extensions the proposal would potentially secure future use of the building with minimal harmful impacts. I recommend omission or further amendment of the rear extensions. If the extensions are not amended, then fabric to be removed in the former gallery should be further investigated as described above, prior to determination of the application.

Paul

Paul Harrison
Heritage and Design Officer

Consultation Response Pro forma

1	Application Number	DC/20/05595 Angel PH, Debenham	
2	Date of Response	19.1.21	
3	Responding Officer	Name:	Paul Harrison
		Job Title:	Heritage and Design Officer
		Responding on behalf of...	Heritage
4	Summary and Recommendation (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.	<ol style="list-style-type: none"> 1. I consider that the proposal would cause <ul style="list-style-type: none"> • less than substantial harm to a designated heritage asset because the proposed extensions would detract from its architectural and historic significance. • The level of harm is rated medium. 2. I recommend that the application be amended so as to omit the proposed extensions, or to reduce their impact. 	
5	Discussion 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>The significance of the building is authoritatively appraised in a report by Leigh Alston which was submitted with application 4375/15. The core of the building is a 1400s house extended by incorporation into a house of the mid-1500s, with a further extension to the south of the 1600s. The building is recorded as the Angel in 1621 and is likely to have been an inn from the mid-1500s. In more recent times the building has been subdivided into residential and commercial elements. Although after several significant phases of development the building does not have the importance and integrity as a whole that would warrant a grading at II*, it has several rare features including an open first floor gallery added in the 1500s to the rear elevation. Such features allowed spectators to watch performance and spectacles in the yard, and are generally associated with inns. The gallery extends along the rear of the 1500s element and is now enclosed as a first-floor passage. A single-storey addition to the rear slightly obscures its original form.</p> <p>History In 2016 a scheme for change of use and extension of the northern bay was granted upon appeal.</p> <p>Change of use It is generally considered that the best use for a listed building will be the one it was built for. In this instance the first preference should be for the building to remain</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.

	<p>a public house or in a related hospitality use, which would also serve to sustain the vitality and viability of the village.</p> <p>If it is demonstrated to the satisfaction of decision-makers that the present use and similar uses are not viable, there is likely to be some compromise to the building's heritage value resulting from necessary alterations to facilitate a new use, and the NPPF expects harm from such works to be avoided or minimised.</p> <p>Alterations Within the historic part of the building, alterations would be quite limited, with removal of an internal draught lobby at ground floor, and insertion of a partition to form a bathroom at first floor. As the integrity of the plan-form at first floor has been lost in previous alterations, this is not considered to have harmful impact provided the partition is not on the line of the the chamfered tie-beam (the Heritage Statement incorrectly states that it is).</p> <p>Extension The existing single-storey flat-roofed extension to the rear elevation would be removed and replaced with a single storey lean-to extension and an extension of two storeys with attic. The two-storey extension would provide a master bedroom at first floor. It would be in a contemporary idiom finished in weatherboarding and slate.</p> <p>I have considerable concerns over the impact of the proposed extension on existing fabric, on the building's architectural character, and on appreciation of its features of special interest.</p> <p>The extension would not relate well to the existing form of the building as it would awkwardly straddle the clear junction of the earlier part and the 1600s addition. It would be asymmetrical in its rear elevation, with some horizontal emphasis despite its steep roof. In scale it would dwarf the more respectful addition approved in 2016, and would form an assertive and incongruous addition.</p> <p>Moreover it would actually obscure from view the full form and extent of the 1500s gallery, identified in Leigh Alston's report as follows: <i>'Its chief historic interest relates to a rare and exceptionally well preserved rear gallery of the 16th</i></p>
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	<p><i>century that allowed external access to the first-floor guest rooms ...'</i></p> <p>At present the flat-roofed extension partly respects this feature by tucking underneath it, but the present proposal would raise a lean-to roof against the gallery, removing the overhang from sight. With the south end and the overhang hidden, the gallery disappears as a feature. The proposal includes forming a doorway from the gallery into the proposed extension, but it is not clear what the merit is of fabric or features to be removed; the application should demonstrate that no historic fabric would be affected.</p> <p>The Heritage Statement seems to depart from Mr Alston's appraisal by playing down the importance of the gallery, and the impact upon it (6.13, 6.17, 7.5). But the Statement does acknowledge that the proposal would result in harm, while claiming that it would 'complement the listed building' (6.17). The Planning Statement similarly states that 'the rear elevation (including the 16th century gallery) would remain completely unaffected'.</p> <p>I disagree strongly with these points. The gallery is of very great interest and in the words of the NPPF its form should be 'better revealed' by new work, not obscured. In my view the proposed extensions would have a harmful impact on the building's special architectural and historic significance; the level of harm would be medium. I would stress that in my view harm to the building's heritage significance would arise not from the change of use, from subdivision of the property, or from the associated alterations, but only from the size, scale and design of the proposed extension.</p> <p>Justification</p> <p>The NPPF expects 'clear and convincing justification' for any harm. Public benefits can also outweigh harm, whether benefits in heritage terms such as securing a new use for a building, or in other terms.</p> <p>Statements which accompany the application offer no justification for this harm. In my view there is no explanation why an extension is proposed – the existing building appears to provide a viable three-bedroom unit, and it is nowhere suggested that the extension would enable some beneficial outcome that would not otherwise happen. I would also point out that complying with NPPF policies can hardly be construed as a public benefit – clear and convincing justification for harm is required.</p>
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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.

		<p>In my view without the proposed extensions the proposal would potentially secure future use of the building with minimal harmful impacts. In fact it may even be possible that more modest and respectful extensions would avoid harm.</p> <p>On a technical point, the elevation drawings are not consistent as the rear elevation of the proposed extension has a projecting window feature, which is not shown on the side elevation drawings.</p>
6	<p>Amendments, Clarification or Additional Information Required (if holding objection)</p> <p>If concerns are raised, can they be overcome with changes? Please ensure any requests are proportionate</p>	<p>I recommend omission or amendment of the rear extensions.</p> <p>If the proposal is not amended, then the nature and merit of fabric to be removed in the former gallery should be confirmed by investigative opening-up prior to any decision.</p>
7	<p>Recommended conditions</p>	<p>Notwithstanding the above, if recommendation is favourable, removal of redundant cables, ducts, services and devices from the rear elevation should be secured.</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.

From: David Harrold <David.Harrold@babberghmidsuffolk.gov.uk>
Sent: 16 February 2021 09:10
To: BMSDC Planning Mailbox <planning@babberghmidsuffolk.gov.uk>
Cc: Alex Scott <Alex.Scott@babberghmidsuffolk.gov.uk>
Subject: Plan ref - DC/20/05595 The Angel Inn, 5 High Street, Debenham. Environmental Health - Noise/Odour/Light/Smoke

Thank you for reconsulting on the above application and further information received with respect to revised drawings.

I can confirm with respect to noise and other environmental health issues that I do not have any further comments to make.

David Harrold MCIEH
Senior Environmental Health Officer

Babergh & Midsuffolk District Councils
t: 01449 724718
e: david.harrold@babberghmidsuffolk.gov.uk

From: Andy Rutson-Edwards <Andy.Rutson-Edwards@babberghmidsuffolk.gov.uk>

Sent: 16 December 2020 10:27

To: Alex Scott <Alex.Scott@babberghmidsuffolk.gov.uk>; BMSDC Planning Area Team Blue <planningblue@babberghmidsuffolk.gov.uk>; BMSDC Planning Mailbox <planning@babberghmidsuffolk.gov.uk>

Subject: DC/20/05595

Environmental Health -
Noise/Odour/Light/Smoke

APPLICATION FOR PLANNING PERMISSION - DC/20/05595

Proposal: Planning Application. Change of Use of mixed C3/Sui Generis drinking establishment

use to mixed C3/Class E and replacement of C20 rear extension

Location: The Angel Inn, 5 High Street, Debenham, Stowmarket Suffolk IP14 6QL

Thank you for the opportunity to comment on this application.

Environmental Protection have no objections in principle. However, the demolition and construction works have the potential to have an adverse effect on the existing premises. I would therefore recommend the following conditions:

- Demolition and Construction working hours:
Noise intrusive work during the construction of the development must take place between the following hours:
Monday to Friday between 08:00hrs and 18:00hrs
Saturday between 09:00hrs and 13:00hrs
No work to be undertaken on Sunday, bank or public holidays
Note: The above shall also apply to deliveries.
- ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT:
CONSTRUCTION MANAGEMENT TO BE AGREED
Prior to the commencement of development details of the construction methodology 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 the method of any demolition to take place, including the recycling and disposal of said materials resulting from demolition.(All waste removed shall be sheeted prior to transportation from site) The development shall at all times be undertaken in accordance with the agreed methodology approved in writing by the Local Planning Authority.

Reason - To minimise detriment to nearby residential and general amenity by controlling the construction process to achieve the approved development. Note: This condition is required to be agreed prior to the commencement of any demolition or construction process

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

www.babergh.gov.uk www.midsuffolk.gov.uk

Appeal Decisions

Site visit made on 1 June 2016

by J Flack BA Solicitor

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 14 June 2016

Appeal A: APP/W3520/W/16/3146428

The Angel Inn, 5 High Street, Debenham, Suffolk IP14 6QL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Stacey Paine against the decision of Mid Suffolk District Council.
 - The application Ref 4374/15, dated 14 December 2015, was refused by notice dated 3 March 2016.
 - The development proposed is described as partial change of use, first floor extension to reinstate former 2 storey rear wing, internal alterations to public house to reinstate former separate dwelling at The Angel whilst retaining the public house as a community facility”.
-

Appeal B: APP/W3520/Y/16/3146429

The Angel Inn, 5 High Street, Debenham, Suffolk IP14 6QL

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mrs Stacey Paine against the decision of Mid Suffolk District Council.
 - The application Ref 4375/15, dated 14 December 2015, was refused by notice dated 3 March 2016.
 - The works proposed are described as first floor extension to reinstate former 2 storey rear wing and former separate dwelling, internal alterations including relocation of toilet facilities, to retain the public house as a community facility.
-

Decisions

1. **Appeal A:** the appeal is allowed and planning permission is granted for partial change of use, first floor extension to reinstate former 2 storey rear wing, internal alterations to public house to reinstate former separate dwelling at The Angel whilst retaining the public house as a community facility at The Angel Inn, 5 High Street, Debenham, Suffolk IP14 6QL in accordance with the terms of the application, Ref 4374/15, dated 14 December 2015, subject to the conditions set out in the Schedule to this decision.
2. **Appeal B:** the appeal is allowed and listed building consent is granted for first floor extension to reinstate former 2 storey rear wing and former separate dwelling, internal alterations including relocation of toilet facilities, to retain the public house as a community facility at The Angel Inn, 5 High Street, Debenham, Suffolk IP14 6QL in accordance with the terms of the application

Ref 4375/15, dated 14 December 2015 subject to the conditions set out in the Schedule to this decision.

Preliminary matters

3. The proposed development and works (the appeal proposal) follow on from a previous proposal (the previous proposal). Appeals against the Council's failure to determine applications for planning permission and listed building consent for the previous proposal were dismissed on 6 February 2015. It is important that there be consistency in planning decisions, and these appeal decisions¹ are thus of substantial materiality to my assessment of the appeal proposal. I have however assessed the appeal proposal on its own merits in the light of the evidence before me, noting carefully the various differences between the two proposals.

Application for costs

4. An application for costs in relation to both appeals was made by Mrs Stacey Paine against Mid Suffolk District Council. This application is the subject of separate Decisions.

Main Issues

5. The main issues are:-
 - Appeals A and B: Whether the appeal proposal would preserve the Grade II listed building known as the Angel Inn, any features of special architectural or historic interest that it possesses and the setting of this and adjacent listed buildings, and whether it would preserve the character or appearance of the Debenham Conservation Area; and
 - Appeal A: The effect of the appeal proposal on the long term future of the public house.

Reasons

Listed buildings and conservation area

6. The appeal listed building has its origins in the C15 and contains substantial C16 and C17 elements. Although the building has been subject to various modern alterations and losses, it remains a valuable example of vernacular architecture, retaining many features of historical importance which illustrate its early evolution. These include remarkable apotropaic symbols incised on two C16 fireplace lintels, a plank and muntin screen and door head adjacent to one of the front entrances, and a rare C16 inn gallery at the rear of the building. I saw that there is some rot to window frames, but this is very localised and in general the building appears to be well-maintained. Given all of these matters, and the reinforcement of the mixed residential and commercial character of the village centre which the current public house use provides, the appeal building makes a substantial positive contribution to the conservation area, which includes many fine historic buildings. Of particular note in the context of the appeal proposal is the Grade II* listed 1-3 High Street, which contains a rear wing of high historical status adjoining the location of the proposed extension to the appeal building.

¹ APP/W3520/A/14/2227486 and APP/W3520/E/14/2227489

7. This extension would be of two storey height, replacing the present single storey rear wing extending along the boundary with No 3. The wing is an unattractive and dissonant C20 structure with a flat roof, and the evidence before me concurs that its removal would be beneficial to the appeal listed building. Whilst the proposed extension would wrap around the northern extremity of the gallery, it would do so to only a very limited extent which would not be materially harmful to the significance of this element of the building. Nor would the extension involve any unacceptable interference with or loss of historic fabric, noting in particular that, at first floor level, the northern wall of the gallery and the east wall of the northernmost room of the building comprise modern blockwork.
8. The scale of the proposed extension would be considerably less than that proposed by the previous scheme. Although the extension would be slightly wider than the early wing which the present C20 extension replaced, it would overall be narrower than the extension proposed by the previous scheme. Moreover, the two storey garden room and connecting element proposed by the previous proposal have been deleted. In my view, the appeal proposal represents a considerable improvement over the previous proposal in terms of its bulk and complexity. No part of the extension would project beyond the adjoining rear wing of No 3, and the modesty and simplicity of its form and design would achieve a satisfactory and appropriately respectful relationship with the appeal building and No 3.
9. The rooflights proposed would be minor features on the less sensitive north roof slope of the extension, and although some further information is necessary to resolve the final appearance of detailing and materials of the proposed works, this could be satisfactorily addressed by appropriate conditions. I recognise that the proposal would involve some landscaping and other works to create a boundary for the new dwelling together with parking and private amenity areas, but these would be minor works which would not impact materially on the setting of the appeal building or other adjacent listed buildings.
10. Given the significance of the adjoining rear wing of No 3, it will be important that construction of the extension does not compromise this structure. However, a letter² from a structural engineer and an accompanying drawing are before me. There is no substantial evidence before me to contradict the letter's statement that the proposed configuration of the extension's structure would be such as to secure that no additional loading would be imposed by the extension on the party wall, and that there would be no undermining of its foundations due to the proposed steel frame and isolated foundations of the extension. Historic England and adjoining occupiers have expressed concerns as to the absence of a method statement. However, those concerns are not shared by the Council, which does not object to the proposal in this respect. Overall, I consider that whilst the detail of the means of construction of the frame and foundations of the extension does require some further resolution, this could be satisfactorily addressed by a condition requiring an approved method statement to be implemented.
11. I saw on my visit that the ground floor of the appeal building has been subdivided by temporary partitions. This subdivision would be made permanent under the appeal proposal, and at first floor level the northernmost room would

² Adam Power Associates, 27 November 2015

also be subdivided from the remainder of the building by a small partition. This aspect of the proposal and its impact on the appeal building is the sole remaining objection by the Council to the appeal proposal in terms of its impact on listed buildings and the conservation area.

12. The Inspector in the previous appeal decisions found that proposal before her would have had a detrimental effect on the current layout and plan form of the building, including the relationship of the gallery with the remainder of the building. However, it seems to me that this conclusion was reached on the basis of the overall extent of the alterations proposed, rather than indicating a view that the proposed permanent subdivision of the building would in any event be unacceptable. Moreover, the Inspector's overall conclusion that the proposal would have a harmful effect on the historic character and setting of the appeal building took into account two further matters which have been addressed by the appeal proposal: the proposed subdivision of a room to create a further bedroom has been deleted and, as I have noted, the overall scale of the development proposed has been substantially decreased.
13. The proposed subdivision would need to ensure satisfactory standards of sound insulation. However, securing this would be almost entirely a matter of an appropriate specification for the limited new partitions, given that the historic fabric which would divide the proposed dwelling from the remainder of the building consists of principally of a very thick chimney stack. I acknowledge, noting the appeal decision³ cited by the Council, that provision of adequate insulation may have potential to harm the character or appearance of a listed building. However, in the circumstances of the appeal building and proposal, I consider that the provision of insulation could appropriately be controlled by condition.
14. The subdivision would result in permanent revision of the floorplan and layout of the appeal building. However, this would be acceptably consonant with the complex evolution of the building over the centuries. The evidence before me indicates that the building has been subject to various amendments of use and configuration, and although it may well have been in single occupation for much of its life, it was subdivided into a separate inn and dwelling during a substantial part of the C20. The Council draws attention to the impact of the proposed subdivision on the relationship of the gallery with remainder of the building. However, this would not be detrimentally affected to a material extent, given that the current layout already results in a considerable sense of disconnection between the northern room and the gallery, the former being accessible from the latter only via a landing, a large intervening room and a narrow corridor.
15. The Council considers that it is preferable for the building to continue in unified ownership as this would allow for coherent future management. However, there is no evidence before me which demonstrates that the proposal would be likely to result in less satisfactory standards of maintenance and management of the appeal building. These are matters which will depend on a variety of factors, including the resources and commitment of owners. Taking all of the above matters into account, I conclude that the proposed subdivision of the appeal listed building would not be harmful to its special interest.

³ APP/D3505/W/14/3001531, 25 March 2015

16. The desirability of preserving the appeal listed building, adjacent listed buildings and their settings is a matter to which I am required to have special regard by virtue of sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), and the preservation of the character and appearance of the conservation area is a matter to which I am similarly required to pay special attention by section 72 of the Act. However, for the reasons I have given, I have concluded that the proposal would preserve both the appeal listed building and adjacent listed buildings, and would also preserve their settings. For the same reasons, the proposal would not diminish the contribution which the appeal listed building makes to the conservation area, and I conclude that the proposal would preserve the character and appearance of the conservation area. The appeal proposal would thus accord in these respects with Policy FC1 of the Core Strategy Focused Review (CSFR)⁴, and with the objectives of Policy CS 5 of the Core Strategy⁵ and Policies SB2 and HB3 of the Local Plan⁶ relating to the protection and conservation of the historic environment.
17. Moreover, whilst the listed buildings and the conservation area are designated heritage assets for the purposes of the National Planning Policy Framework (the Framework) and paragraph 132 requires that great weight be given to their conservation, I have concluded that proposal would not be harmful to the significance of these assets. The appeal proposal would thus accord with the historic environment policies of the Framework.

Long term future of the public house

18. I saw on my visit that the temporary partitions have had effect to remove the northern ground floor room of the building from the area of the public house, and also that a grassed area to the rear of the building's curtilage has been fenced off. I understand that this was previously used a beer garden. As with the previous proposal, the appeal proposal would serve to make these arrangements permanent. I have no detailed information before me on the financial performance of the public house over recent years, and I appreciate that the performance of any public house will to some extent depend on the capabilities and circumstances of its operators. Like the previous Inspector, I acknowledge that local residents have expressed strong support for the return of the removed facilities to public house use, but that is no guarantee that this would prove financially viable.
19. The evidence before me is that in the years leading to the reduction in area, the public house did not achieve enduring success under various managements and ownerships, although there is dispute as to the reasons for this. However, and in any event, there is no dispute that the public house has traded successfully since the introduction of the reduced area, despite the more limited accommodation and parking facilities, and the somewhat unconventional cellar arrangements. I have noted that the Council's Economic Development and Tourism Manager has not supported the appeal proposal in the absence of further evidence as to the viability of the present and previous public house formats. However, I accord limited weight to this, as the officer expressed full support in relation to the previous proposal and there is no clear

⁴ Mid Suffolk Core Strategy Focused Review (December 2012)

⁵ Mid Suffolk Core Strategy (September 2008)

⁶ Mid Suffolk Local Plan (September 1998)

- demonstration of different circumstances or evidence to explain the change of view.
20. The Council has drawn attention to the views of its Senior Environmental Health Officer, who has noted that habitable rooms in the proposed dwelling would overlook the rear courtyard and parking area of the public house and expressed concerns as to the effect of noise on the occupiers of the dwelling. However, the effect of the appeal proposal on the living conditions of residential occupiers did not form part of the Council's reasons for refusing the planning application. Moreover, there is no indication that the issue was raised as a concern in relation to the previous proposal, despite that habitable rooms within the proposed dwelling would also have overlooked the courtyard.
 21. In any case, although it is possible that noise and disturbance arising from a public house may give rise to complaints from adjacent residents and thus restrict its functioning, I saw on my visit that there are dwellings in close proximity to the yard on both sides of the appeal building's curtilage. Their occupiers would not be substantially less affected by noise and disturbance arising from the public house than would the future occupiers of the appeal dwelling, and the evidence before me does not indicate that the current public house use has given rise to complaints from existing residents. Given also my earlier conclusions as to insulation within the appeal building, I conclude that the provision of the appeal dwelling would not be likely to restrict the functioning of the public house.
 22. The previous Inspector concluded on this main issue that the reconfiguration of the public house would not be likely to harm its long-term viability, and that a reduction in the operational floorspace could contribute to securing such viability. No substantive evidence is before me to justify my taking a different view. Indeed, the fact that the public house is continuing to trade more than a year after the appeal decisions on the previous proposal serves to reinforce and support the previous Inspector's conclusions, as does the recent execution of a new three year tenancy.
 23. Local residents have expressed views that the proposal would not comply with the Council's Supplementary Planning Guidance on the Retention of Shops, Post Offices and Public Houses in Villages⁷ (the SPG). The Council has also referred to the SPG, although non-compliance with it does not form part of its reasons for refusing the applications. In any case, the subject matter of the SPG is proposals which would result in the total loss of a public house through a change of use, and I have no reason to diverge from the previous Inspector's finding that the SPG's tests are not directly relevant to the proposed partial change of use.
 24. For the above reasons, I conclude that the proposal would not have a detrimental effect on the long term future of the public house, and that there is instead some possibility that the proposal could enhance its viability. The appeal proposal would thus in these respects comply with Policies FC1 and FC1.1 of the CSFR. It would not conflict with the SPG's objective of retaining community facilities, or the objectives of paragraphs 17, 28, 69 and 70 of the Framework relating to the retention and development of services and facilities in villages and the facilitation of social interaction.

⁷ February 2004

Other matters

25. The occupiers of No 3 consider that the proposal would adversely affect their living conditions by reason of overlooking and loss of privacy arising from the proposed first floor window in the east elevation of the proposed extension. However, the previous proposal also included such a window, and the previous inspector found that the extent of additional overlooking likely to occur from it would be relatively limited. Whilst the equivalent window in the appeal proposal would be positioned closer to the boundary with No 3, that would not substantially increase the degree of overlooking. I consider therefore that there would be no unacceptable loss of privacy. Moreover, nothing in the evidence before me indicates that the proposal would in any other respect result in any material harm to the living conditions of adjacent residents.
26. Some local residents have expressed concerns as to flooding. However, the Environment Agency has not objected to the appeal proposal in this respect, and noting that the appeal site is within Flood Zone 1, I do not consider that the proposal would be at unacceptable risk of flooding or be likely to add materially to flood risk. Concerns have also been expressed that the present oil tank is shown to be removed, but no replacement provision is indicated. However, I must assess the proposal before me and any further works would be matters for the Council to assess. Concerns are raised as to the practicality of bringing materials to site, but whilst I note the limited dimensions of the arch giving access to the rear of the site, there is no evidence before me that suggests that the works of construction would be significantly impractical or likely to result in damage to the listed building.

Conclusions

27. I have concluded that the proposal would preserve both the appeal listed building and adjacent listed buildings, that it would also preserve their settings and would preserve the character and appearance of the conservation area. I have further concluded that the proposal would not have a detrimental effect on the long term future of the public house, and that there is instead some possibility that the proposal could enhance its viability. I have taken account of all other matters raised in the evidence before me, but nothing arises which convinces me that the proposal would be unacceptable. I have not identified conflict with the policies of the development plan which the evidence before me identifies as relevant to the proposal, and conclude therefore that the proposal would be in overall accordance with the development plan. Similarly, given my conclusions on the relevant policies of the Framework, and noting the statement in paragraph 6 that the policies of the Framework, taken as a whole, constitute the Government's view of what sustainable development means in practice, I conclude that the proposal would represent sustainable development for the purposes of the Framework.
28. Conditions have been suggested by the Council and others in the event that I allow the appeals. I have considered these in the context of the tests set out at paragraph 206 of the Framework, taking into account the desirability of making minor changes where appropriate to the interests of clarity, certainty and economy of expression. It is necessary that both the grant of planning permission and listed building consent be subject to standard commencement conditions and, in the interests of certainty, conditions requiring adherence to approved plans. Although these plans include detailed drawings of some elements of the fenestration, for the reasons I have given above I nevertheless

consider it necessary for conditions to be imposed requiring the approval of appropriately large scaled drawings providing comprehensive details of the windows, rooflights and doors, and to require facing and roofing materials to accord with approved details.

29. The Council suggests that the grant of listed building consent should also be subject to a condition requiring the approval of sound insulation measures. For the reasons I have given, I concur that such a condition is necessary, together with a further condition requiring the implementation of an approved method statement for foundation and structural works. As to the grant of planning permission, the Council suggests a condition restricting permitted development rights, but in the circumstances of the appeal proposal I do not consider this necessary given that the permissions granted by the relevant rights would either relate to development which would also require listed building consent or would not apply where the development would be within the curtilage of a listed building. The Council suggests a condition requiring approval of details of areas for the parking and manoeuvring of vehicles, but it has not objected to the arrangements shown on the submitted plans. However, it is important that proposed off street parking provision is made and retained, and a condition is necessary to secure this. The highway authority has recommended a condition as to surfacing of the vehicular access, but I do not consider this necessary given that the access already exists and the proposal would not result in a significantly more intensive use of it.
30. For the above reasons, the appeals are allowed, and planning permission and listed building consent are granted subject to the conditions set out above.

J Flack

INSPECTOR

SCHEDULE

APPEAL A: CONDITIONS SUBJECT TO WHICH PLANNING PERMISSION IS GRANTED

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1682/S/BLOCK 102C; 1682 200; 1682 201; 1682 202A; 1682 301C; 1682 302 E; 1682 305 E; 1682 1000; 1682 1001; 1682 1002 and SK1B.
- 3) Notwithstanding condition 2), the development hereby permitted shall not begin until drawings of an appropriately large scale showing details of materials, finishes, method of opening, glazing and colour of all new and replacement windows, roof lights and doors and their surrounds have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved drawings.
- 4) No development shall begin above slab level until samples of the external facing and roofing materials to be used in construction, together with details of the manufacturers of those materials, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved samples and details.
- 5) The areas shown on the approved plans for the purposes of manoeuvring and parking of vehicles shall be laid out and made available for use prior to the occupation of the new dwelling hereby permitted. The areas shall thereafter be retained, kept free of obstruction and used for no purpose other than the manoeuvring and parking of vehicles.

APPEAL B: CONDITIONS SUBJECT TO WHICH LISTED BUILDING CONSENT IS GRANTED

- 1) The works hereby authorised shall begin not later than three years from the date of this decision.
- 2) The works hereby authorised shall be carried out in accordance with the following approved plans: 1682/S/BLOCK 102C; 1682 200; 1682 201; 1682 202A; 1682 301C; 1682 302 E; 1682 305 E; 1682 1000; 1682 1001; 1682 1002 and SK1B.
- 3) The works hereby authorised shall not begin until a method statement prepared by an appropriately qualified structural engineer and detailing the means by which the foundations, frame and other structural elements of the extension are to be constructed has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved method statement.
- 4) Notwithstanding condition 2), the works hereby authorised shall not begin until drawings of an appropriately large scale showing details of materials, finishes, method of opening, glazing and colour of all new and replacement windows, roof lights and doors and their surrounds have been

submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved drawings.

- 5) The works hereby authorised shall not begin until details of those elements of the works providing noise insulation have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.
- 6) No works shall begin above slab level until samples of the external facing and roofing materials to be used in construction, together with details of the manufacturers of those materials, have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved samples and details.

**Mid Suffolk District Council Planning Control Department
131 High Street Needham Market IP6 8DL**

**REFUSAL OF PLANNING PERMISSION
Town and Country Planning Act 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (ENGLAND) ORDER 2015**

Date of Application: 14 December 2015 REFERENCE: 4374 / 15

Date Registered: 22 December 2015

Documents to which this decision relates:

Defined Red Line Plan:

The defined Red Line Plan for this application is Drawing No. 1682-100LB received 14th December 2015 only. This drawing is the red line plan that shall be referred to as the defined application site. Any other drawings approved or refused that may show any alternative red line plan separately or as part of any other submitted document have not been accepted on the basis of defining the application site.

Refused Plans and Documents:

- Application form received on the 14th December 2015;
- Homecheck contamination report received 21st December 2015
- Land Contamination Questionnaire received on the 21st December 2015;
- Heritage Asset Assessment (dated June 2014) produced by Leigh Alston and received on the 14th December 2015;
- Design and Access Statement received on the 14th December 2015;
- Schedule of works received 14th December 2015;
- Case Review (dated October 2015) produced by Michael Collins and received on the 14th December 2015;
- Letter from Birketts dated 11th December 2015 and received on the 14th December 2015
- Photograph of west elevation received 21st December 2015;
- Drawing No's 1682-102C; 200; 201; 202A; 301C; 302E; 1000; 1001 and 1002 all received on the 14th December 2015;
- Drawing No. SK1B received on the 14th December 2015;
- Drawing No. 1682-305E received on the 21st December 2015.

Refused Plans and Documents Not Accepted to Form the Application:

The following documents were considered / viewed by the Local Planning Authority, but not accepted to form part of the application and this decision. These documents may not have been the subject of formal consultation on that basis.

- Email from Environment Agency dated 6th August 2015 and Consultation response from Environmental Health (Land Contamination) received 21st December 2015.

CORRESPONDENCE ADDRESS:

Mrs S Paine
31 Fawcett Road
Aldeburgh
Suffolk
IP15 5HQ

NAME AND ADDRESS OF APPLICANT:

Mrs S Paine
31 Fawcett Road
Aldeburgh
Suffolk
IP15 5HQ

PROPOSED DEVELOPMENT AND LOCATION OF THE LAND:

Partial change of use, erection of first floor extension to reinstate former 2 storey rear wing, internal alterations to public house to reinstate former separate dwelling at The Angel whilst retaining the public house as a community facility (Revised scheme to that submitted under ref. 2494/14 & 2475/14) - The Angel Inn, 5 High Street, Debenham IP14 6QL

The Council, as local planning authority, hereby give notice that **PLANNING PERMISSION HAS BEEN REFUSED** for the development proposed in the application in accordance with the particulars and plans submitted for the following reasons:

1. The proposal would lead to the diminution of an established village facility, which may prejudice its longer term future as a community and tourism asset and contributor to the rural economy. As such it conflicts with the aims and requirements of paragraphs 17, 28, 69 and 70 of the National Planning Policy Framework, and Policies FC1 and FC1.1 of the adopted Mid Suffolk Core Strategy Focused Review (2012).
2. The proposed subdivision of the applicant listed building at ground and first floor level would cause harm to its character and status as a building of architectural and historic interest. The harm to the designated Heritage Asset, is not regarded as substantial, however, the application as submitted fails to demonstrate that this harm is outweighed by the public benefit of securing the longer term financial viability of the public house through a reduction in its operational floorspace. The proposal would therefore conflict with the aims and requirements of paragraphs 17, 131, 132 and 134 of the National Planning Policy Framework, Policy CS5 of the adopted Mid Suffolk Core Strategy (2008), Policy FC1 of the adopted Mid Suffolk Core Strategy Focused Review (2012) and saved Policies SB2 and HB3 of the adopted Mid Suffolk Local Plan (1998), which are consistent with those aims.

SUMMARY OF POLICIES AND PROPOSALS WHICH ARE RELEVANT TO THE DECISION:

1. This permission has been refused having regard to policy(ies)

COR5 - CS5 MID SUFFOLKS ENVIRONMENT
COR4 - CS4 ADAPTING TO CLIMATE CHANGE
CSFR-FC1 - PRESUMPTION IN FAVOUR OF SUSTAINABLE

DEVELOPMENT
CSFR-FC1.1 - MID SUFFOLK APPROACH TO DELIVERING SUSTAINABLE
DEVELOPMENT
COR1 - CS1 SETTLEMENT HIERARCHY
COR2 - CS2 DEVELOPMENT IN THE COUNTRYSIDE & COUNTRYSIDE
VILLAGES
COR6 - CS6 SERVICES AND INFRASTRUCTURE

of the Mid Suffolk Core Strategy Document, and to all other material
considerations.

2. This permission has been refused having regard to policy(ies)

SC4 - PROTECTION OF GROUNDWATER SUPPLIES
GP1 - DESIGN AND LAYOUT OF DEVELOPMENT
HB1 - PROTECTION OF HISTORIC BUILDINGS
HB9 - CONTROLLING DEMOLITION IN CONSERVATION AREAS
HB8 - SAFEGUARDING THE CHARACTER OF CONSERVATION AREAS
SB2 - DEVELOPMENT APPROPRIATE TO ITS SETTING
HB3 - CONVERSIONS AND ALTERATIONS TO HISTORIC BUILDINGS
H16 - PROTECTING EXISTING RESIDENTIAL AMENITY
T10 - HIGHWAY CONSIDERATIONS IN DEVELOPMENT
T9 - PARKING STANDARDS
HB3 - CONVERSIONS AND ALTERATIONS TO HISTORIC BUILDINGS
HB4 - EXTENSIONS TO LISTED BUILDINGS

of the Mid Suffolk Local Plan, and to all other material considerations.

3. This permission has been refused having regard to policy(ies)

NPPF - NATIONAL PLANNING POLICY FRAMEWORK

of the Planning Policy Statement, and to all other material considerations.

NOTES:

1. **Statement of positive and proactive working in line with the National Planning Policy Framework (NPPF) and Section 106 and development plan statement:**

The Councils adopted "development plan" policies for new development include policies are set out in the Core Strategy (adopted 2008), the Core Strategy Focused Review (adopted 2012) and the saved Local Plan. This up to date policy document is a very important planning consideration and the applicant is encouraged to fully refer to it (available to view on the Council's website - www.midsuffolk.gov.uk). Planning decisions are normally expected to be taken in accord with the development plan unless material considerations indicate otherwise.

While the applicant did not take advantage of the service, the Council provides a duty planning officer and pre-application advice service prior to the submission of any application. The opportunity to discuss a proposal prior to making an application allows potential issues to be raised and addressed pro-actively at an early stage, potentially allowing the Council to make a favourable determination for a greater proportion of applications than if no such service was available.

This relates to document reference: 4374 / 15

Signed: Philip Isbell

Dated: 03 March 2016

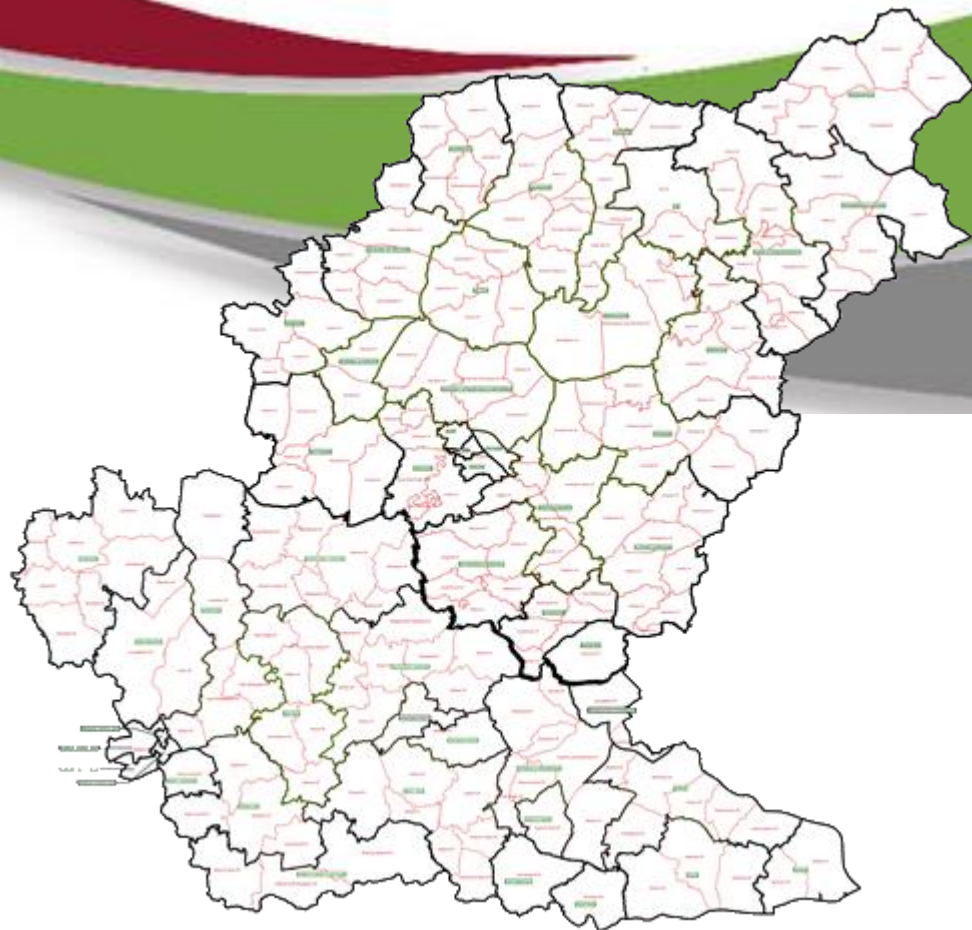
**Corporate Manager
Development Management**

**MID SUFFOLK DISTRICT COUNCIL, 131 HIGH STREET, NEEDHAM MARKET,
IPSWICH IP6 8DL**

**Application Nos:
DC/20/05595/FUL
&
DC/20/005596/LBC**

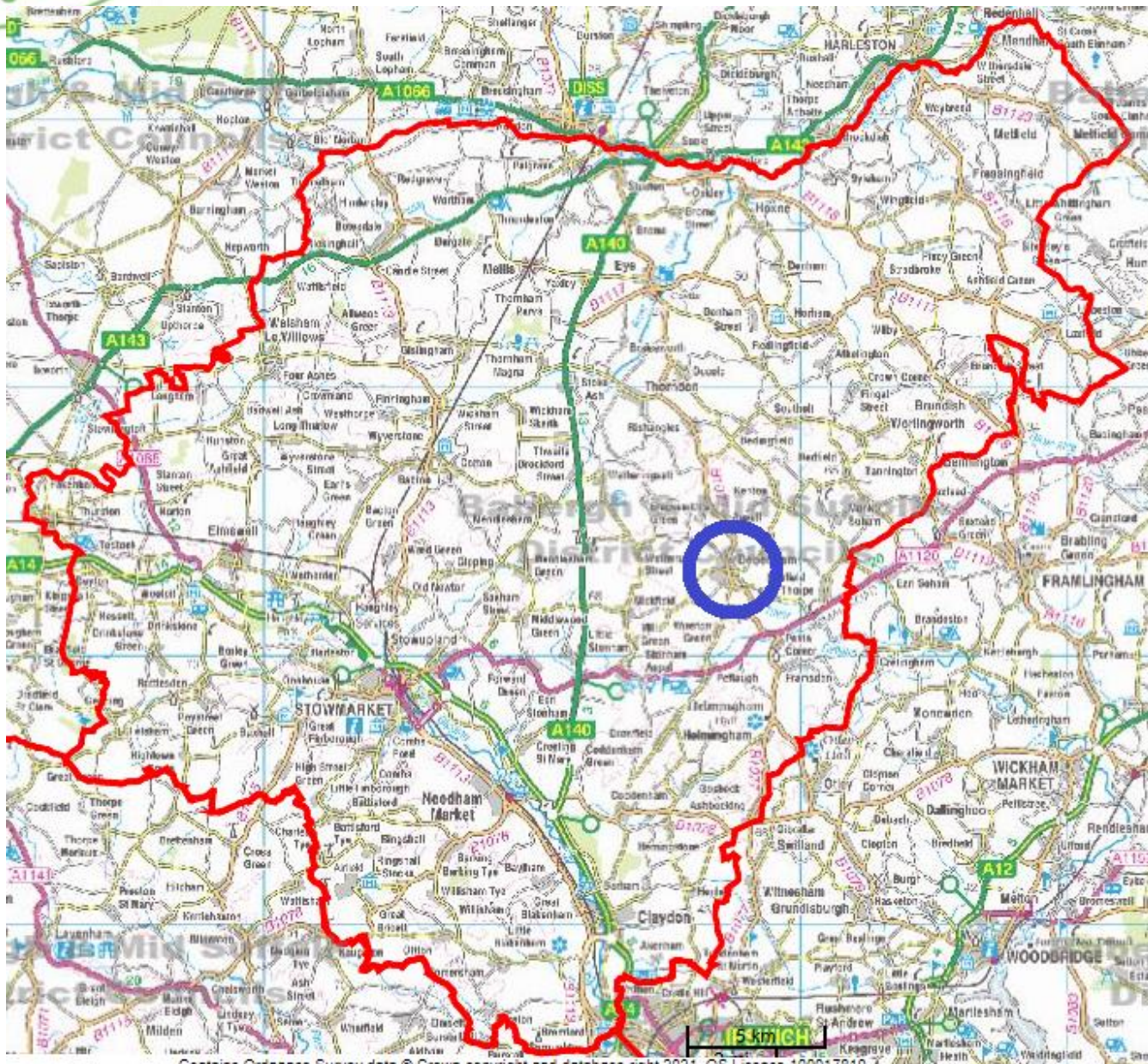
Page 417

**Address: The Angel Inn,
5 High Street, Debenham**



Site Location

Slide 2



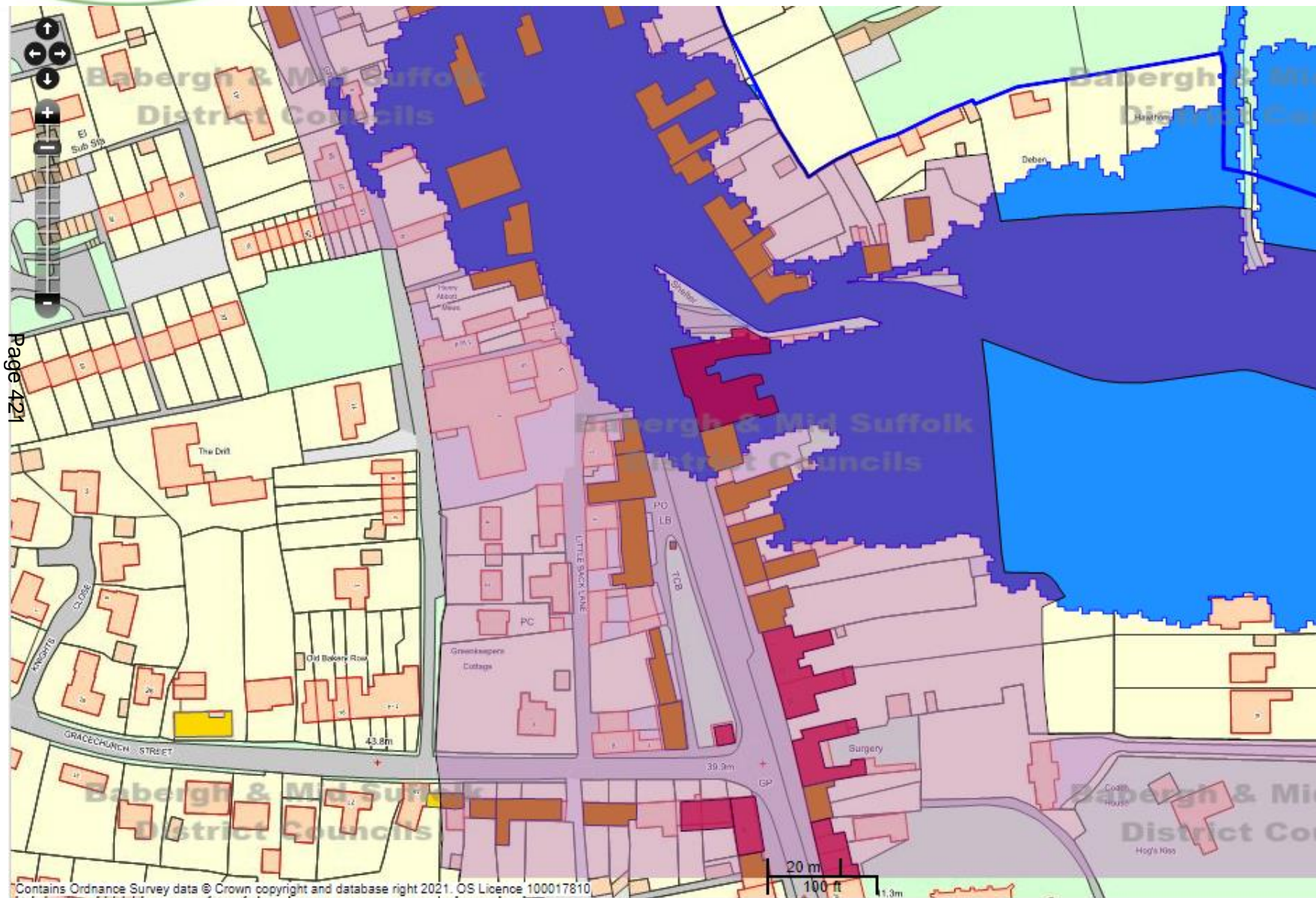
Site Location

Slide 3

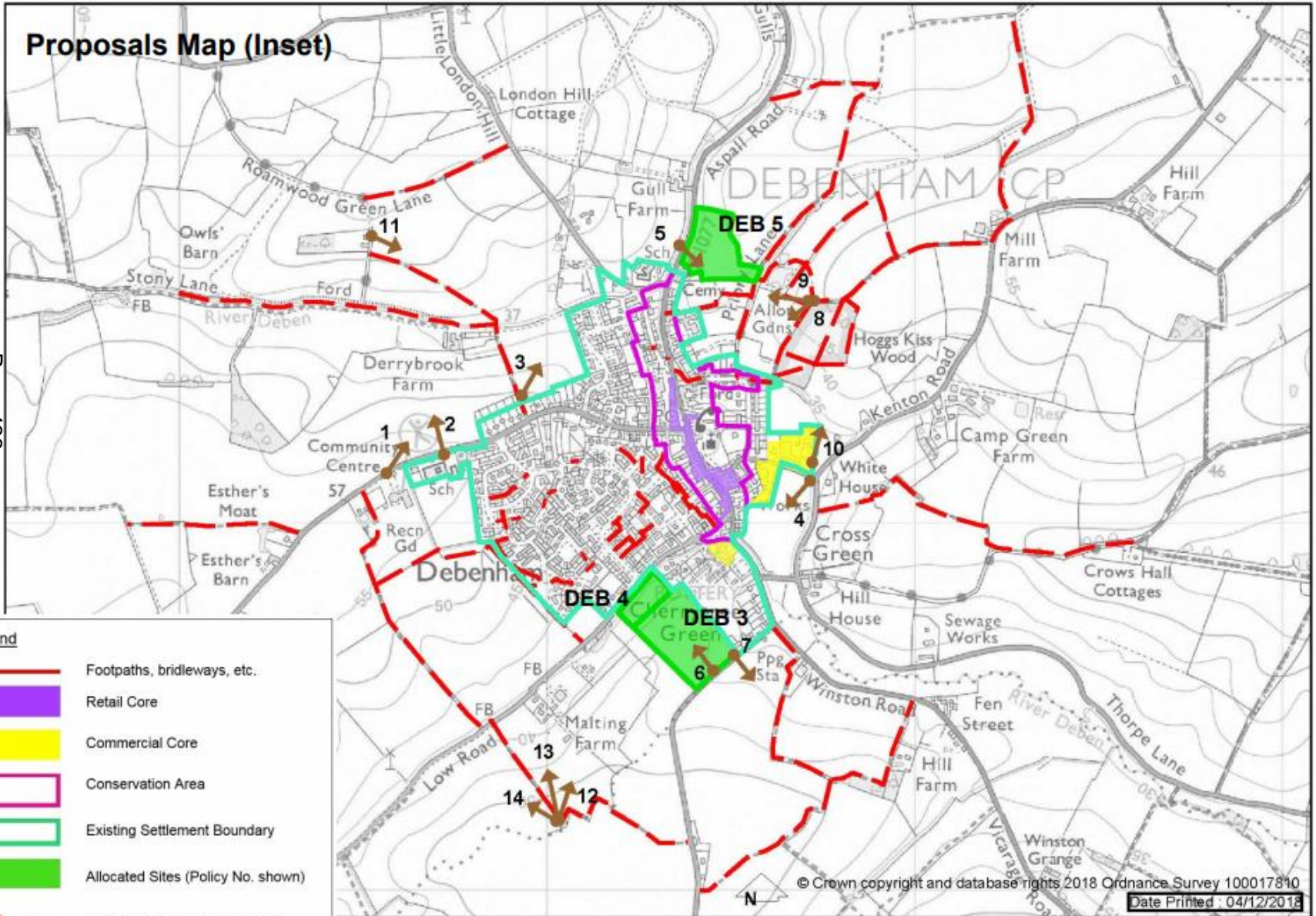


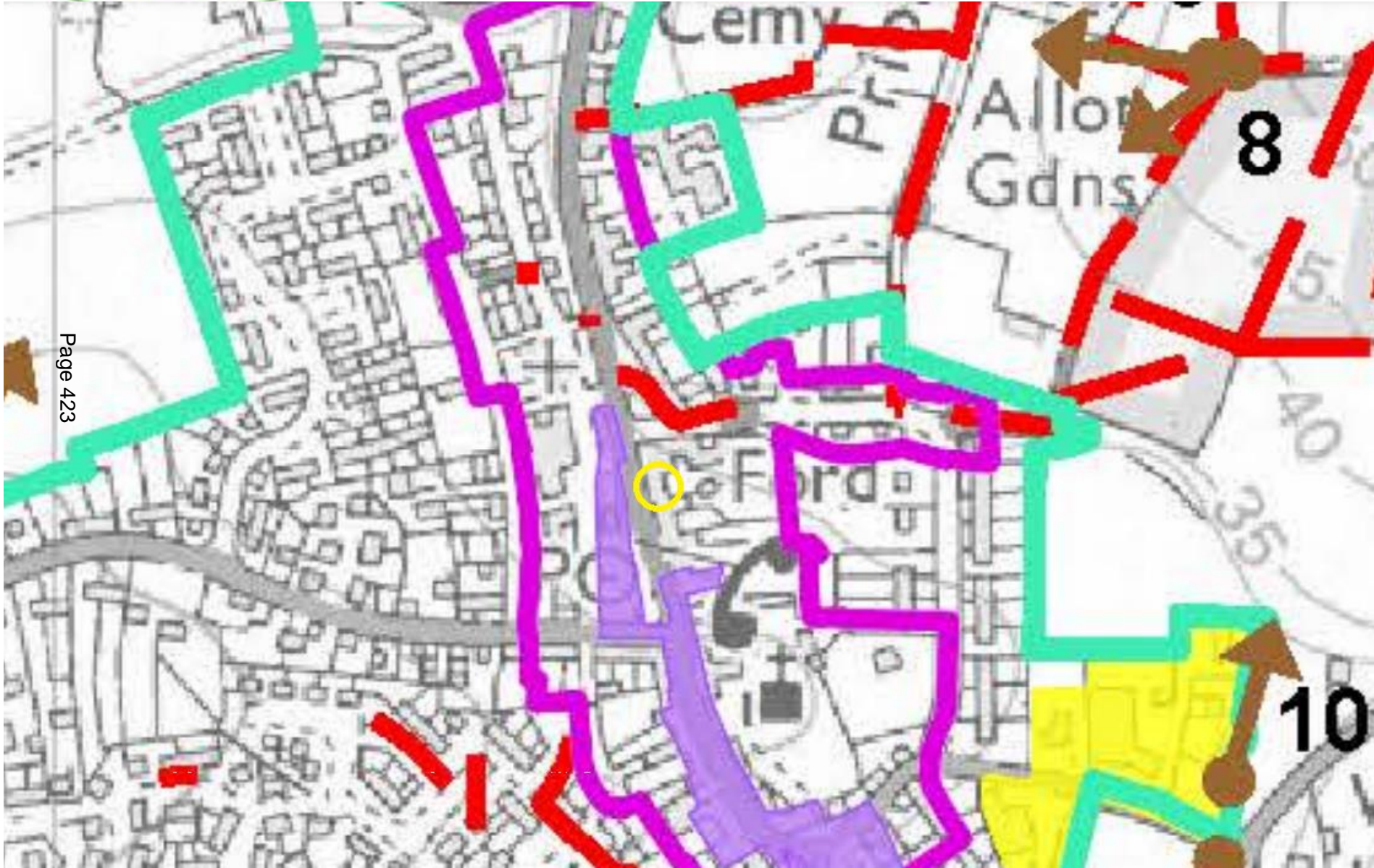


Constraints Map

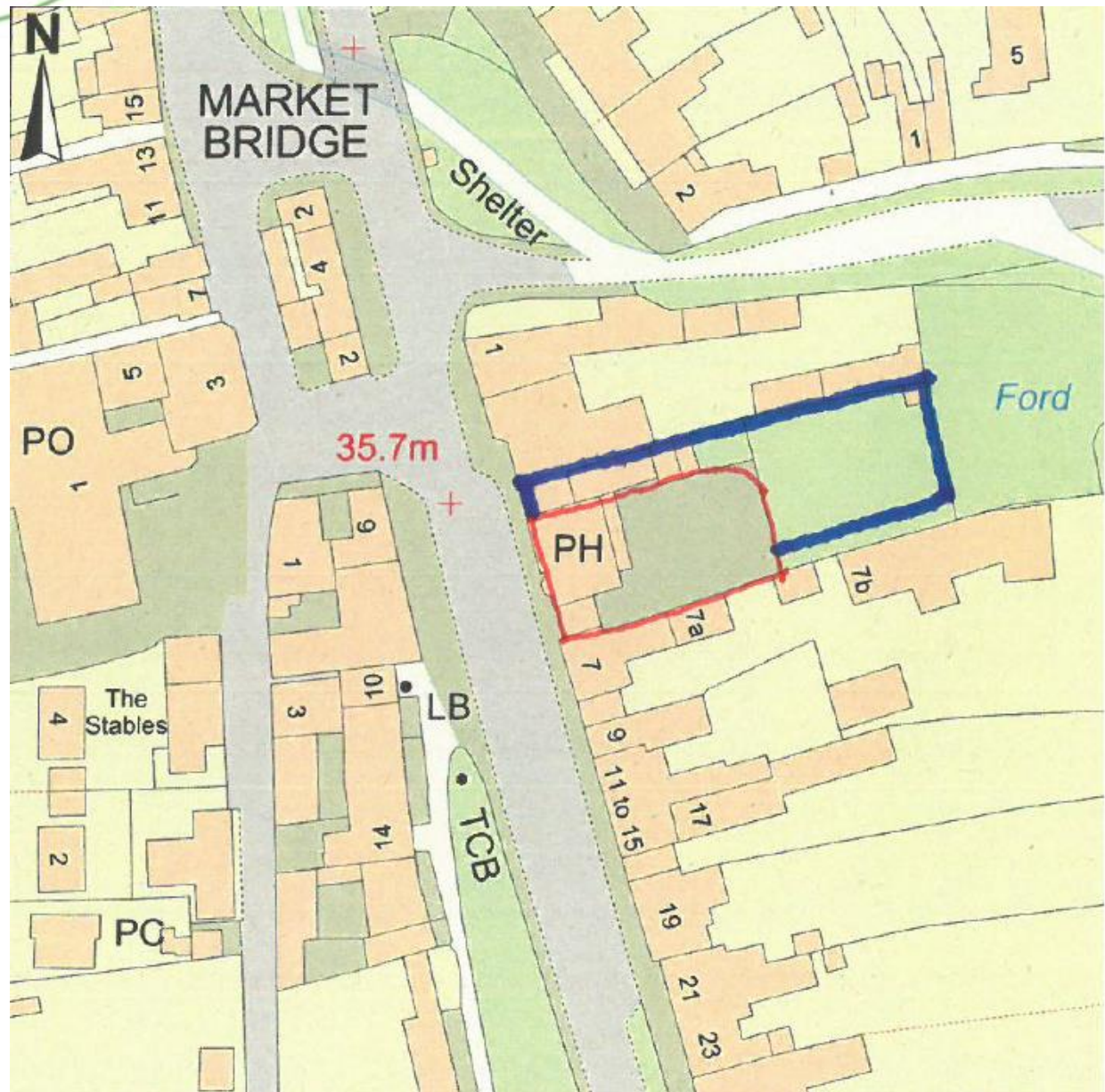


Proposals Map (Inset)



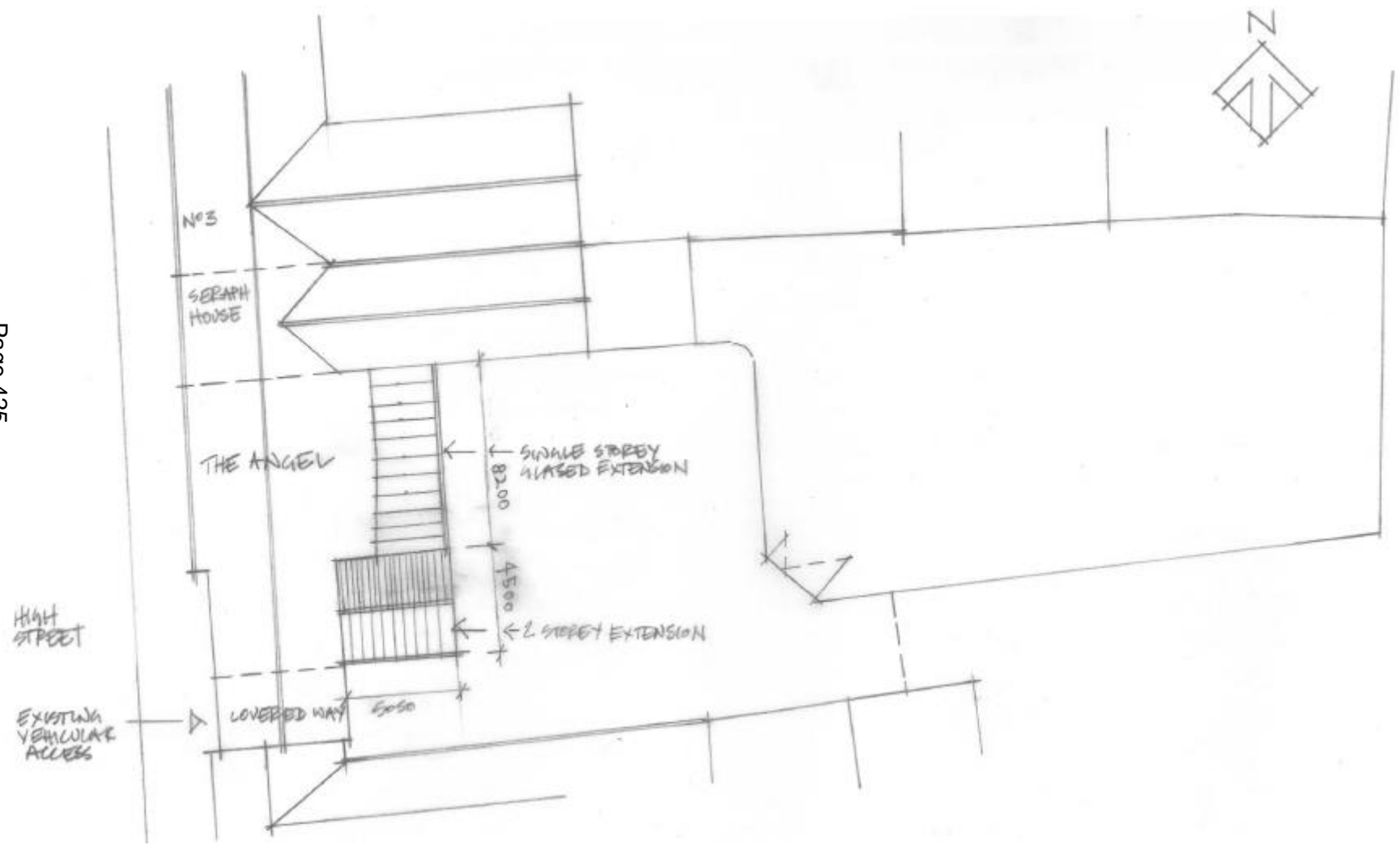


Site Location Plan



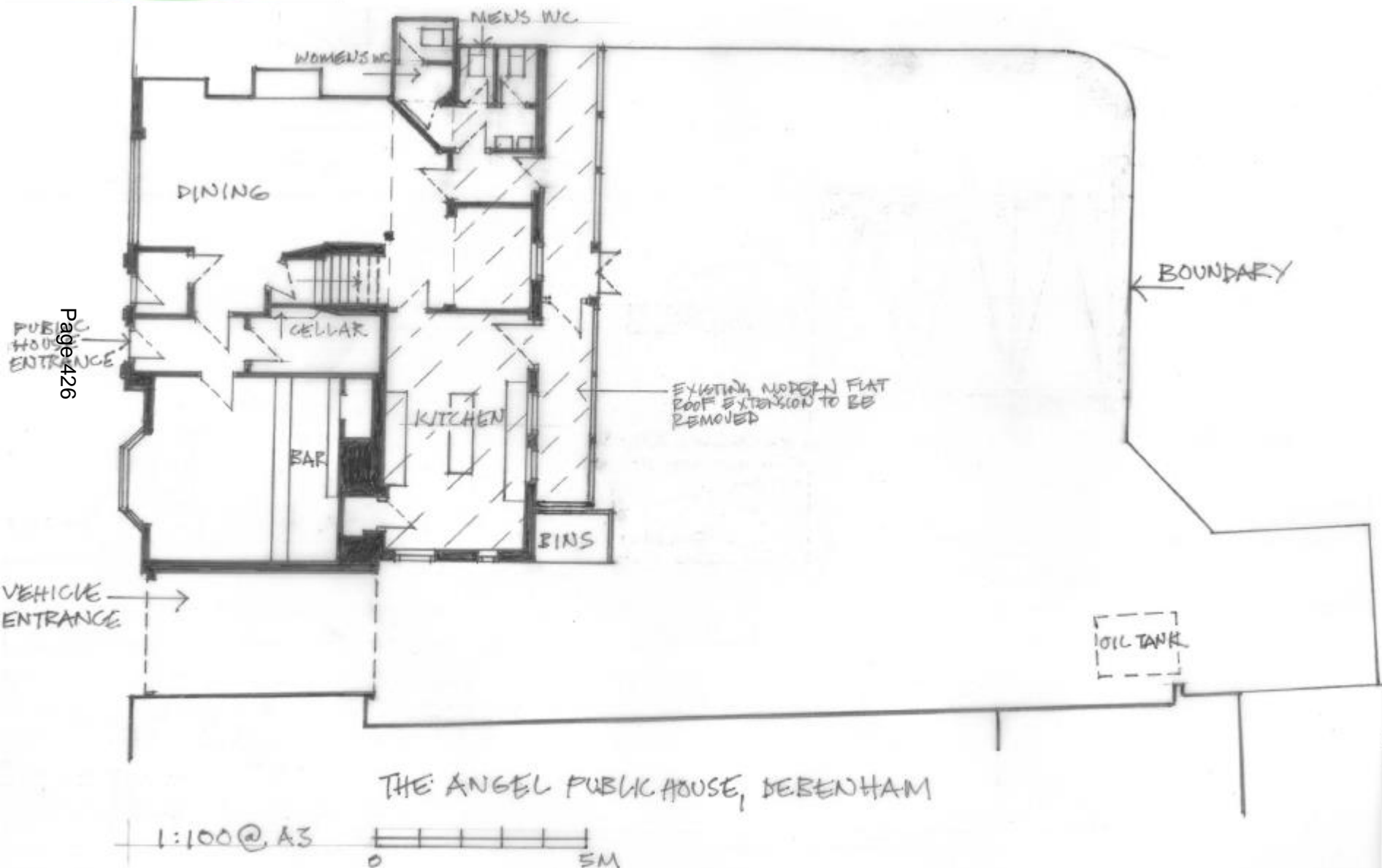
Site Layout - Proposed

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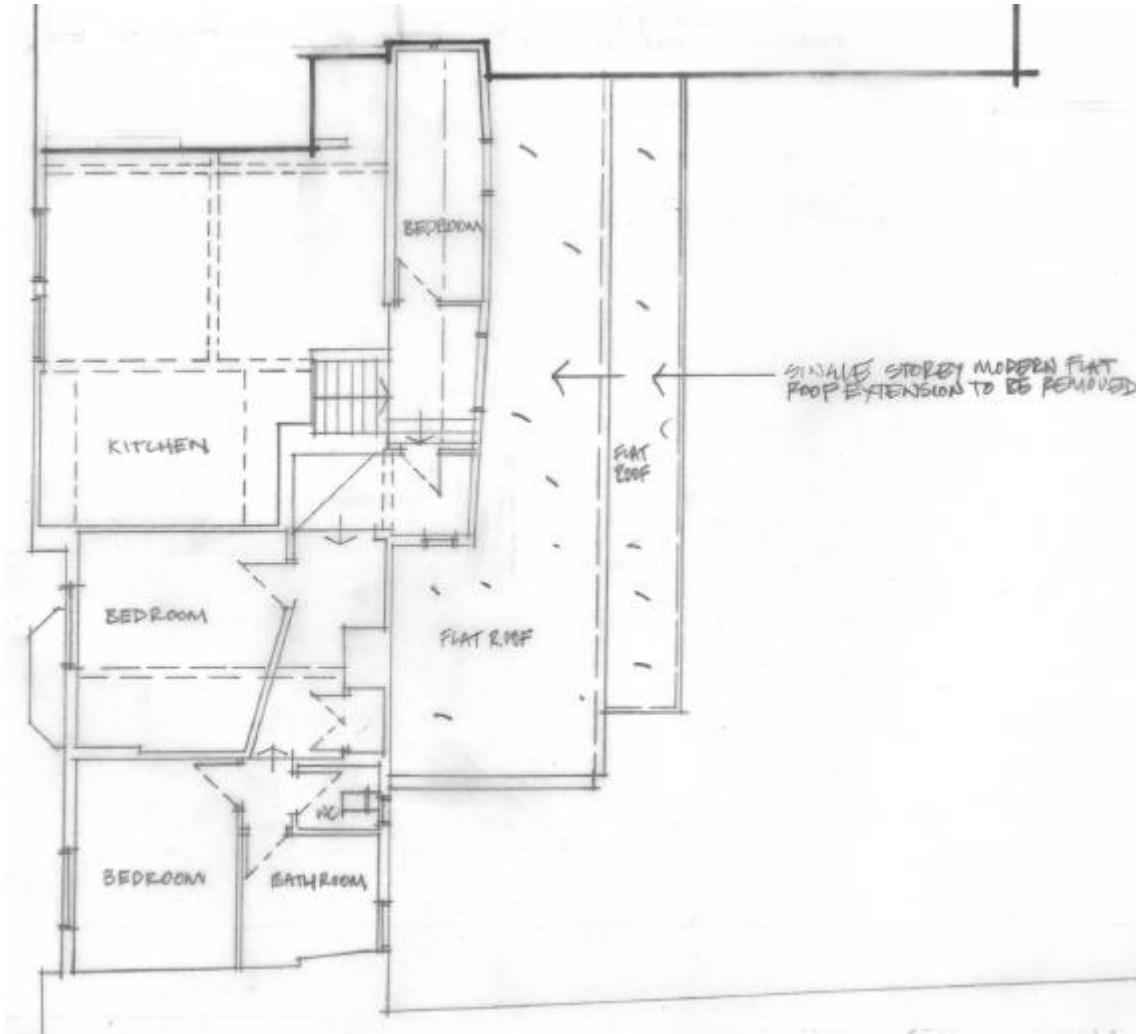
Ground Floor Plan - Existing

Slide 10



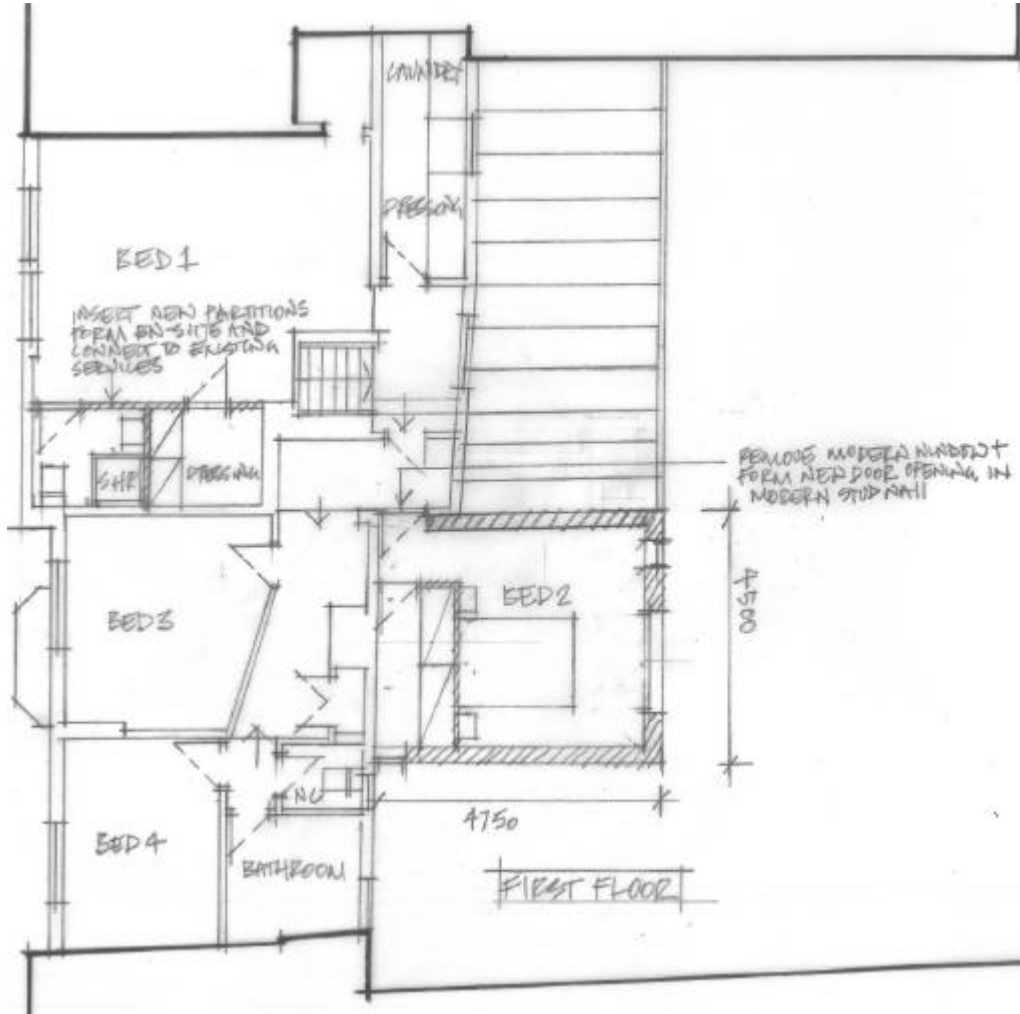
First Floor Plan - Existing

Slide 12



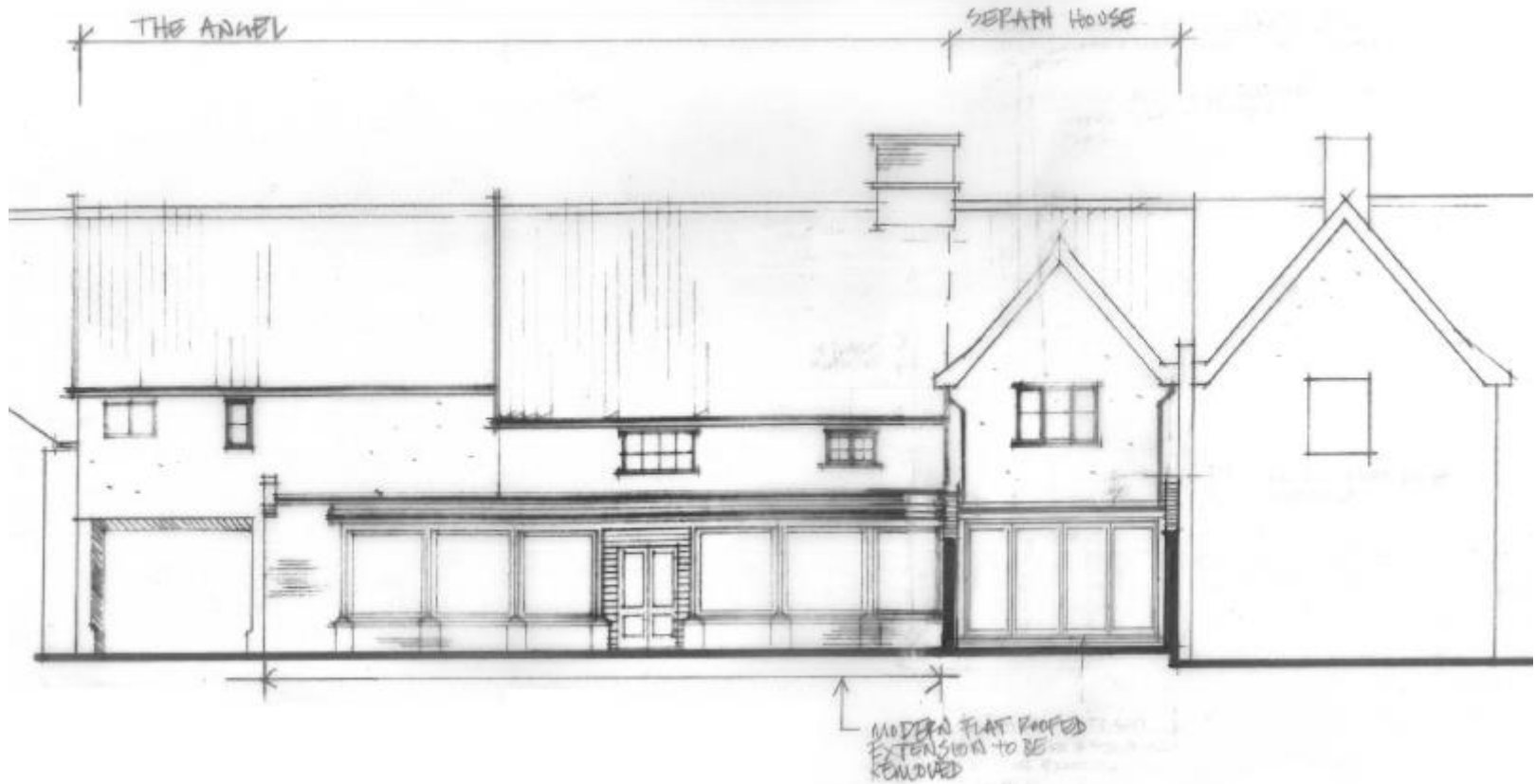
First Floor Plan - Proposed

Slide 13



Rear Elevation - Existing

Slide 14



Rear Elevation - Proposed

Slide 15

GLAZED LEAN-TO ROOF EXPOSES MORE OF
FIRST FLOOR ANTIER- RENDERED WALLS THAN
EXISTING FLAT ROOF EXTENSION

LINE OF EXISTING FLAT ROOF

45.62

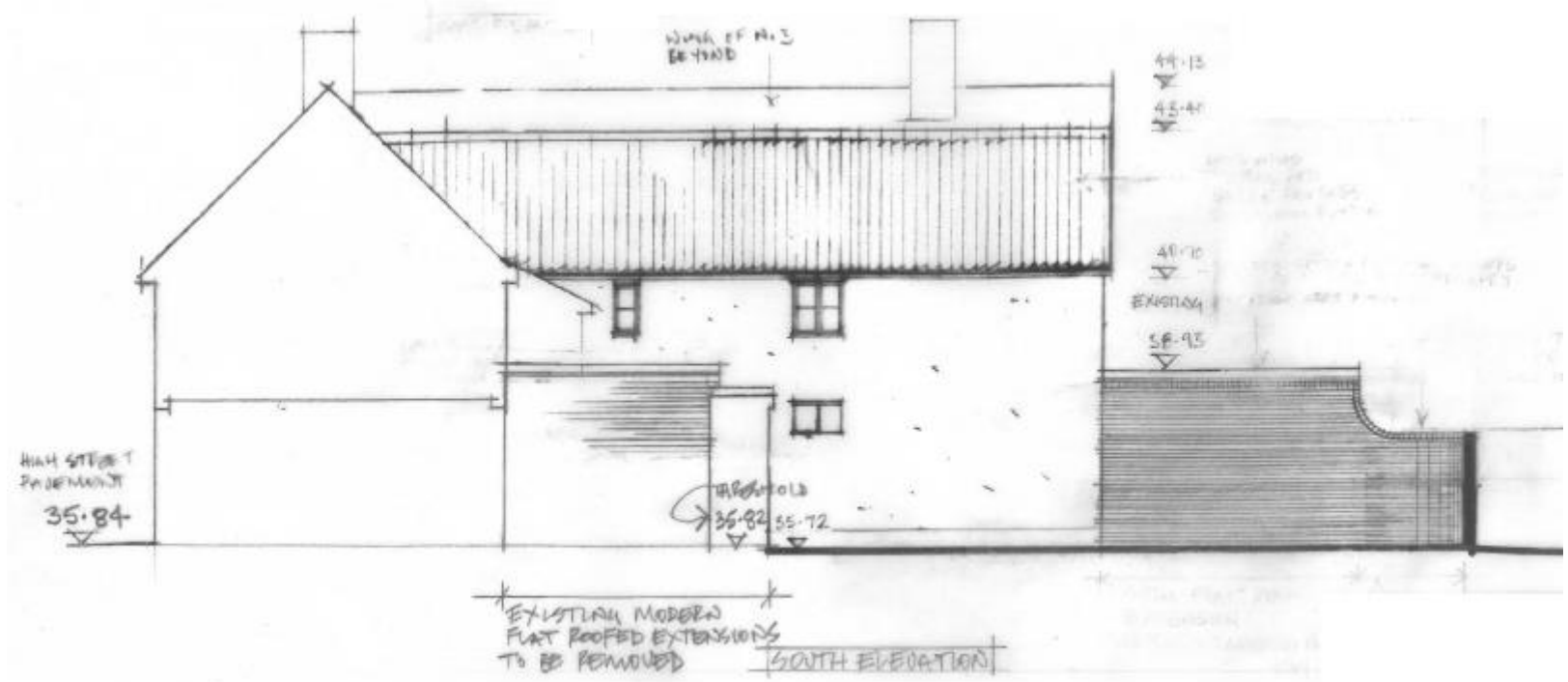
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EAST ELEVATION

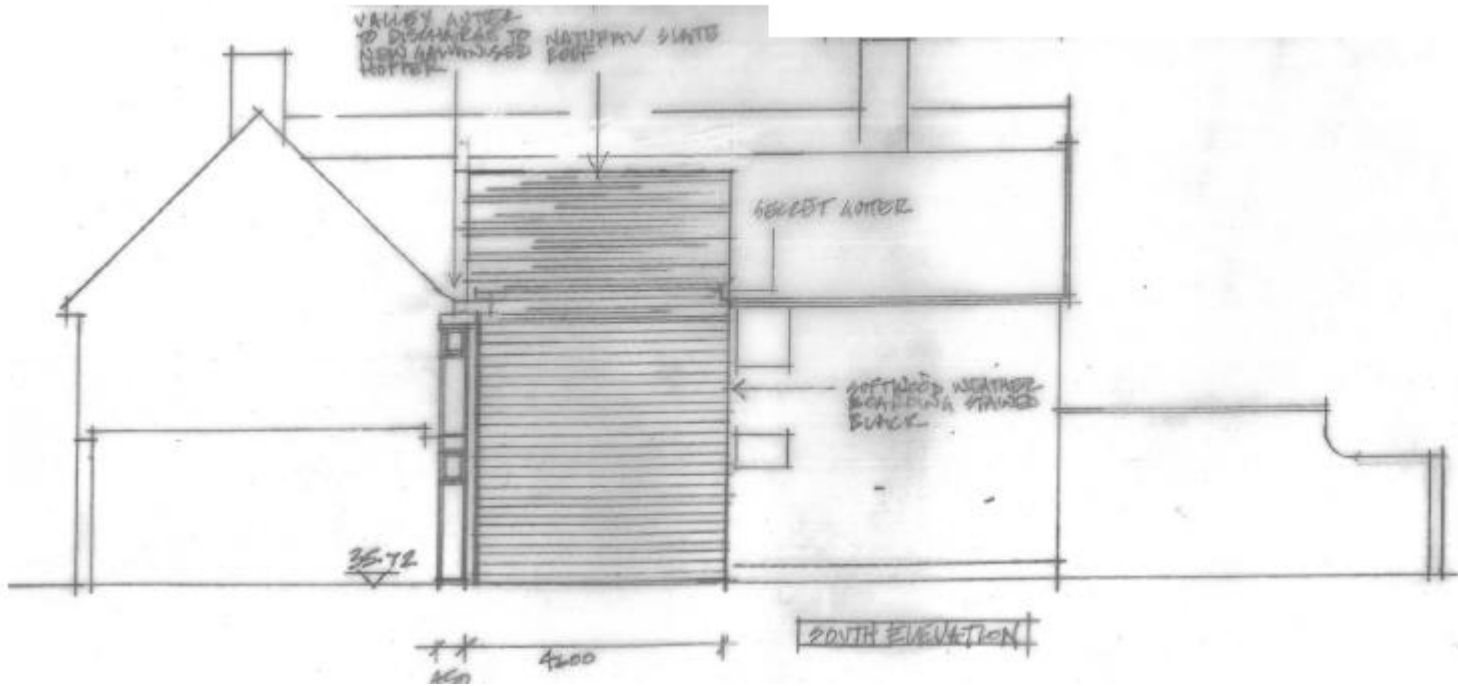


Side Elevation - Existing

Page 432



Side Elevation - Proposed



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Agenda Item 7e

Committee Report

Item 7E

Reference: DC/20/05596

Case Officer: Alex Scott

Ward: Debenham.

Ward Member/s: Cllr Kathie Guthrie.

RECOMMENDATION – REFUSE LISTED BUILDING CONSENT/AGREE PUTATIVE REASON(S) IN RESPONSE TO APPEAL REF APP/W3520/Y/21/3271041

Description of Development

Application for Listed Building Consent. Works to facilitate change of use from mixed C3/Sui Generis drinking establishment use to mixed C3/Class E and replacement of C20 rear extension

Location

The Angel Inn, 5 High Street, Debenham, Stowmarket Suffolk IP14 6QL

Expiry Date: 26/02/2021

Application Type: LBC - Listed Building Consent

Development Type: Listed Building Consent - alterations

Applicant: Mrs Stacey Paine

Agent: Mr T Mckechnie

Parish: Debenham

Site Area: 0.0148 ha

Density of Development:

Gross Density (Total Site): NA.

Net Density (Developed Site, excluding open space and SuDs): NA.

Details of Previous Committee / Resolutions and any member site visit: Listed Building Consent Application Ref: 4375/15, which sought Consent for “Erection of first floor extension to reinstate former 2 storey rear wing and former separate dwelling, internal alterations including relocation of toilet facilities, to retain the public house as a community facility” was previously considered by Committee on 3rd March 2016. Committee resolved to refuse listed building consent for the following reasons:

“The proposed subdivision of the applicant listed building at ground and first floor level would cause harm to its character and status as a building of architectural and historic interest. The harm to the designated Heritage Asset, is not regarded as substantial, however, the application as submitted fails to demonstrate that this harm is outweighed by the public benefit of securing the longer term financial viability of the public house through a reduction in its operational floorspace. The proposal would therefore conflict with the aims and requirements of paragraphs 17, 131, 132, and 134 of the National Planning Policy Framework, Policy CS5 of the adopted Mid Suffolk Core Strategy (2008), Policy FC1 of the adopted Mid Suffolk Core Strategy Focused

Review (2012) and saved Policies SB2 and HB3 of the adopted Mid Suffolk Local Plan (1998), which are consistent with those aims.”

An appeal was then lodged with the Planning Inspectorate against the decision made by Mid Suffolk District Council to refuse Listed Building Consent Application Ref: 4375/15 (Appeal ref: APP/W3520/Y/16/3146429). The appeal was subsequently allowed and listed building consent was granted by the Planning Inspectorate on 14th June 2016.

The relevant committee report, decision notice and appeal decision are appended to this report.

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.

Introduction

The Council has received notification of an appeal lodged by the Applicant (now Appellant) on grounds of non-determination. That appeal has not yet, at the time of drafting this report, received a start date from the Planning Inspectorate (“PINS”) but there is no reason to consider that the appeal will not be found to be valid. Being the case, there remains an application to determine but with an understanding that there is a likelihood the appeal will start before a decision can be taken.

On that basis, a recommendation is set out that will either: [a] authorise officers to refuse the application for the reason(s) set out; or, [b] resolve putative reasons for refusal upon which to defend the appeal i.e. resolve to agree those reason(s) on the basis that the Council would have refused planning permission had the appeal not been registered. As the registration of that appeal is outside the hands of the local planning authority and the resolution of Committee does not constitute the issue of the decision notice, it is procedurally appropriate to ensure that both [a] and [b] are instructed lest the appeal be registered after committee has heard the application but before the decision notice has been issued.

PART ONE – REASON FOR REFERENCE TO COMMITTEE

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

Your officers consider the application to be of a controversial nature having regard to the planning reasoning expressed by the Parish Council, the extent and planning substance of comments received from third parties, and the nature of the application.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

NPPF - National Planning Policy Framework
FC1 - Presumption In Favour Of Sustainable Development
FC1.1 - Mid Suffolk Approach To Delivering Sustainable Development

CS5 - Mid Suffolk's Environment
HB1 - Protection of historic buildings
HB3 - Conversions and alterations to historic buildings
HB4 - Extensions to Listed Buildings
Debenham Neighbourhood Plan

Neighbourhood Plan Status

This application site is within an adopted Neighbourhood Plan Area. Accordingly, the adopted Neighbourhood Plan forms part of the current development plan.

The following Neighbourhood Plan Policies are considered most relevant to the current proposal:

DEB 18 - Historic Environment

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)

Debenham Parish Council - 8th January 2021

Strongly recommend refusal of both applications (Planning Permission and Listed Building Consent) which are intrinsically linked:

- The applications are against a number of policies in the NPPF, existing Local Plan, emerging Local Plan and Neighbourhood Plan;
- No evidence of diligent, fair priced marketing, for the required length of time. Evidence provided by the applicant can easily be challenged and their veracity is being contested by third parties;
- There is strong evidence of community support for retention of the establishment;
- The establishment has historic association with the village and is a valued community asset;
- The Parish Council has applied to register the premises as an Asset of Community Value (ACV).

Debenham Parish Council - 1st March 2021

Following the recent re-submission of both Angel Inn applications (DC/20/05596 and DC/20/05595), please note that the Debenham Parish Council would like to re-submit the comments previously sent to Planning, with the addition of the following:

- The Parish Council concurs with the Heritage Officer's report and continues to strongly recommend the refusal of both planning applications;
- May we please also add that since the first applications were submitted, the Parish Council has successfully applied for the re-registration of the Angel Inn as an Asset of Community Value.

Debenham Parish Council - 5th March 2021

Re-iterate comments given on the 8th January and 1st March (above), with the omission of reference to Neighbourhood Plan Policy DEB 13.

National Consultee (Appendix 4)

Historic England - 21st December 2020

Do not wish to offer any comments - Suggest MSDC seek the views of their specialist conservation and archaeological advisers, as relevant.

Historic England - 5th February 2021

On the basis of the further information submitted by the applicant: Do not wish to offer any comments - Suggest MSDC seek the views of their specialist conservation and archaeological advisers, as relevant.

County Council Responses (Appendix 5)

None Received.

Internal Consultee Responses (Appendix 6)

MSDC - Heritage Officers - 19th January 2021

The proposal would cause a medium level of less than substantial harm to the designated heritage asset because the proposed extensions would detract from its architectural and historic significance - Recommend the application is amended so as to omit the proposed extensions or reduce their impact.

MSDC - Heritage Officers - 5th March 2021

The proposed extensions, as amended, would have a harmful impact on the building's special architectural and historic significance - The level of harm has been reduced by the amendments but remains medium - The harm to the building's significance is in relation to the size, scale and design of the proposed extension - The two-storey rear extension would still appear assertive and incongruous - Do not agree that the change to a lean-to glazed roof extension represents an improvement as this would not be invisible, and do not agree that the evidence of a 1930's extension submitted represents a suitable precedent - Maintain view that proposed lean-to extension would be detrimental to the appreciation of the building and would not better reveal its significance - Additional investigation and opening up of the rear gallery is required - The statement submitted offers no explanation why an extension is proposed and makes no case for the success of the change of use being dependent on the extension - Recommend omission or further amendment of the rear extensions.

B: Representations

At the time of writing this report at least 105 letters/emails/online comments have been received. It is the officer opinion that this represents 105 objections, 0 support and 0 general comment. A verbal update shall be provided as necessary.

Views are summarised below:-

- The Angel Public House is an essential community asset, in an essential location, at the heart of the village and so should be retained as a matter of principle;
- Proposal will remove the possibility of this historic building ever returning to be a public house;
- The building has always been a public house historically and should, therefore, be preserved as such for heritage reasons, as well as being a valued community facility;
- The building needs to continue as a public house for the benefit of the community;
- It is important to preserve this community asset at the centre of the Village for the enjoyment of future generations;

- The applicant claims the pub business is unviable but two previous owners/operators have said that the business was profitable;
- Do not consider the pub business to be unviable as the applicant claims;
- Question the validity of the viability assessment provided with the application, which the application places considerable reliance on, and is inconclusive;
- For a number of years the pub's restaurant was fully booked through December serving Christmas meals;
- Consider there are no other such facilities in the village where people can meet and socialise: The Cherry Tree is now a Vets, The Woolpack is too small and has no disabled access, and the leisure lacks ambiance and is too far away from the village centre;
- Debenham used to have 4 pubs in the 1990's, now it has one and a half;
- This is the last venue of its kind left in the village;
- The village needs more than one pub with such a large number of houses;
- Debenham is renowned for its community events, which have more often than not been centred around the Angel;
- The decision taken, which resulted in the previous approval to reduce the size of the Pub, was misguided and in doing so planners have made the property and potential business less viable;
- Consider the present is an extraordinary time (Covid 19 lockdowns) and does not fairly reflect usual circumstances where such a business would usually be more profitable and viable;
- The opportunity for proper scrutiny of the proposal is severely limited by the timing of the application and the overbearing limitations imposed by the Covid pandemic;
- Consider the Public House in in the wrong ownership and consider that someone with a more entrepreneurial attitude and determination to succeed could make the business work;
- Consider the current owner/landlord's conduct throughout should not be overlooked in the decision making process;
- The applicant is running another pub in Earl Soham, which shows that it is possible for the pub to be run as a viable concern;
- Consider the pub is only disused because owners have marketed it at an inflated price and not accepted offers of purchase and/or rent;
- Terms put forward by the applicant to a potential lessee in 2019 were rejected as being unreasonable;
- Other derogatory remarks made against the applicant/owner/operator/landlady;
- Consider that all the new housing development proposed in Debenham over the next few years will need a usable Pub, which will make the business more profitable;
- A proposal for change of use of the Pub is, at the present time, premature;
- The Angel has been and will continue to be a thriving business if given a chance;
- The community must be given a chance to retain the building as a public house and restaurant;
- Conversations had in the village indicate a significant and concerted determination to retain the pub;
- Consider the proposed change of use of the pub to essentially a four bedroom house should not be accepted in principle;
- There is absolutely no need for a house in the village where there are, and will be in the near future, plentiful homes available for purchase;
- It is against the interests of the village and the local region for the applicant to destroy a communal building with over 400 years of history and culture;
- The proposal wilfully ignores the interests of the local community;

- The loss of the Angel Public House would be a tragic loss for the community;
- The pub is essential to community and mental wellbeing;
- The loss of the Pub would be detrimental to the Tourist Trade;
- Businesses in Debenham benefit from Tourists visiting, especially in the summer. This has been in decline since the Angel has closed, as visitors are unable to stop for a drink or a meal;
- The pub previously employed a team of over 10 staff, providing much needed work for local people and could again;
- Consider pub has great potential for employment for young people in the village - surely this must be a sustainable aspiration;
- The pub is needed in this location in order to maintain a good and viable High Street;
- Another retail outlet or office space is not needed in the village at this particular time;
- Have little faith that the proposed commercial space would be taken up and used and consider the whole building will eventually be given over to housing;
- Consider the proposed extensions to the listed building would harm its character and significance and are inappropriate with the conservation area;
- Agree with the Heritage and Design Officer's comment that the best use for a listed building will be the one it was built for, in this instance a Public House;
- Questions raised with regards land ownership, notices served and the accuracy of plans submitted;
- Consider proposal is contrary to Neighbourhood Plan Policies DEB 11, DEB 13, DEB 18, Local Plan Policy E6 and MSDC SPD Retention of Shops, Post Offices and Public Houses (2004);
- The application states that the community group did not make an offer on the Pub - evidence provided that this was not the case.

(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: 4374/15	Planning Application - Partial change of use, erection of first floor extension to reinstate former 2 storey rear wing, internal alterations to public house to reinstate former separate dwelling at The Angel whilst retaining the public house as a community facility (Revised scheme to that submitted under ref. 2494/14 & 2475/14)	DECISION: Refused by MSDC - 03.03.2016 Granted by PINS on Appeal - Ref: APP/W3520/W/16/3146428 - 14.06.2016
REF: 4375/15	Application for Listed Building Consent - Erection of first floor extension to reinstate former 2 storey rear wing and former separate dwelling, internal alterations including relocation of toilet facilities, to retain the public house as a community facility	DECISION: Refused by MSDC - 03.03.2016 Granted by PINS on Appeal - Ref: APP/W3520/Y/16/3146429 - 14.06.2016
REF: 2423/15	First floor extension to re-instate former 2 storey rear wing and former separate	DECISION: Withdrawn 21.10.2015

dwelling, internal alterations including re-location of toilet facilities, to retain the public house as a community facility.

REF: 2424/15	Revised Scheme to that submitted ref. 2494/14 & 2475/14 - Partial change of use, first floor extension to re-instate former 2 storey rear wing, internal alterations to public house to reinstate former separate dwelling at The Angel whilst retaining the public house as a community facility	DECISION: Withdrawn 21.10.2015
REF: 2494/14	Partial change of use, re-instatement of former 2 storey rear wing and further extensions to rear, internal alterations to public house to reinstate former separate dwelling at The Angel whilst retaining the public house in a reduced form as a community facility	DECISION: Failed to determine - Appeal Dismissed - 31.10.2014
REF: 2475/14	Re-instatement of a former 2 storey rear wing and further extensions to rear to re-instate former separate dwelling adjacent to the Angel, internal alterations including re-location of toilet facilities, to retain the public house as a community facility.	DECISION: Failed to determine - Appeal Dismissed - 31.10.2014
REF: 2648/13	Re-location of existing wall hung sign depicting "The Angel" and associated lighting	DECISION: GTD 31.10.2013
REF: 2637/13	Advertisement Consent Application: Re-location of existing wall hung sign depicting "The Angel" and associated lighting.	DECISION: GTD 01.11.2013
REF: 2623/12	Erection of two storey detached 3 bedroom dwelling with integrated garage. Creation of new vehicular access.	DECISION: REF 18.04.2013
REF: 1747/11	Erection of a willow panel fence and a gate in the rear garden.	DECISION: GTD 19.07.2011
REF: 0148/03/LB	Re-build damaged out buildings. The walls to be re-built with re-claimed Suffolk red bricks. The previous flat Asbestos Concrete had to be replaced with a pitched roof with ridge in pantiles (re-claimed) to match adjoining buildings.	DECISION: GTD 22.09.2003

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1. The application site lies on the eastern side of High Street, Debenham, at the centre of the village, within the village settlement boundary. Debenham is defined as a Key Service Centre within the current development plan.
- 1.2. The site comprises the existing Angel Public House, which is Grade II listed. The core of the building dates from the 1400s, with extensions added in the 1500s and 1600s. Your Heritage Officers consider the building is likely to have been an Inn from the mid 1500's, and the building is first recorded as 'The Angel' in 1621. In more recent times the building has been subdivided into residential and commercial elements. Your Heritage Officers advise that, although after several significant phases of development the building does not have the importance and integrity as a whole that would warrant a grading at II* (Two Star), it has several rare features including an open first floor gallery added in the 1500s to the rear elevation. Such features allowed spectators to watch performance and spectacles in the yard, and are generally associated with inns. The gallery extends along the rear of the 1500s element and is now enclosed as a first-floor passage. The existing modern single-storey addition to the rear of the building slightly obscures its original form.
- 1.3. In 2016 a scheme for change of use and extension of the northern bay of the building was granted upon appeal by the planning inspectorate (MSDC refs: 4374/15 and 4375/15).
- 1.4. The site affects the setting of Grade II* buildings, at nos. 1 and 3 High Street (The former 'Swiss Farm Butchers'), which lies adjacent to the north.
- 1.5. The site lies within, and therefore directly affects, the Debenham Conservation Area.
- 1.6. Although located within the High Street and Historic Core of the Village, the site lies outside the Retail Core of the Village, as defined in the Neighbourhood Plan proposals maps. Your officers therefore consider that Neighbourhood Plan Policy DEB 13 is not engaged.
- 1.7. A large proportion of the site and building also lie within Environment Agency (EA) Flood Zone 2, where there is between a 1 in 100 and 1 in 1,000 annual probability of flooding.
- 1.8. Whilst the site does not provide on-site parking for patrons, on-site parking is currently available for approximately 8 no. Cars within a gravel courtyard to the rear of the building, via an access archway to High Street.

2. The Proposal

- 2.1. The application seeks listed building consent for works to facilitate the change of use of the building from a Public House, with ancillary living accommodation, to a 1 no. 4 bedroom dwelling with Class E Retail/Office space at ground floor level.
- 2.2. The re-building of the existing modern rear extensions of the building are proposed, which would involve the erection of a two-storey rear extension and a single-storey rear glazed extension, with a glazed lean-to roof. Internal alterations are also proposed.
- 2.3. The existing gravelled courtyard to the rear of the building would also be converted to a private residential garden. 4 no. private parking spaces are proposed to be retained, within the rear-courtyard area, as part of the proposal.

- 2.4. Within the historic part of the building, proposed physical alterations would involve: The removal of an internal draught lobby at ground floor; The removal of an existing window and part of the existing south wall of the historic gallery at first-floor level (to gain access to the proposed two-storey extension and bedroom 2); and Insertion of a partition to form a bathroom at first-floor.
- 2.5. The existing single-storey flat-roofed extension to the rear elevation is proposed to be removed and replaced with a single-storey lean-to extension and a two-storey extension, which would provide a master bedroom at first-floor.
- 2.6. The proposed single-storey lean-to extension would be predominantly glazed, with a glazed roof intended to better reveal the significance of the historic gallery to the rear of the building.
- 2.7. The proposed two-storey element would leave a gap of 450mm between the existing rear external wall of the building and the main structure of the extension and would be filled with a valley gutter and other panels. The proposed extension would appear as a separate structure immediately behind the listed building, only minimally attached and avoiding subservience. The proposed extension would be of a contrasting, contemporary design finished in external facing softwood weatherboarding, stained black, with a natural slate roof.

3. Design, Layout and Impact on Heritage Assets

- 3.1. Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. It is the view of your officers that the optimum viable use for a listed building is that for which it was originally constructed for. In this instance the first preference should be for the building to remain a public house or in a related hospitality use.
- 3.2. Your Heritage Officers advise that, should it be demonstrated to the Council's satisfaction that the present use and similar uses are not viable, then there would likely be some compromise to the building's heritage value resulting from necessary alterations to facilitate a new use. Your Heritage Officers advise that the harm resulting from such works should be avoided or minimised.
- 3.3. Within the historic part of the building, your Heritage Officers advise that alterations would be quite limited. As the integrity of the planform at first-floor has been lost in previous alterations, this is not considered to have harmful impact provided the partition is not on the line of the chamfered tie-beam. Your Heritage Officers advise that the Heritage Statement provided with the application incorrectly states that it is.
- 3.4. Your Heritage Officers have considerable concerns with regards the impact of the proposed extensions on the building's existing fabric, on its architectural character, and on appreciation of its features of special interest.
- 3.5. Your Officers consider the proposed extension would appear as a separate structure immediately behind the listed building, minimally attached and avoiding subservience, which contrasts with traditional buildings where subsequent additions are intimately attached with an impression of organic development. Your officers consider the proposed extension would appear assertive and incongruous in this context. In particular its northern wall would sit over a void at ground floor, a disturbing effect that seems to make the relationship of internal and external volumes incoherent and ambiguous, which should be avoided in extending traditional buildings.

- 3.6. Your officers you not agree with the applicant's view that the current unsatisfactory situation, where the flat roof attaches below the gallery, would be improved by attaching a lean-to glazed roof along the whole of its rear face. Your officers consider that the glazed roof would not be invisible, and at best it would be transparent and highly reflective. Your officers also do not consider that the flat roof's predecessor, a short pentice roof seen in a photograph of the 1930s, to be a suitable precedent.
- 3.7. Your officer's therefore consider that the proposed glazed lean-to would be detrimental to appreciation of the 16th Century Gallery to the rear of the building and the proposal would not, therefore, better reveal the significance of this very important feature. Your Heritage officers advise that the gallery is of very great interest and in the words of the NPPF its form should be 'better revealed' by new work, not obscured. It is the view of your Heritage Officers that the proposed extensions would have a harmful impact on the building's special architectural and historic significance and that the level of harm would be a medium level of less than substantial harm.
- 3.8. Your Heritage Officers stress that in their view harm to the building's heritage significance would arise not from the proposed change of use, from subdivision of the property, or from the associated alterations, but only from the size, scale and design of the proposed extension.
- 3.9. The NPPF expects 'clear and convincing justification' for any harm. Where the level of harm is considered to be less than substantial public benefits can also outweigh harm, whether benefits in heritage terms such as securing a new use for a building, or in other terms.
- 3.10. Your officers do not consider that statements accompanying the application offer sufficient justification for the harm identified. Your officers do not consider the applicant has provided sufficient explanation as to why extension of the building is required, and the existing building appears to be capable of providing a three or four bedroom dwelling without the need to extend further. Nowhere in the application is it suggested that the extension would enable some beneficial outcome that would not otherwise happen. Clear and convincing justification for the resultant harm to the significance of the heritage asset has not, therefore been provided.
- 3.11. For these reasons the application proposal is considered contrary to the provisions of Development Plan Policies CS5, HB1, HB3, HB4 and DEB 18 and to section 16 of the NPPF.

4. Parish Council Comments

- 4.1 The matters raised by Debenham Parish Council have been addressed in the above report.

PART FOUR – CONCLUSION

5. Planning Balance and Conclusion

- 5.1. The proposal would result in unjustified harm to the significant of the host Listed Building, a designated Heritage Asset, without sufficient justification for the harm being provided, and with no associated public benefit(s) being proposed to outweigh the harm identified. The proposal is, therefore, contrary to the provisions of development plan policies CS5, HB1, HB3, HB4 and DEB 18, and with paragraphs 194 and 196 of the NPPF in this regard.

RECOMMENDATION

That Members resolve to: REFUSE listed building consent, or in the event that the appeal has begun agree putative reasons for refusal, for the following reasons:-

- 1) It is considered that the proposed two-storey extension would appear assertive and incongruous and the proposed glazed lean-to extension would be detrimental to appreciation of the 16th Century Gallery to the rear of the building and would not, therefore, better reveal its significance. The proposed extensions would, therefore, result in less than substantial harm to the building's special architectural and historic significance. It is also not considered that statements accompanying the application offer sufficient justification for the harm identified. Furthermore, there are no public benefits associated with the proposed development which would outweigh the harm identified.

The proposal is, therefore, considered contrary to development plan policies FC1.1, CS5, HB1, HB3, HB4 and DEB 18, and to NPPF paragraphs 194 and 196 in these regards.

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Application No: DC/20/05596

Location: The Angel Inn, 5 High Street,
Debenham

Appendix 1: Call In Request	N/a	
Appendix 2: Details of Previous Decision	Refused LBC Application Ref: 4375/15 Appeal Decision ref: APP/W3520/Y/16/3146429	
Appendix 3: Town/Parish Council/s	Debenham Parish Council	
Appendix 4: National Consultee Responses	Historic England	
Appendix 5: County Council Responses	None Received	
Appendix 6: Internal Consultee Responses	MSDC - Heritage	
Appendix 7: Any other consultee responses	105 letters/emails/online comments received. 105 objections, 0 support and 0 general comment.	
Appendix 8: Application Site Location Plan	Yes	
Appendix 9: Application Plans and Docs	Yes	



Babergh and Mid Suffolk District Councils



Appendix 10: Further information	N/a	
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The attached appendices have been checked by the case officer as correct and agreed to be presented to the committee.



Debenham Parish Council- Recommendation and comments re. planning applications for “The Angel Inn”, 5 High Street, Debenham:

DC/20/05596 - Application for Listed Building Consent. Works to facilitate change of use from mixed C3/Sui Generis drinking establishment use to mixed C3/Class E and replacement of C20 rear extension and

DC/20/05595- Planning Application. Change of Use of mixed C3/Sui Generis drinking establishment use to mixed C3/Class E and replacement of C20 rear extension.

Recommendation: The Debenham Parish Council strongly recommends the refusal of both planning implications (which are intrinsically linked).

Comments: The Debenham Parish Council’s recommendation for the refusal of both applications was formed on the following basis:

- a) The applications are against a number of planning policies within the NPPF, MSDC Existing and emerging Local Plans, the Debenham Neighbourhood Plan and the Supplementary Planning Guidance- Retention of shops, post offices and public houses in villages (adopted February 2004).
- b) There is no evidence that the establishment was marketed diligently, at a fair price, for the required minimum length of time. A considerable number of statements made by the applicant can easily be challenged and their veracity is being contested by third parties.
- c) There is strong evidence of community support for the retention of the establishment. It has been in our village since the 16th Century and due to its central location has been the hub of the community for many years. It has brought the village together, has supported community events such as the Village Fete, has provided somewhere where people from all walks of life could meet and get to know each other, thus supporting community cohesion, and has a long-established symbiotic relationship with other businesses and organisations
 - A local community group was formed at the early stages when there was a risk this facility could be lost and this group has engaged with the Parish Council and the owners on numerous occasions.
 - There has been strong representation by the parish at meetings where similar applications have been discussed, including the latest one, albeit the meeting was held virtually.
 - A social media page was formed by the parish and some four hundred comments were logged against the application (representatives are looking at ways of transferring these to the planning portal).
 - The level of comments on the planning portal at this stage continues to be representative of the depth of feeling of this community.
 - The Parish Council applied for registration of ACV in May 2020 and although there have been some COVID-19 related delays, the process is ongoing.

Planning Policies:

DEBENHAM NEIGHBOURHOOD PLAN

Deb 10 (Supporting Financial Sustainability) a) 1. *“1. the siting, scale and design of any new buildings, or conversions of existing buildings and associated works, has regard to the local character and the historic and natural assets of the surrounding area;”* and 3 *“there will be no significant adverse impact from any traffic generated by the proposed development.”*

Deb 11 (Employment) *Any non-employment use proposed on sites and premises used for employment purposes, and that is expected to have an adverse effect on employment generation, will only be permitted where the local planning authority is satisfied that the proposal can demonstrate that it complies with other policies in this neighbourhood plan and other relevant adopted development plan policies, and one or more of the following criteria has been met (as appropriate to the site/premises and location); a) there is sufficient supply of alternative and suitable employment land available to meet local employment job growth requirements; b) evidence can be provided that genuine attempts have been made to sell/let the site in its current use, and that no suitable and viable alternative employment uses can be found or are likely to be found in the foreseeable future; c) the existing use has created over-riding environmental problems (e.g. noise, odours or traffic) and permitting an alternative use would be a substantial environmental benefit that would outweigh the loss of an employment site; d) an alternative use or mix of uses would offer greater benefits to the community in meeting local business and employment needs”*

DEB 13 (Policy 13 – Debenham’s Retail Core) *a) Change of use of ground floor shops or services to residential within the core retail area identified on the Proposals Map will only be considered favourably where the business has been marketed diligently at a fair market price and continuously for at least one year.”*

DEB 18 (Policy 18 – Historic Environment) *To ensure the conservation and enhancement of Debenham’s historic environment, proposals should, where appropriate: preserve or enhance the significance of the heritage assets of the village, their setting and the wider streetscape, including views into, within and out of the conservation area; b) retain buildings and spaces, the loss of which would cause harm to the character or appearance of the conservation area; e) demonstrate a clear understanding of the significance of the asset and of the wider context in which the heritage asset sits, alongside assessment of the potential impact of the development on the heritage asset and its context.”*

MID SUFFOLK DISTRICT COUNCIL- (EMERGING) LOCAL PLAN

Policy SP07 – Tourism *1) Settlements across Babergh and Mid Suffolk, many of which contain historic assets, tourism and leisure facilities, play an important role within the Districts. New development that supports this role will be encouraged, where appropriate in the scale, character and nature of their locality. 2) Historic, recreational and landscape-based tourism proposals that demonstrate protection and enhancement of heritage, the environment and landscape assets will be actively encouraged.*

Policy LP03 - Residential Extensions and Conversions *d) Will not materially, unacceptably or detrimentally affect the amenities of neighbouring properties or adversely affect neighbouring commercial uses. d) Will not materially, unacceptably or detrimentally affect the amenities of neighbouring properties or adversely affect neighbouring commercial uses.*

Policy LP13 - Safeguarding Economic Opportunities *2. The Councils shall resist the loss of identified employment sites, as well as other land and premises in lawful employment /commercial use.*

Policy LP21 - The Historic Environment

Policy LP31 - Services and Facilities Within the Community *2. Loss of facilities -Development involving or comprising of the loss of an existing community facility, service or a premises, which is currently or last used to provide such use, will only be permitted if either; a. Compensatory provision of an alternative or improved facility will be, provided in an equally accessible or improved location; or b. The applicant can sufficiently demonstrate that the service or facility is not viable or valued by the community, either in its current or future form and is not needed for an alternative community use. 3. Evidence to demonstrate that a service or facility is not viable, either in its current or future form should be agreed with the Council in advance (before being gathered) and should include: a. A sustained marketing period of 6 months, undertaken at a realistic asking price and on a range of terms and in an appropriate format by an independent qualified assessor; and b. Regard to any material considerations, designations or adopted plans for the area.*

MID SUFFOLK DISTRICT COUNCIL LOCAL PLAN 1998- E6 RETENTION OF INDIVIDUAL INDUSTRIAL AND COMERCIAL SITES, Policy E6

The district planning authority recognises the importance of existing industrial and commercial sites as providing local employment opportunities. In considering applications for change of use or the redevelopment of existing premises to non-employment generating activities, the district planning authority will expect a significant benefit for the surrounding environment, particularly in terms of improved residential amenity or traffic safety

SUPPLEMENTARY PLANNING GUIDANCE- RETENTION OF SHOPS, POST OFFICES AND PUBLIC HOUSES IN VILLAGES (ADOPTED FEBRUARY 2004) 3.2 and 5.4.

Please note case law and appeal decision in the case of North Wiltshire District Council v The White Horse Inn, Station road, Minety, in particular the similarities with the applications being considered:

In the case of The Angel Inn, the applicant argued that the business was not viable before its closure. Evidence can be provided that this was not the case and that the previous Landlady was willing to continue managing this profitable business but that her lease/tenancy were terminated by the owner.

Although there is another pub in the village, "The Woolpack", it is an extremely small one, which cannot cater for families or groups and is without disabled access, thus excluding a considerable proportion of a growing core village.

The projections for growth and development on the Debenham Neighbourhood Plan have also highlighted the need for a suitably sized, accessible and mixed provision public house/restaurant/community hub, for which the Angel is ideally located due to its central, High Street location.

The loss of this remaining principle public house in the village would be detrimental to the well-being of the community in general and would unnecessarily add to the unfair feeling of exclusion and discrimination not just to parishioners with a physical disability but also families. It would also be detrimental to tourism and visitors and would therefore affect the economic viability of some of our existing businesses.

Contrary to the information provided with the application, it can be evidenced that the pub was not suitably marketed for sale at a competitive price for the period indicated. It can also be evidenced that offers to purchase the business by a local community group were not progressed due to the owner's inability to negotiate in a fair and timely manner.

The financial viability of the business itself can be further evidenced by a full professional survey, which was commissioned by the Debenham Parish Council in response to public demand for action. This may be provided by request.

NATIONAL PLANNING POLICY FRAMEWORK (February 2019)

29. *Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies¹⁶.*

30. *Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently*

80. *Planning policies and 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. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.*

83. *Planning policies and decisions should enable: (...) d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.*

91. *Planning policies and decisions should aim to achieve healthy, inclusive and safe places which: a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other.*

92. *To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments; c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs; d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community.*

184. *Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value⁶¹. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.*

192. *In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality.*

194. *Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*

195. *Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent,*

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

From: debenham.pc@btinternet.com <debenham.pc@btinternet.com>

Sent: 01 March 2021 14:24

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

Cc: Alex Scott <Alex.Scott@baberghmidsuffolk.gov.uk>

Subject: RE: MSDC Planning Consultation Request - DC/20/05596

Dear Alex

Following the recent re-submission of both Angel Inn applications (DC/20/05596 and DC/20/05595), please note that the Debenham Parish Council would like to re-submit the comments previously sent to Planning, with the addition of the following:

The Parish Council concurs with the Heritage Officer's report and continues to strongly recommend the refusal of both planning applications .

May we please also add that since the first applications were submitted, the Parish Council has successfully applied for the re-registration of the Angel Inn as an Asset of Community Value.

Kindest regards

Dina

Mrs Dina Bedwell, BEd (Hons), CPE, CiLCA Parish Clerk and Responsible Financial Officer- Debenham Parish Council Office Hours: Monday, Tuesday and Friday 9.30am to 3.30pm Tel. 01473 787861 (messages may be left on answermachine)

Thank you for contacting the Debenham Parish Council. Should a response to your e-mail be necessary, we aim to respond within the next seven working days.

debenham.pc@btinternet.com

Confidentiality and Privilege: This email and its attachments are intended for the above named only and may be confidential. If they have come to you in error you must take no action based on them, nor must you copy or show them to anyone; please reply to this email and highlight the error. This document is privileged and the benefit of the privilege belongs to Debenham Parish Council. The provision of this document does not amount to any waiver of privilege. This document is provided to the recipient intended in complete confidence and should not be disclosed to any other person without the Debenham Parish Council's prior consent.

Debenham Parish Council- Recommendation and comments re. planning applications for “The Angel Inn”, 5 High Street, Debenham (February 2021):

DC/20/05596 - Application for Listed Building Consent. Works to facilitate change of use from mixed C3/Sui Generis drinking establishment use to mixed C3/Class E and replacement of C20 rear extension and

DC/20/05595- Planning Application. Change of Use of mixed C3/Sui Generis drinking establishment use to mixed C3/Class E and replacement of C20 rear extension.

Recommendation: The Debenham Parish Council strongly recommends the refusal of both planning implications (which are intrinsically linked).

Comments: The Debenham Parish Council’s recommendation for the refusal of both applications was formed on the following basis:

- a) The applications are against a number of planning policies within the NPPF, MSDC Existing and emerging Local Plans, the Debenham Neighbourhood Plan and the Supplementary Planning Guidance- Retention of shops, post offices and public houses in villages (adopted February 2004).
- b) There is no evidence that the establishment was marketed diligently, at a fair price, for the required minimum length of time. A considerable number of statements made by the applicant can easily be challenged and their veracity is being contested by third parties.
- c) There is strong evidence of community support for the retention of the establishment. It has been in our village since the 16th Century and due to its central location has been the hub of the community for many years. It has brought the village together, has supported community events such as the Village Fete, has provided somewhere where people from all walks of life could meet and get to know each other, thus supporting community cohesion, and has a long-established symbiotic relationship with other businesses and organisations
 - A local community group was formed at the early stages when there was a risk this facility could be lost and this group has engaged with the Parish Council and the owners on numerous occasions.
 - There has been strong representation by the parish at meetings where similar applications have been discussed, including the latest one, albeit the meeting was held virtually.
 - A social media page was formed by the parish and some four hundred comments were logged against the application (representatives are looking at ways of transferring these to the planning portal).
 - The level of comments on the planning portal at this stage continues to be representative of the depth of feeling of this community.
 - The Parish Council applied for registration of ACV in May 2020 and although there have been some COVID-19 related delays, the process is ongoing.

Planning Policies:

DEBENHAM NEIGHBOURHOOD PLAN

Deb 10 (Supporting Financial Sustainability) a) 1. “1. the siting, scale and design of any new buildings, or conversions of existing buildings and associated works, has regard to the local character and the historic and natural assets of the surrounding area;” and 3 “there will be no significant adverse impact from any traffic generated by the proposed development.”

Deb 11 (Employment) Any non-employment use proposed on sites and premises used for employment purposes, and that is expected to have an adverse effect on employment generation, will only be permitted where the local planning authority is satisfied that the proposal can demonstrate that it complies with other policies in this neighbourhood plan and other relevant adopted development plan policies, and one or more of the following criteria has been met (as appropriate to the site/premises and location); a) there is sufficient supply of alternative and suitable employment land available to meet local employment job growth requirements; b) evidence can be provided that genuine attempts have been made to sell/let the site in its current use, and that no suitable and viable alternative employment uses can be found or are likely to be found in the foreseeable future; c) the existing use has created overriding environmental problems (e.g. noise, odours or traffic) and permitting an alternative use would be a substantial environmental benefit that would outweigh the loss of an employment site; d) an alternative use or mix of uses would offer greater benefits to the community in meeting local business and employment needs”

DEB 18 (Policy 18 – Historic Environment) To ensure the conservation and enhancement of Debenham’s historic environment, proposals should, where appropriate: preserve or enhance the significance of the heritage assets of the village, their setting and the wider streetscape, including views into, within and out of the conservation area; b) retain buildings and spaces, the loss of which would cause harm to the character or appearance of the conservation area; e) demonstrate a clear understanding of the significance of the asset and of the wider context in which the heritage asset sits, alongside assessment of the potential impact of the development on the heritage asset and its context.”

MID SUFFOLK DISTRICT COUNCIL- (EMERGING) LOCAL PLAN

Policy SP07 – Tourism 1) Settlements across Babergh and Mid Suffolk, many of which contain historic assets, tourism and leisure facilities, play an important role within the Districts. New development that supports this role will be encouraged, where appropriate in the scale, character and nature of their locality. 2) Historic, recreational and landscape-based tourism proposals that demonstrate protection and enhancement of heritage, the environment and landscape assets will be actively encouraged.

Policy LP03 - Residential Extensions and Conversions *d) Will not materially, unacceptably or detrimentally affect the amenities of neighbouring properties or adversely affect neighbouring commercial uses. d) Will not materially, unacceptably or detrimentally affect the amenities of neighbouring properties or adversely affect neighbouring commercial uses.*

Policy LP21 - The Historic Environment

Policy LP31 - Services and Facilities Within the Community *2. Loss of facilities -Development involving or comprising of the loss of an existing community facility, service or a premisses, which is currently or last used to provide such use, will only be permitted if either; a. Compensatory provision of an alternative or improved facility will be, provided in an equally accessible or improved location; or b. The applicant can sufficiently demonstrate that the service or facility is not viable or valued by the community, either in its current or future form and is not needed for an alternative community use. 3. Evidence to demonstrate that a service or facility is not viable, either in its current or future form should be agreed with the Council in advance (before being gathered) and should include: a. A sustained marketing period of 6 months, undertaken at a realistic asking price and on a range of terms and in an appropriate format by an independent qualified assessor; and b. Regard to any material considerations, designations or adopted plans for the area.*

MID SUFFOLK DISTRICT COUNCIL LOCAL PLAN 1998- E6 RETENTION OF INDIVIDUAL INDUSTRIAL AND COMERCIAL SITES, Policy E6

The district planning authority recognises the importance of existing industrial and commercial sites as providing local employment opportunities. in considering applications for change of use or the redevelopment of existing premises to non-employment generating activities, the district planning authority will expect a significant benefit for the surrounding environment, particularly in terms of improved residential amenity or traffic safety

SUPPLEMENTARY PLANNING GUIDANCE- RETENTION OF SHOPS, POST OFFICES AND PUBLIC HOUSES IN VILLAGES (ADOPTED FEBRUARY 2004) 3.2 and 5.4.

Please note case law and appeal decision in the case of North Wiltshire District Council v The White Horse Inn, Station road, Minety, in particular the similarities with the applications being considered:

In the case of The Angel Inn, the applicant argued that the business was not viable before its closure. Evidence can be provided that this was not the case and that the previous Landlady was willing to continue managing this profitable business but that her lease/tenancy were terminated by the owner.

Although there is another pub in the village, “The Woolpack”, it is an extremely small one, which cannot cater for families or groups and is without disabled access, thus excluding a considerable proportion of a growing core village.

The projections for growth and development on the Debenham Neighbourhood Plan have also highlighted the need for a suitably sized, accessible and mixed provision public house/restaurant/community hub, for which the Angel is ideally located due to its central, High Street location.

The loss of this remaining principle public house in the village would be detrimental to the well-being of the community in general and would unnecessarily add to the unfair feeling of exclusion and discrimination not just to parishioners with a physical disability but also families. It would also be detrimental to tourism and visitors and would therefore affect the economic viability of some of our existing businesses.

Contrary to the information provided with the application, it can be evidenced that the pub was not suitably marketed for sale at a competitive price for the period indicated. It can also be evidenced that offers to purchase the business by a local community group were not progressed due to the owner’s inability to negotiate in a fair and timely manner.

The financial viability of the business itself can be further evidenced by a full professional survey, which was commissioned by the Debenham Parish Council in response to public demand for action. This may be provided by request.

NATIONAL PLANNING POLICY FRAMEWORK (February 2019)

29. *Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies¹⁶.*

30. *Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently*

80. *Planning policies and 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. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.*

83. *Planning policies and decisions should enable: (...) d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.*

91. *Planning policies and decisions should aim to achieve healthy, inclusive and safe places which: a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other.*

92. *To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments; c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs; d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community.*

184. *Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value⁶¹. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.*

192. *In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality.*

194. *Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*

195. *Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent,*



Sir/Madam Alex Scott
Babergh Mid Suffolk District Council
Endeavour House
8 Russell Road
Ipswich
Suffolk
IP1 2BX

Direct Dial: 01223 582751

Our ref: **W:** P01332830

5 February 2021

Dear Sir/Madam Scott

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

**THE ANGEL INN, 5 HIGH STREET, DEBENHAM, STOWMARKET, SUFFOLK, IP14
6QL
Application No. DC/20/05595**

Thank you for your letter of 4 February 2021 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

L. Fawkes

Lynette Fawkes

Inspector of Historic Building and Areas
E-mail: lynette.fawkes@historicengland.org.uk



24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU

Telephone 01223 582749
HistoricEngland.org.uk





Alex Scott
Babergh Mid Suffolk District Council
Endeavour House
8 Russell Road
Ipswich
Suffolk
IP1 2BX

Direct Dial: 01223 582751

Our ref: **W:** P01332830

21 December 2020

Dear Alex Scott

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

**THE ANGEL INN, 5 HIGH STREET, DEBENHAM, STOWMARKET, SUFFOLK, IP14
6QL
Application No. DC/20/05595**

Thank you for your letter of 11 December 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 Building and Areas
E-mail: lynette.fawkes@historicengland.org.uk



24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU

Telephone 01223 582749
HistoricEngland.org.uk



Your Ref:DC/20/05595
Our Ref: SCC/CON/0529/21
Date: 23 February 2021
Highways Enquiries to: Highways.DevelopmentControl@suffolk.gov.uk



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

Email: planning@babberghmidsuffolk.gov.uk

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

For the attention of: Alex Scott

Dear Alex,

TOWN AND COUNTRY PLANNING ACT 1990

CONSULTATION RETURN: DC/20/05595

PROPOSAL: Planning Application. Change of Use of mixed C3/Sui Generis drinking establishment use to mixed C3/Class E and replacement of C20 rear extension

LOCATION: The Angel Inn, 5 High Street, Debenham, Stowmarket Suffolk IP14 6QL

Notice is hereby given that the County Council as Highway Authority make the following comments:

The proposed change of use would not have a significant impact on the highway network and is not considered to be detrimental to highway safety.

Therefore, SCC does not wish to raise an objection to DC/20/05595 under highway safety grounds.

Yours sincerely,

Kyle Porter
Development Management Technician
Growth, Highways and Infrastructure

Your Ref:DC/20/05595
Our Ref: SCC/CON/5102/20
Date: 22 December 2020
Highways Enquiries to: Highways.DevelopmentControl@suffolk.gov.uk



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

Email: planning@babberghmidsuffolk.gov.uk

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

For the attention of: Alex Scott

Dear Alex,

TOWN AND COUNTRY PLANNING ACT 1990

CONSULTATION RETURN: DC/20/05595

PROPOSAL: Change of Use of mixed C3/Sui Generis drinking establishment
use to mixed C3/Class E and replacement of C20 rear extension

LOCATION: The Angel Inn, 5 High Street, Debenham, Stowmarket Suffolk IP14 6QL

Notice is hereby given that the County Council as Highway Authority make the following comments:

The current proposal would not have a detrimental impact on the highway network at this location.
Therefore, SCC does not wish to raise an objection to DC/20/05595 under highway safety grounds.

Yours sincerely,

Kyle Porter
Development Management Technician
Growth, Highways and Infrastructure

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

From: BMSDC Economic Development <BMSDCEconomicDevelopment@baberghmidsuffolk.gov.uk>

Sent: 03 March 2021 10:13

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

Cc: Alex Scott <Alex.Scott@baberghmidsuffolk.gov.uk>

Subject: RE: MSDC Planning Consultation Request - DC/20/05595 - 01/01/2021

The plans that have been submitted, appears (although unclear) to be significantly weighted to residential with a small inadequately serviced area and would be unlikely to attract a business occupier.

Public Houses are a valued amenity, and we would regret the loss of the social and visitor amenity provided by a pub, and would be against the principal of an alternative commercial employment generating use.

Therefore we would not support it in its current format.

Kind Regards

Beccy Coombs

From: Paul Harrison <Paul.Harrison@babberghmidsuffolk.gov.uk>
Sent: 05 March 2021 16:27
To: Alex Scott <Alex.Scott@babberghmidsuffolk.gov.uk>; BMSDC Planning Area Team Blue <planningblue@babberghmidsuffolk.gov.uk>
Subject: DC 20 05595 Debenham amended plans

Heritage consultation response

Alex

In some respects the amended plans address my first comment.

The proposed two-storey extension is reduced in width so that it is attached to the later part of the listed building only rather than straddling across two parts. The structure's physical relationship with the existing building is not improved, with a gap of 450mm between the existing rear external wall and the main structure of the extension, filled with a valley gutter and other panels. The effect is that the extension would appear as a separate structure immediately behind the listed building, but only minimally attached and avoiding subservience, which contrasts with traditional buildings where subsequent additions are intimately attached with an impression of organic development.

The design of the extension as amended would now have a symmetrical rear elevation with less horizontal emphasis, and lower ridge, but would still appear assertive and incongruous in this context. In particular its northern wall seems now to sit over a void at ground floor, a disturbing effect that seems to make the relationship of internal and external volumes incoherent and ambiguous, which should be avoided in extending traditional buildings.

Reduction in the width of the two-storey extension leaves the first-floor gallery remaining exposed, but I do not agree that the current unsatisfactory situation, where the flat roof attaches below the gallery, would be improved by attaching a lean-to glazed roof along the whole of its rear face. The glazed roof would not be invisible – at best it would be transparent, and highly reflective. Neither do I consider the flat roof's predecessor, a short pentice roof seen in a photograph of the 1930s, to be a suitable precedent. My view remains that the lean-to would be detrimental to appreciation of this very important feature, and would not 'better reveal' its significance.

Investigative opening-up has been carried out where the proposed extension's first floor would be accessed from the rear gallery. The details describe modern finishes but do not describe the stud flanking the window. More importantly, the opening-up is in an area that would be unaffected by the proposed opening, which would be to the right of the window (as seen in the photo) up to the wall, and partly under the window. The opening-up should be extended to this area with horizontal and vertical strips to the full extent of the proposed opening.

In my view the proposed extensions as amended would have a harmful impact on the building's special architectural and historic significance; the level of harm is reduced by the amendments, but remains close to medium. I would repeat that in my view harm to the building's heritage significance would arise not from the change of use, or from subdivision of the property, or from the alterations associated with subdivision, but only from the size, scale and design of the proposed extension.

The statement submitted offers no explanation why an extension is proposed, and in particular makes no case for the success of the change of use being dependent on the extension. Accordingly I repeat my view that the extension does not offer any tangible

outcome that could be construed as a public benefit in the terms of the balance required in NPPF 196. Without the proposed extensions the proposal would potentially secure future use of the building with minimal harmful impacts. I recommend omission or further amendment of the rear extensions. If the extensions are not amended, then fabric to be removed in the former gallery should be further investigated as described above, prior to determination of the application.

Paul

Paul Harrison
Heritage and Design Officer

Consultation Response Pro forma

1	Application Number	DC/20/05595 Angel PH, Debenham	
2	Date of Response	19.1.21	
3	Responding Officer	Name:	Paul Harrison
		Job Title:	Heritage and Design Officer
		Responding on behalf of...	Heritage
4	Summary and Recommendation (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.	<ol style="list-style-type: none"> 1. I consider that the proposal would cause <ul style="list-style-type: none"> • less than substantial harm to a designated heritage asset because the proposed extensions would detract from its architectural and historic significance. • The level of harm is rated medium. 2. I recommend that the application be amended so as to omit the proposed extensions, or to reduce their impact. 	
5	Discussion 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>The significance of the building is authoritatively appraised in a report by Leigh Alston which was submitted with application 4375/15. The core of the building is a 1400s house extended by incorporation into a house of the mid-1500s, with a further extension to the south of the 1600s. The building is recorded as the Angel in 1621 and is likely to have been an inn from the mid-1500s. In more recent times the building has been subdivided into residential and commercial elements. Although after several significant phases of development the building does not have the importance and integrity as a whole that would warrant a grading at II*, it has several rare features including an open first floor gallery added in the 1500s to the rear elevation. Such features allowed spectators to watch performance and spectacles in the yard, and are generally associated with inns. The gallery extends along the rear of the 1500s element and is now enclosed as a first-floor passage. A single-storey addition to the rear slightly obscures its original form.</p> <p>History In 2016 a scheme for change of use and extension of the northern bay was granted upon appeal.</p> <p>Change of use It is generally considered that the best use for a listed building will be the one it was built for. In this instance the first preference should be for the building to remain</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.

	<p>a public house or in a related hospitality use, which would also serve to sustain the vitality and viability of the village.</p> <p>If it is demonstrated to the satisfaction of decision-makers that the present use and similar uses are not viable, there is likely to be some compromise to the building's heritage value resulting from necessary alterations to facilitate a new use, and the NPPF expects harm from such works to be avoided or minimised.</p> <p>Alterations Within the historic part of the building, alterations would be quite limited, with removal of an internal draught lobby at ground floor, and insertion of a partition to form a bathroom at first floor. As the integrity of the plan-form at first floor has been lost in previous alterations, this is not considered to have harmful impact provided the partition is not on the line of the the chamfered tie-beam (the Heritage Statement incorrectly states that it is).</p> <p>Extension The existing single-storey flat-roofed extension to the rear elevation would be removed and replaced with a single storey lean-to extension and an extension of two storeys with attic. The two-storey extension would provide a master bedroom at first floor. It would be in a contemporary idiom finished in weatherboarding and slate.</p> <p>I have considerable concerns over the impact of the proposed extension on existing fabric, on the building's architectural character, and on appreciation of its features of special interest.</p> <p>The extension would not relate well to the existing form of the building as it would awkwardly straddle the clear junction of the earlier part and the 1600s addition. It would be asymmetrical in its rear elevation, with some horizontal emphasis despite its steep roof. In scale it would dwarf the more respectful addition approved in 2016, and would form an assertive and incongruous addition.</p> <p>Moreover it would actually obscure from view the full form and extent of the 1500s gallery, identified in Leigh Alston's report as follows: <i>'Its chief historic interest relates to a rare and exceptionally well preserved rear gallery of the 16th</i></p>
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	<p><i>century that allowed external access to the first-floor guest rooms ...'</i></p> <p>At present the flat-roofed extension partly respects this feature by tucking underneath it, but the present proposal would raise a lean-to roof against the gallery, removing the overhang from sight. With the south end and the overhang hidden, the gallery disappears as a feature. The proposal includes forming a doorway from the gallery into the proposed extension, but it is not clear what the merit is of fabric or features to be removed; the application should demonstrate that no historic fabric would be affected.</p> <p>The Heritage Statement seems to depart from Mr Alston's appraisal by playing down the importance of the gallery, and the impact upon it (6.13, 6.17, 7.5). But the Statement does acknowledge that the proposal would result in harm, while claiming that it would 'complement the listed building' (6.17). The Planning Statement similarly states that 'the rear elevation (including the 16th century gallery) would remain completely unaffected'.</p> <p>I disagree strongly with these points. The gallery is of very great interest and in the words of the NPPF its form should be 'better revealed' by new work, not obscured. In my view the proposed extensions would have a harmful impact on the building's special architectural and historic significance; the level of harm would be medium. I would stress that in my view harm to the building's heritage significance would arise not from the change of use, from subdivision of the property, or from the associated alterations, but only from the size, scale and design of the proposed extension.</p> <p>Justification</p> <p>The NPPF expects 'clear and convincing justification' for any harm. Public benefits can also outweigh harm, whether benefits in heritage terms such as securing a new use for a building, or in other terms.</p> <p>Statements which accompany the application offer no justification for this harm. In my view there is no explanation why an extension is proposed – the existing building appears to provide a viable three-bedroom unit, and it is nowhere suggested that the extension would enable some beneficial outcome that would not otherwise happen. I would also point out that complying with NPPF policies can hardly be construed as a public benefit – clear and convincing justification for harm is required.</p>
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		<p>In my view without the proposed extensions the proposal would potentially secure future use of the building with minimal harmful impacts. In fact it may even be possible that more modest and respectful extensions would avoid harm.</p> <p>On a technical point, the elevation drawings are not consistent as the rear elevation of the proposed extension has a projecting window feature, which is not shown on the side elevation drawings.</p>
6	<p>Amendments, Clarification or Additional Information Required (if holding objection)</p> <p>If concerns are raised, can they be overcome with changes? Please ensure any requests are proportionate</p>	<p>I recommend omission or amendment of the rear extensions.</p> <p>If the proposal is not amended, then the nature and merit of fabric to be removed in the former gallery should be confirmed by investigative opening-up prior to any decision.</p>
7	<p>Recommended conditions</p>	<p>Notwithstanding the above, if recommendation is favourable, removal of redundant cables, ducts, services and devices from the rear elevation should be secured.</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.

From: David Harrold <David.Harrold@babberghmidsuffolk.gov.uk>
Sent: 16 February 2021 09:10
To: BMSDC Planning Mailbox <planning@babberghmidsuffolk.gov.uk>
Cc: Alex Scott <Alex.Scott@babberghmidsuffolk.gov.uk>
Subject: Plan ref - DC/20/05595 The Angel Inn, 5 High Street, Debenham. Environmental Health - Noise/Odour/Light/Smoke

Thank you for reconsulting on the above application and further information received with respect to revised drawings.

I can confirm with respect to noise and other environmental health issues that I do not have any further comments to make.

David Harrold MCIEH
Senior Environmental Health Officer

Babergh & Midsuffolk District Councils
t: 01449 724718
e: david.harrold@babberghmidsuffolk.gov.uk

From: Andy Rutson-Edwards <Andy.Rutson-Edwards@babberghmidsuffolk.gov.uk>

Sent: 16 December 2020 10:27

To: Alex Scott <Alex.Scott@babberghmidsuffolk.gov.uk>; BMSDC Planning Area Team Blue <planningblue@babberghmidsuffolk.gov.uk>; BMSDC Planning Mailbox <planning@babberghmidsuffolk.gov.uk>

Subject: DC/20/05595

Environmental Health -
Noise/Odour/Light/Smoke

APPLICATION FOR PLANNING PERMISSION - DC/20/05595

Proposal: Planning Application. Change of Use of mixed C3/Sui Generis drinking establishment

use to mixed C3/Class E and replacement of C20 rear extension

Location: The Angel Inn, 5 High Street, Debenham, Stowmarket Suffolk IP14 6QL

Thank you for the opportunity to comment on this application.

Environmental Protection have no objections in principle. However, the demolition and construction works have the potential to have an adverse effect on the existing premises. I would therefore recommend the following conditions:

- Demolition and Construction working hours:
Noise intrusive work during the construction of the development must take place between the following hours:
Monday to Friday between 08:00hrs and 18:00hrs
Saturday between 09:00hrs and 13:00hrs
No work to be undertaken on Sunday, bank or public holidays
Note: The above shall also apply to deliveries.
- ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT:
CONSTRUCTION MANAGEMENT TO BE AGREED
Prior to the commencement of development details of the construction methodology 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 the method of any demolition to take place, including the recycling and disposal of said materials resulting from demolition.(All waste removed shall be sheeted prior to transportation from site) The development shall at all times be undertaken in accordance with the agreed methodology approved in writing by the Local Planning Authority.

Reason - To minimise detriment to nearby residential and general amenity by controlling the construction process to achieve the approved development. Note: This condition is required to be agreed prior to the commencement of any demolition or construction process

Andy

Andy Rutson-Edwards, MCIEH AMIOA

Senior Environmental Protection Officer

Babergh and Mid Suffolk District Council - Working Together

Tel: 01449 724727

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Appeal Decisions

Site visit made on 1 June 2016

by J Flack BA Solicitor

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 14 June 2016

Appeal A: APP/W3520/W/16/3146428

The Angel Inn, 5 High Street, Debenham, Suffolk IP14 6QL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Stacey Paine against the decision of Mid Suffolk District Council.
 - The application Ref 4374/15, dated 14 December 2015, was refused by notice dated 3 March 2016.
 - The development proposed is described as partial change of use, first floor extension to reinstate former 2 storey rear wing, internal alterations to public house to reinstate former separate dwelling at The Angel whilst retaining the public house as a community facility”.
-

Appeal B: APP/W3520/Y/16/3146429

The Angel Inn, 5 High Street, Debenham, Suffolk IP14 6QL

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mrs Stacey Paine against the decision of Mid Suffolk District Council.
 - The application Ref 4375/15, dated 14 December 2015, was refused by notice dated 3 March 2016.
 - The works proposed are described as first floor extension to reinstate former 2 storey rear wing and former separate dwelling, internal alterations including relocation of toilet facilities, to retain the public house as a community facility.
-

Decisions

1. **Appeal A:** the appeal is allowed and planning permission is granted for partial change of use, first floor extension to reinstate former 2 storey rear wing, internal alterations to public house to reinstate former separate dwelling at The Angel whilst retaining the public house as a community facility at The Angel Inn, 5 High Street, Debenham, Suffolk IP14 6QL in accordance with the terms of the application, Ref 4374/15, dated 14 December 2015, subject to the conditions set out in the Schedule to this decision.
2. **Appeal B:** the appeal is allowed and listed building consent is granted for first floor extension to reinstate former 2 storey rear wing and former separate dwelling, internal alterations including relocation of toilet facilities, to retain the public house as a community facility at The Angel Inn, 5 High Street, Debenham, Suffolk IP14 6QL in accordance with the terms of the application

Ref 4375/15, dated 14 December 2015 subject to the conditions set out in the Schedule to this decision.

Preliminary matters

3. The proposed development and works (the appeal proposal) follow on from a previous proposal (the previous proposal). Appeals against the Council's failure to determine applications for planning permission and listed building consent for the previous proposal were dismissed on 6 February 2015. It is important that there be consistency in planning decisions, and these appeal decisions¹ are thus of substantial materiality to my assessment of the appeal proposal. I have however assessed the appeal proposal on its own merits in the light of the evidence before me, noting carefully the various differences between the two proposals.

Application for costs

4. An application for costs in relation to both appeals was made by Mrs Stacey Paine against Mid Suffolk District Council. This application is the subject of separate Decisions.

Main Issues

5. The main issues are:-
 - Appeals A and B: Whether the appeal proposal would preserve the Grade II listed building known as the Angel Inn, any features of special architectural or historic interest that it possesses and the setting of this and adjacent listed buildings, and whether it would preserve the character or appearance of the Debenham Conservation Area; and
 - Appeal A: The effect of the appeal proposal on the long term future of the public house.

Reasons

Listed buildings and conservation area

6. The appeal listed building has its origins in the C15 and contains substantial C16 and C17 elements. Although the building has been subject to various modern alterations and losses, it remains a valuable example of vernacular architecture, retaining many features of historical importance which illustrate its early evolution. These include remarkable apotropaic symbols incised on two C16 fireplace lintels, a plank and muntin screen and door head adjacent to one of the front entrances, and a rare C16 inn gallery at the rear of the building. I saw that there is some rot to window frames, but this is very localised and in general the building appears to be well-maintained. Given all of these matters, and the reinforcement of the mixed residential and commercial character of the village centre which the current public house use provides, the appeal building makes a substantial positive contribution to the conservation area, which includes many fine historic buildings. Of particular note in the context of the appeal proposal is the Grade II* listed 1-3 High Street, which contains a rear wing of high historical status adjoining the location of the proposed extension to the appeal building.

¹ APP/W3520/A/14/2227486 and APP/W3520/E/14/2227489

7. This extension would be of two storey height, replacing the present single storey rear wing extending along the boundary with No 3. The wing is an unattractive and dissonant C20 structure with a flat roof, and the evidence before me concurs that its removal would be beneficial to the appeal listed building. Whilst the proposed extension would wrap around the northern extremity of the gallery, it would do so to only a very limited extent which would not be materially harmful to the significance of this element of the building. Nor would the extension involve any unacceptable interference with or loss of historic fabric, noting in particular that, at first floor level, the northern wall of the gallery and the east wall of the northernmost room of the building comprise modern blockwork.
8. The scale of the proposed extension would be considerably less than that proposed by the previous scheme. Although the extension would be slightly wider than the early wing which the present C20 extension replaced, it would overall be narrower than the extension proposed by the previous scheme. Moreover, the two storey garden room and connecting element proposed by the previous proposal have been deleted. In my view, the appeal proposal represents a considerable improvement over the previous proposal in terms of its bulk and complexity. No part of the extension would project beyond the adjoining rear wing of No 3, and the modesty and simplicity of its form and design would achieve a satisfactory and appropriately respectful relationship with the appeal building and No 3.
9. The rooflights proposed would be minor features on the less sensitive north roof slope of the extension, and although some further information is necessary to resolve the final appearance of detailing and materials of the proposed works, this could be satisfactorily addressed by appropriate conditions. I recognise that the proposal would involve some landscaping and other works to create a boundary for the new dwelling together with parking and private amenity areas, but these would be minor works which would not impact materially on the setting of the appeal building or other adjacent listed buildings.
10. Given the significance of the adjoining rear wing of No 3, it will be important that construction of the extension does not compromise this structure. However, a letter² from a structural engineer and an accompanying drawing are before me. There is no substantial evidence before me to contradict the letter's statement that the proposed configuration of the extension's structure would be such as to secure that no additional loading would be imposed by the extension on the party wall, and that there would be no undermining of its foundations due to the proposed steel frame and isolated foundations of the extension. Historic England and adjoining occupiers have expressed concerns as to the absence of a method statement. However, those concerns are not shared by the Council, which does not object to the proposal in this respect. Overall, I consider that whilst the detail of the means of construction of the frame and foundations of the extension does require some further resolution, this could be satisfactorily addressed by a condition requiring an approved method statement to be implemented.
11. I saw on my visit that the ground floor of the appeal building has been subdivided by temporary partitions. This subdivision would be made permanent under the appeal proposal, and at first floor level the northernmost room would

² Adam Power Associates, 27 November 2015

also be subdivided from the remainder of the building by a small partition. This aspect of the proposal and its impact on the appeal building is the sole remaining objection by the Council to the appeal proposal in terms of its impact on listed buildings and the conservation area.

12. The Inspector in the previous appeal decisions found that proposal before her would have had a detrimental effect on the current layout and plan form of the building, including the relationship of the gallery with the remainder of the building. However, it seems to me that this conclusion was reached on the basis of the overall extent of the alterations proposed, rather than indicating a view that the proposed permanent subdivision of the building would in any event be unacceptable. Moreover, the Inspector's overall conclusion that the proposal would have a harmful effect on the historic character and setting of the appeal building took into account two further matters which have been addressed by the appeal proposal: the proposed subdivision of a room to create a further bedroom has been deleted and, as I have noted, the overall scale of the development proposed has been substantially decreased.
13. The proposed subdivision would need to ensure satisfactory standards of sound insulation. However, securing this would be almost entirely a matter of an appropriate specification for the limited new partitions, given that the historic fabric which would divide the proposed dwelling from the remainder of the building consists of principally of a very thick chimney stack. I acknowledge, noting the appeal decision³ cited by the Council, that provision of adequate insulation may have potential to harm the character or appearance of a listed building. However, in the circumstances of the appeal building and proposal, I consider that the provision of insulation could appropriately be controlled by condition.
14. The subdivision would result in permanent revision of the floorplan and layout of the appeal building. However, this would be acceptably consonant with the complex evolution of the building over the centuries. The evidence before me indicates that the building has been subject to various amendments of use and configuration, and although it may well have been in single occupation for much of its life, it was subdivided into a separate inn and dwelling during a substantial part of the C20. The Council draws attention to the impact of the proposed subdivision on the relationship of the gallery with remainder of the building. However, this would not be detrimentally affected to a material extent, given that the current layout already results in a considerable sense of disconnection between the northern room and the gallery, the former being accessible from the latter only via a landing, a large intervening room and a narrow corridor.
15. The Council considers that it is preferable for the building to continue in unified ownership as this would allow for coherent future management. However, there is no evidence before me which demonstrates that the proposal would be likely to result in less satisfactory standards of maintenance and management of the appeal building. These are matters which will depend on a variety of factors, including the resources and commitment of owners. Taking all of the above matters into account, I conclude that the proposed subdivision of the appeal listed building would not be harmful to its special interest.

³ APP/D3505/W/14/3001531, 25 March 2015

16. The desirability of preserving the appeal listed building, adjacent listed buildings and their settings is a matter to which I am required to have special regard by virtue of sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), and the preservation of the character and appearance of the conservation area is a matter to which I am similarly required to pay special attention by section 72 of the Act. However, for the reasons I have given, I have concluded that the proposal would preserve both the appeal listed building and adjacent listed buildings, and would also preserve their settings. For the same reasons, the proposal would not diminish the contribution which the appeal listed building makes to the conservation area, and I conclude that the proposal would preserve the character and appearance of the conservation area. The appeal proposal would thus accord in these respects with Policy FC1 of the Core Strategy Focused Review (CSFR)⁴, and with the objectives of Policy CS 5 of the Core Strategy⁵ and Policies SB2 and HB3 of the Local Plan⁶ relating to the protection and conservation of the historic environment.
17. Moreover, whilst the listed buildings and the conservation area are designated heritage assets for the purposes of the National Planning Policy Framework (the Framework) and paragraph 132 requires that great weight be given to their conservation, I have concluded that proposal would not be harmful to the significance of these assets. The appeal proposal would thus accord with the historic environment policies of the Framework.

Long term future of the public house

18. I saw on my visit that the temporary partitions have had effect to remove the northern ground floor room of the building from the area of the public house, and also that a grassed area to the rear of the building's curtilage has been fenced off. I understand that this was previously used a beer garden. As with the previous proposal, the appeal proposal would serve to make these arrangements permanent. I have no detailed information before me on the financial performance of the public house over recent years, and I appreciate that the performance of any public house will to some extent depend on the capabilities and circumstances of its operators. Like the previous Inspector, I acknowledge that local residents have expressed strong support for the return of the removed facilities to public house use, but that is no guarantee that this would prove financially viable.
19. The evidence before me is that in the years leading to the reduction in area, the public house did not achieve enduring success under various managements and ownerships, although there is dispute as to the reasons for this. However, and in any event, there is no dispute that the public house has traded successfully since the introduction of the reduced area, despite the more limited accommodation and parking facilities, and the somewhat unconventional cellar arrangements. I have noted that the Council's Economic Development and Tourism Manager has not supported the appeal proposal in the absence of further evidence as to the viability of the present and previous public house formats. However, I accord limited weight to this, as the officer expressed full support in relation to the previous proposal and there is no clear

⁴ Mid Suffolk Core Strategy Focused Review (December 2012)

⁵ Mid Suffolk Core Strategy (September 2008)

⁶ Mid Suffolk Local Plan (September 1998)

- demonstration of different circumstances or evidence to explain the change of view.
20. The Council has drawn attention to the views of its Senior Environmental Health Officer, who has noted that habitable rooms in the proposed dwelling would overlook the rear courtyard and parking area of the public house and expressed concerns as to the effect of noise on the occupiers of the dwelling. However, the effect of the appeal proposal on the living conditions of residential occupiers did not form part of the Council's reasons for refusing the planning application. Moreover, there is no indication that the issue was raised as a concern in relation to the previous proposal, despite that habitable rooms within the proposed dwelling would also have overlooked the courtyard.
 21. In any case, although it is possible that noise and disturbance arising from a public house may give rise to complaints from adjacent residents and thus restrict its functioning, I saw on my visit that there are dwellings in close proximity to the yard on both sides of the appeal building's curtilage. Their occupiers would not be substantially less affected by noise and disturbance arising from the public house than would the future occupiers of the appeal dwelling, and the evidence before me does not indicate that the current public house use has given rise to complaints from existing residents. Given also my earlier conclusions as to insulation within the appeal building, I conclude that the provision of the appeal dwelling would not be likely to restrict the functioning of the public house.
 22. The previous Inspector concluded on this main issue that the reconfiguration of the public house would not be likely to harm its long-term viability, and that a reduction in the operational floorspace could contribute to securing such viability. No substantive evidence is before me to justify my taking a different view. Indeed, the fact that the public house is continuing to trade more than a year after the appeal decisions on the previous proposal serves to reinforce and support the previous Inspector's conclusions, as does the recent execution of a new three year tenancy.
 23. Local residents have expressed views that the proposal would not comply with the Council's Supplementary Planning Guidance on the Retention of Shops, Post Offices and Public Houses in Villages⁷ (the SPG). The Council has also referred to the SPG, although non-compliance with it does not form part of its reasons for refusing the applications. In any case, the subject matter of the SPG is proposals which would result in the total loss of a public house through a change of use, and I have no reason to diverge from the previous Inspector's finding that the SPG's tests are not directly relevant to the proposed partial change of use.
 24. For the above reasons, I conclude that the proposal would not have a detrimental effect on the long term future of the public house, and that there is instead some possibility that the proposal could enhance its viability. The appeal proposal would thus in these respects comply with Policies FC1 and FC1.1 of the CSFR. It would not conflict with the SPG's objective of retaining community facilities, or the objectives of paragraphs 17, 28, 69 and 70 of the Framework relating to the retention and development of services and facilities in villages and the facilitation of social interaction.

⁷ February 2004

Other matters

25. The occupiers of No 3 consider that the proposal would adversely affect their living conditions by reason of overlooking and loss of privacy arising from the proposed first floor window in the east elevation of the proposed extension. However, the previous proposal also included such a window, and the previous inspector found that the extent of additional overlooking likely to occur from it would be relatively limited. Whilst the equivalent window in the appeal proposal would be positioned closer to the boundary with No 3, that would not substantially increase the degree of overlooking. I consider therefore that there would be no unacceptable loss of privacy. Moreover, nothing in the evidence before me indicates that the proposal would in any other respect result in any material harm to the living conditions of adjacent residents.
26. Some local residents have expressed concerns as to flooding. However, the Environment Agency has not objected to the appeal proposal in this respect, and noting that the appeal site is within Flood Zone 1, I do not consider that the proposal would be at unacceptable risk of flooding or be likely to add materially to flood risk. Concerns have also been expressed that the present oil tank is shown to be removed, but no replacement provision is indicated. However, I must assess the proposal before me and any further works would be matters for the Council to assess. Concerns are raised as to the practicality of bringing materials to site, but whilst I note the limited dimensions of the arch giving access to the rear of the site, there is no evidence before me that suggests that the works of construction would be significantly impractical or likely to result in damage to the listed building.

Conclusions

27. I have concluded that the proposal would preserve both the appeal listed building and adjacent listed buildings, that it would also preserve their settings and would preserve the character and appearance of the conservation area. I have further concluded that the proposal would not have a detrimental effect on the long term future of the public house, and that there is instead some possibility that the proposal could enhance its viability. I have taken account of all other matters raised in the evidence before me, but nothing arises which convinces me that the proposal would be unacceptable. I have not identified conflict with the policies of the development plan which the evidence before me identifies as relevant to the proposal, and conclude therefore that the proposal would be in overall accordance with the development plan. Similarly, given my conclusions on the relevant policies of the Framework, and noting the statement in paragraph 6 that the policies of the Framework, taken as a whole, constitute the Government's view of what sustainable development means in practice, I conclude that the proposal would represent sustainable development for the purposes of the Framework.
28. Conditions have been suggested by the Council and others in the event that I allow the appeals. I have considered these in the context of the tests set out at paragraph 206 of the Framework, taking into account the desirability of making minor changes where appropriate to the interests of clarity, certainty and economy of expression. It is necessary that both the grant of planning permission and listed building consent be subject to standard commencement conditions and, in the interests of certainty, conditions requiring adherence to approved plans. Although these plans include detailed drawings of some elements of the fenestration, for the reasons I have given above I nevertheless

consider it necessary for conditions to be imposed requiring the approval of appropriately large scaled drawings providing comprehensive details of the windows, rooflights and doors, and to require facing and roofing materials to accord with approved details.

29. The Council suggests that the grant of listed building consent should also be subject to a condition requiring the approval of sound insulation measures. For the reasons I have given, I concur that such a condition is necessary, together with a further condition requiring the implementation of an approved method statement for foundation and structural works. As to the grant of planning permission, the Council suggests a condition restricting permitted development rights, but in the circumstances of the appeal proposal I do not consider this necessary given that the permissions granted by the relevant rights would either relate to development which would also require listed building consent or would not apply where the development would be within the curtilage of a listed building. The Council suggests a condition requiring approval of details of areas for the parking and manoeuvring of vehicles, but it has not objected to the arrangements shown on the submitted plans. However, it is important that proposed off street parking provision is made and retained, and a condition is necessary to secure this. The highway authority has recommended a condition as to surfacing of the vehicular access, but I do not consider this necessary given that the access already exists and the proposal would not result in a significantly more intensive use of it.
30. For the above reasons, the appeals are allowed, and planning permission and listed building consent are granted subject to the conditions set out above.

J Flack

INSPECTOR

SCHEDULE

APPEAL A: CONDITIONS SUBJECT TO WHICH PLANNING PERMISSION IS GRANTED

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1682/S/BLOCK 102C; 1682 200; 1682 201; 1682 202A; 1682 301C; 1682 302 E; 1682 305 E; 1682 1000; 1682 1001; 1682 1002 and SK1B.
- 3) Notwithstanding condition 2), the development hereby permitted shall not begin until drawings of an appropriately large scale showing details of materials, finishes, method of opening, glazing and colour of all new and replacement windows, roof lights and doors and their surrounds have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved drawings.
- 4) No development shall begin above slab level until samples of the external facing and roofing materials to be used in construction, together with details of the manufacturers of those materials, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved samples and details.
- 5) The areas shown on the approved plans for the purposes of manoeuvring and parking of vehicles shall be laid out and made available for use prior to the occupation of the new dwelling hereby permitted. The areas shall thereafter be retained, kept free of obstruction and used for no purpose other than the manoeuvring and parking of vehicles.

APPEAL B: CONDITIONS SUBJECT TO WHICH LISTED BUILDING CONSENT IS GRANTED

- 1) The works hereby authorised shall begin not later than three years from the date of this decision.
- 2) The works hereby authorised shall be carried out in accordance with the following approved plans: 1682/S/BLOCK 102C; 1682 200; 1682 201; 1682 202A; 1682 301C; 1682 302 E; 1682 305 E; 1682 1000; 1682 1001; 1682 1002 and SK1B.
- 3) The works hereby authorised shall not begin until a method statement prepared by an appropriately qualified structural engineer and detailing the means by which the foundations, frame and other structural elements of the extension are to be constructed has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved method statement.
- 4) Notwithstanding condition 2), the works hereby authorised shall not begin until drawings of an appropriately large scale showing details of materials, finishes, method of opening, glazing and colour of all new and replacement windows, roof lights and doors and their surrounds have been

submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved drawings.

- 5) The works hereby authorised shall not begin until details of those elements of the works providing noise insulation have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.
- 6) No works shall begin above slab level until samples of the external facing and roofing materials to be used in construction, together with details of the manufacturers of those materials, have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved samples and details.

**Mid Suffolk District Council Planning Control Department
131 High Street Needham Market IP6 8DL**

**REFUSAL OF PLANNING PERMISSION
Town and Country Planning Act 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (ENGLAND) ORDER 2015**

Date of Application: 14 December 2015 REFERENCE: 4374 / 15

Date Registered: 22 December 2015

Documents to which this decision relates:

Defined Red Line Plan:

The defined Red Line Plan for this application is Drawing No. 1682-100LB received 14th December 2015 only. This drawing is the red line plan that shall be referred to as the defined application site. Any other drawings approved or refused that may show any alternative red line plan separately or as part of any other submitted document have not been accepted on the basis of defining the application site.

Refused Plans and Documents:

- Application form received on the 14th December 2015;
- Homecheck contamination report received 21st December 2015
- Land Contamination Questionnaire received on the 21st December 2015;
- Heritage Asset Assessment (dated June 2014) produced by Leigh Alston and received on the 14th December 2015;
- Design and Access Statement received on the 14th December 2015;
- Schedule of works received 14th December 2015;
- Case Review (dated October 2015) produced by Michael Collins and received on the 14th December 2015;
- Letter from Birketts dated 11th December 2015 and received on the 14th December 2015
- Photograph of west elevation received 21st December 2015;
- Drawing No's 1682-102C; 200; 201; 202A; 301C; 302E; 1000; 1001 and 1002 all received on the 14th December 2015;
- Drawing No. SK1B received on the 14th December 2015;
- Drawing No. 1682-305E received on the 21st December 2015.

Refused Plans and Documents Not Accepted to Form the Application:

The following documents were considered / viewed by the Local Planning Authority, but not accepted to form part of the application and this decision. These documents may not have been the subject of formal consultation on that basis.

- Email from Environment Agency dated 6th August 2015 and Consultation response from Environmental Health (Land Contamination) received 21st December 2015.

CORRESPONDENCE ADDRESS:

Mrs S Paine
31 Fawcett Road
Aldeburgh
Suffolk
IP15 5HQ

NAME AND ADDRESS OF APPLICANT:

Mrs S Paine
31 Fawcett Road
Aldeburgh
Suffolk
IP15 5HQ

PROPOSED DEVELOPMENT AND LOCATION OF THE LAND:

Partial change of use, erection of first floor extension to reinstate former 2 storey rear wing, internal alterations to public house to reinstate former separate dwelling at The Angel whilst retaining the public house as a community facility (Revised scheme to that submitted under ref. 2494/14 & 2475/14) - The Angel Inn, 5 High Street, Debenham IP14 6QL

The Council, as local planning authority, hereby give notice that **PLANNING PERMISSION HAS BEEN REFUSED** for the development proposed in the application in accordance with the particulars and plans submitted for the following reasons:

1. The proposal would lead to the diminution of an established village facility, which may prejudice its longer term future as a community and tourism asset and contributor to the rural economy. As such it conflicts with the aims and requirements of paragraphs 17, 28, 69 and 70 of the National Planning Policy Framework, and Policies FC1 and FC1.1 of the adopted Mid Suffolk Core Strategy Focused Review (2012).
2. The proposed subdivision of the applicant listed building at ground and first floor level would cause harm to its character and status as a building of architectural and historic interest. The harm to the designated Heritage Asset, is not regarded as substantial, however, the application as submitted fails to demonstrate that this harm is outweighed by the public benefit of securing the longer term financial viability of the public house through a reduction in its operational floorspace. The proposal would therefore conflict with the aims and requirements of paragraphs 17, 131, 132 and 134 of the National Planning Policy Framework, Policy CS5 of the adopted Mid Suffolk Core Strategy (2008), Policy FC1 of the adopted Mid Suffolk Core Strategy Focused Review (2012) and saved Policies SB2 and HB3 of the adopted Mid Suffolk Local Plan (1998) , which are consistent with those aims.

SUMMARY OF POLICIES AND PROPOSALS WHICH ARE RELEVANT TO THE DECISION:

1. This permission has been refused having regard to policy(ies)

COR5 - CS5 MID SUFFOLKS ENVIRONMENT
COR4 - CS4 ADAPTING TO CLIMATE CHANGE
CSFR-FC1 - PRESUMPTION IN FAVOUR OF SUSTAINABLE

DEVELOPMENT
CSFR-FC1.1 - MID SUFFOLK APPROACH TO DELIVERING SUSTAINABLE
DEVELOPMENT
COR1 - CS1 SETTLEMENT HIERARCHY
COR2 - CS2 DEVELOPMENT IN THE COUNTRYSIDE & COUNTRYSIDE
VILLAGES
COR6 - CS6 SERVICES AND INFRASTRUCTURE

of the Mid Suffolk Core Strategy Document, and to all other material considerations.

2. This permission has been refused having regard to policy(ies)

SC4 - PROTECTION OF GROUNDWATER SUPPLIES
GP1 - DESIGN AND LAYOUT OF DEVELOPMENT
HB1 - PROTECTION OF HISTORIC BUILDINGS
HB9 - CONTROLLING DEMOLITION IN CONSERVATION AREAS
HB8 - SAFEGUARDING THE CHARACTER OF CONSERVATION AREAS
SB2 - DEVELOPMENT APPROPRIATE TO ITS SETTING
HB3 - CONVERSIONS AND ALTERATIONS TO HISTORIC BUILDINGS
H16 - PROTECTING EXISTING RESIDENTIAL AMENITY
T10 - HIGHWAY CONSIDERATIONS IN DEVELOPMENT
T9 - PARKING STANDARDS
HB3 - CONVERSIONS AND ALTERATIONS TO HISTORIC BUILDINGS
HB4 - EXTENSIONS TO LISTED BUILDINGS

of the Mid Suffolk Local Plan, and to all other material considerations.

3. This permission has been refused having regard to policy(ies)

NPPF - NATIONAL PLANNING POLICY FRAMEWORK

of the Planning Policy Statement, and to all other material considerations.

NOTES:

1. **Statement of positive and proactive working in line with the National Planning Policy Framework (NPPF) and Section 106 and development plan statement:**

The Councils adopted "development plan" policies for new development include policies are set out in the Core Strategy (adopted 2008), the Core Strategy Focused Review (adopted 2012) and the saved Local Plan. This up to date policy document is a very important planning consideration and the applicant is encouraged to fully refer to it (available to view on the Council's website - www.midsuffolk.gov.uk). Planning decisions are normally expected to be taken in accord with the development plan unless material considerations indicate otherwise.

While the applicant did not take advantage of the service, the Council provides a duty planning officer and pre-application advice service prior to the submission of any application. The opportunity to discuss a proposal prior to making an application allows potential issues to be raised and addressed pro-actively at an early stage, potentially allowing the Council to make a favourable determination for a greater proportion of applications than if no such service was available.

This relates to document reference: 4374 / 15

Signed: Philip Isbell

Dated: 03 March 2016

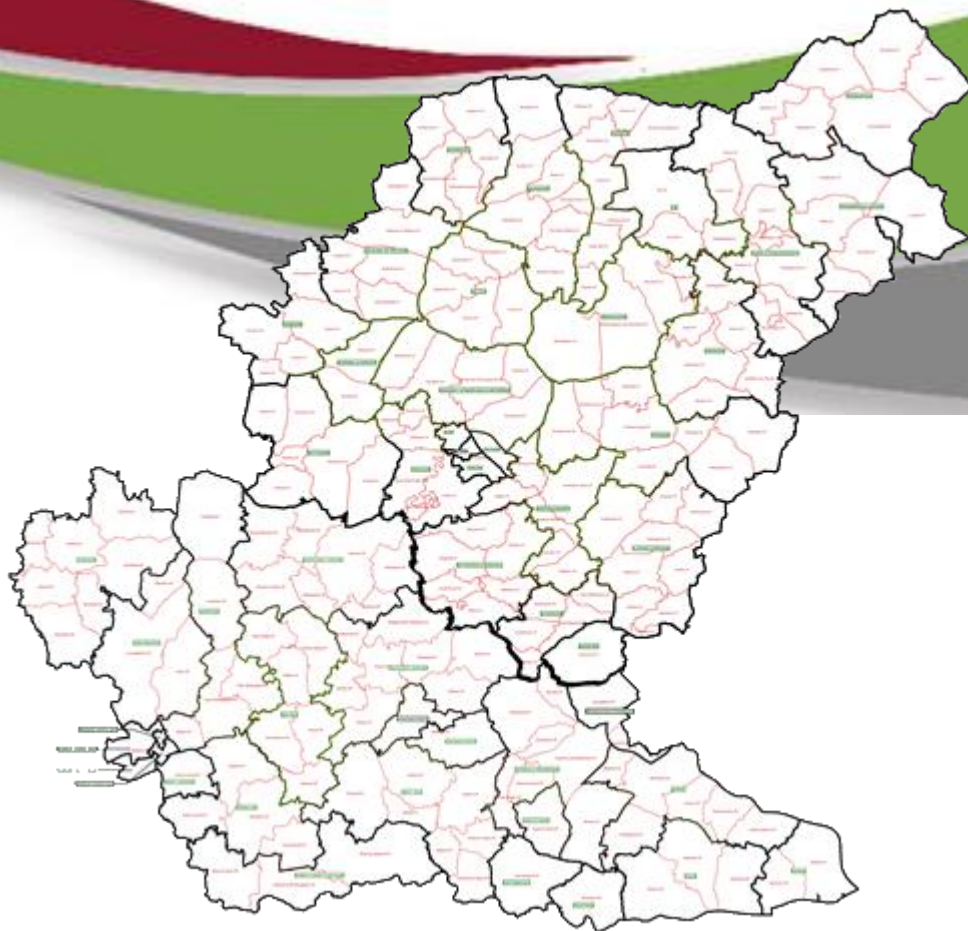
**Corporate Manager
Development Management**

**MID SUFFOLK DISTRICT COUNCIL, 131 HIGH STREET, NEEDHAM MARKET,
IPSWICH IP6 8DL**

**Application Nos:
DC/20/05595/FUL
&
DC/20/005596/LBC**

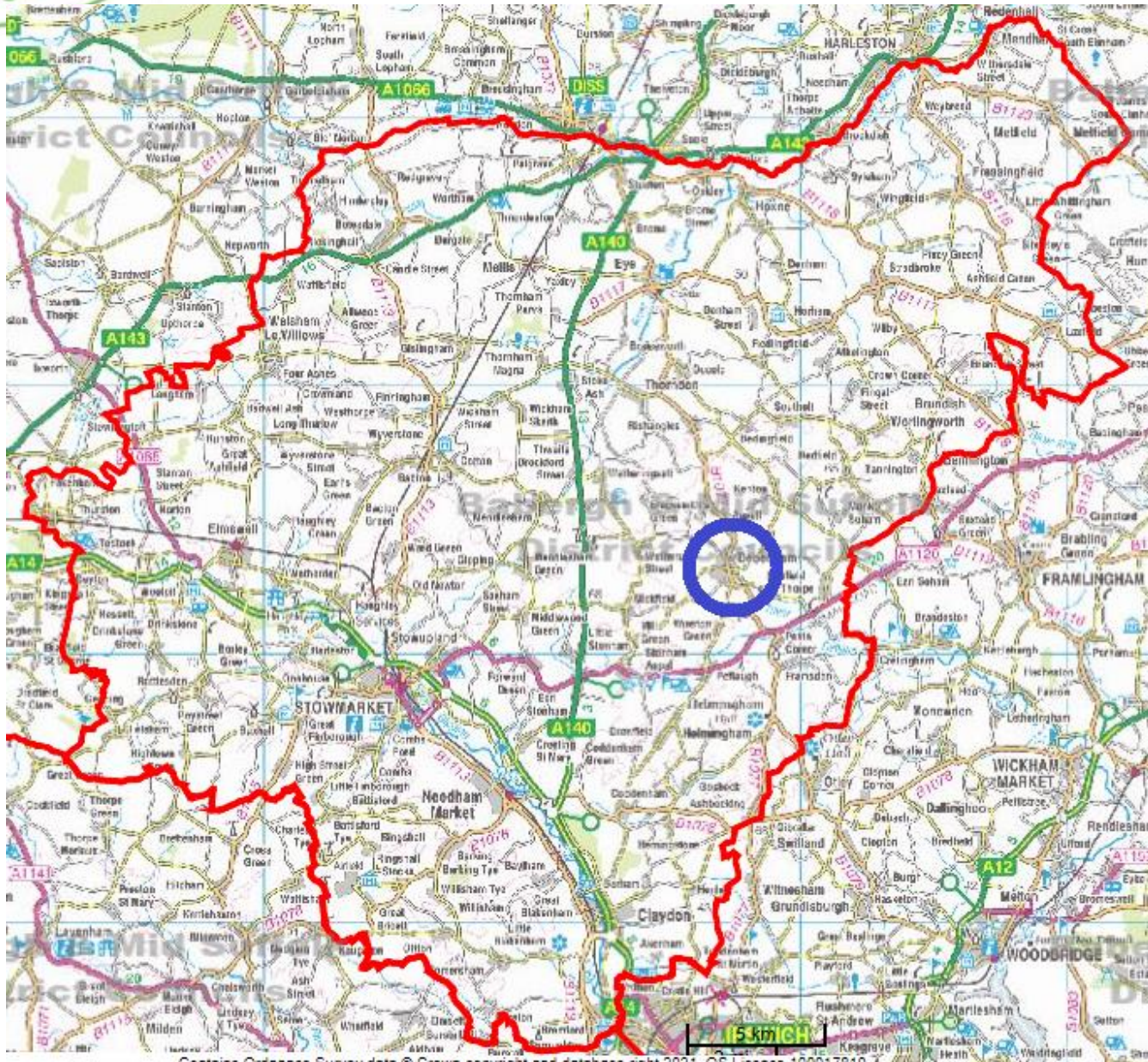
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**Address: The Angel Inn,
5 High Street, Debenham**



Site Location

Slide 2



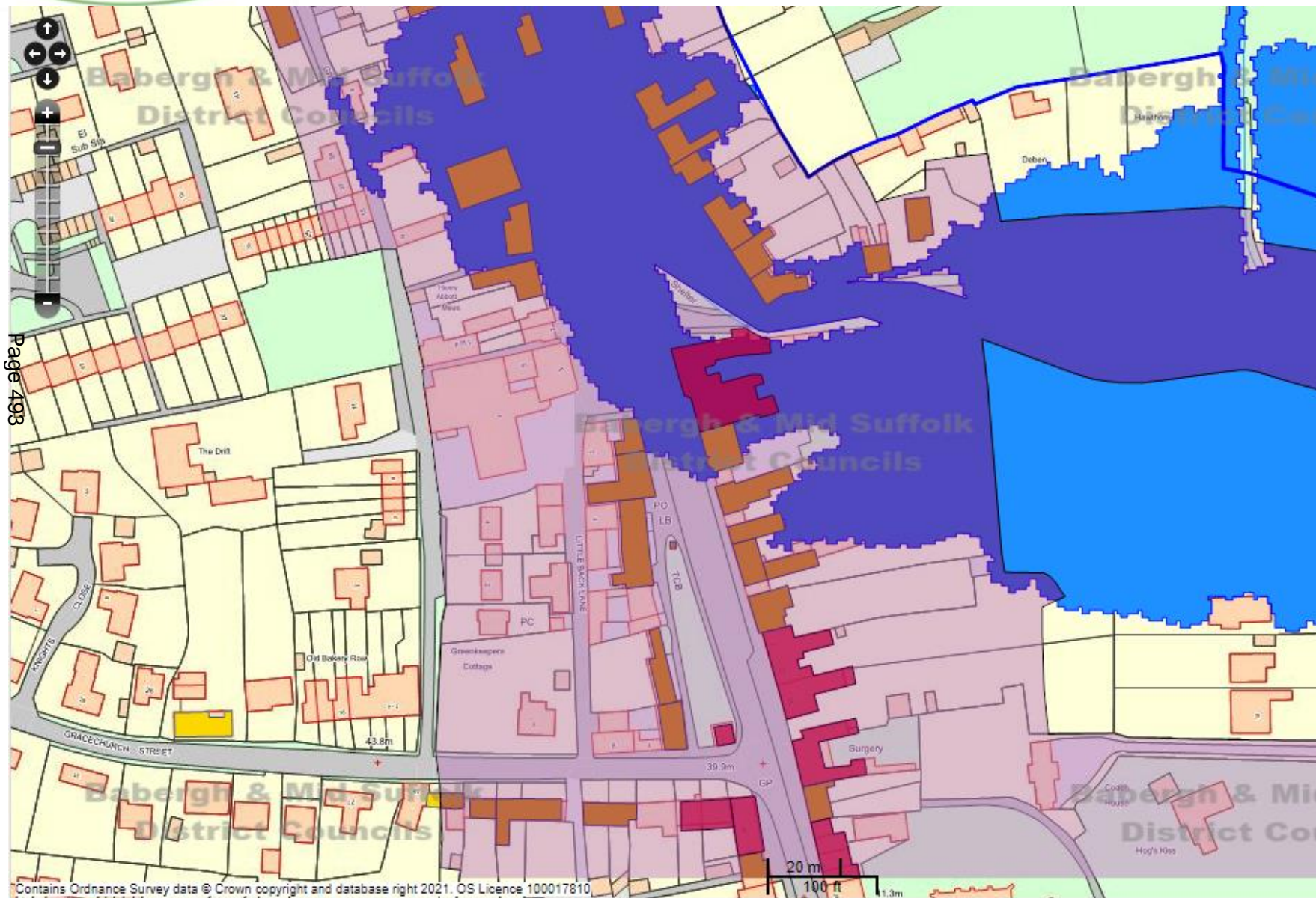
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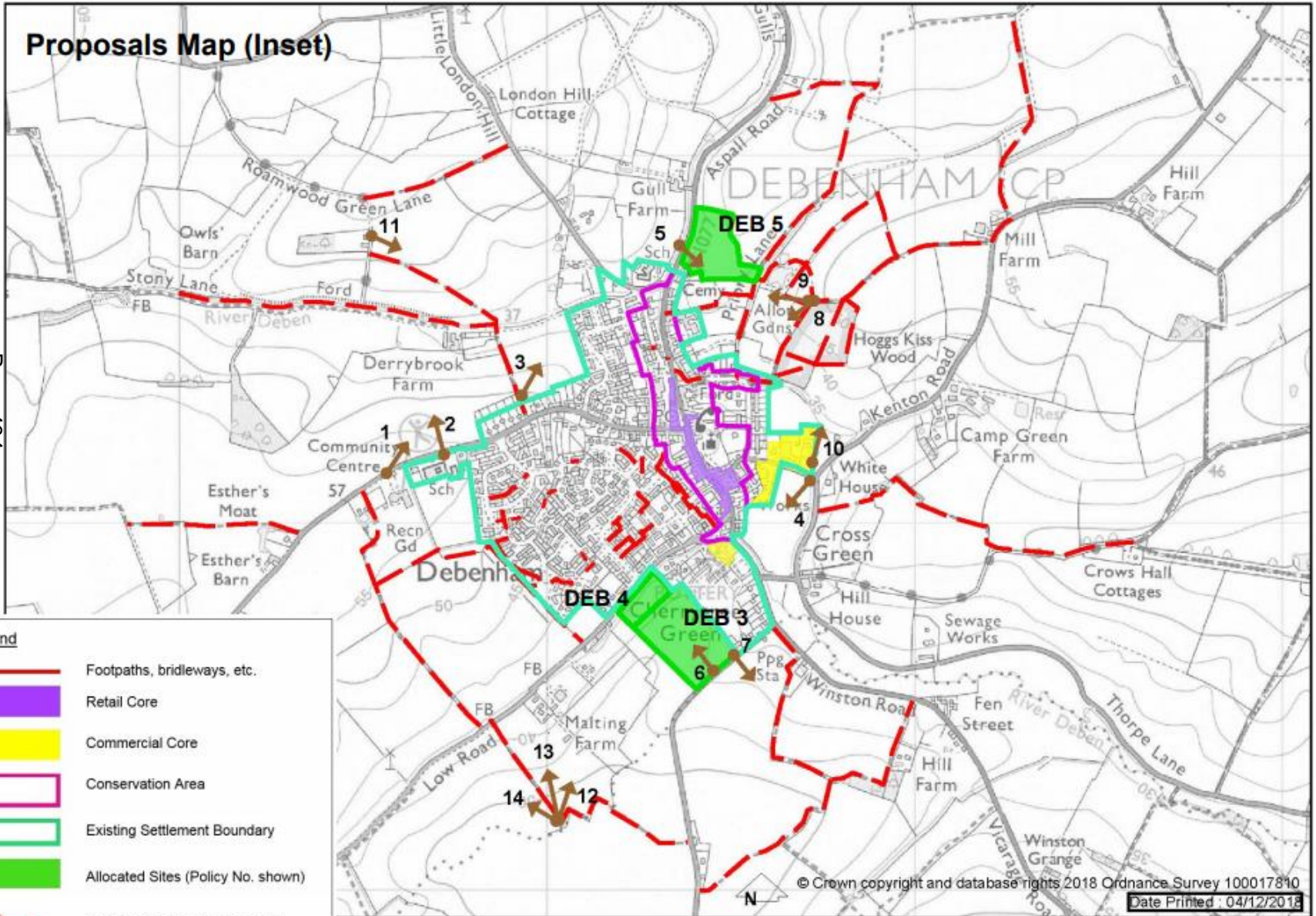




Constraints Map



Proposals Map (Inset)



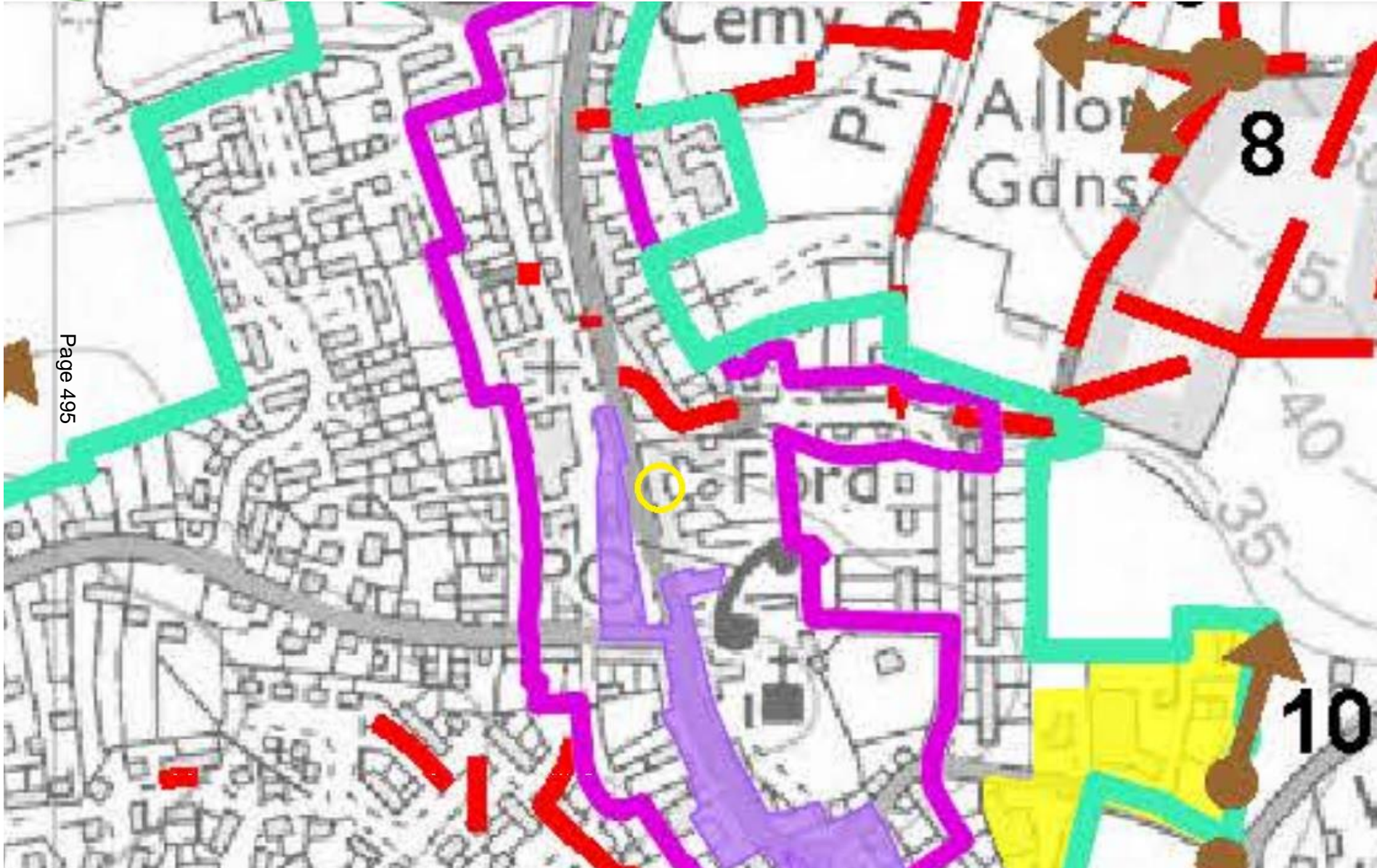
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Legend

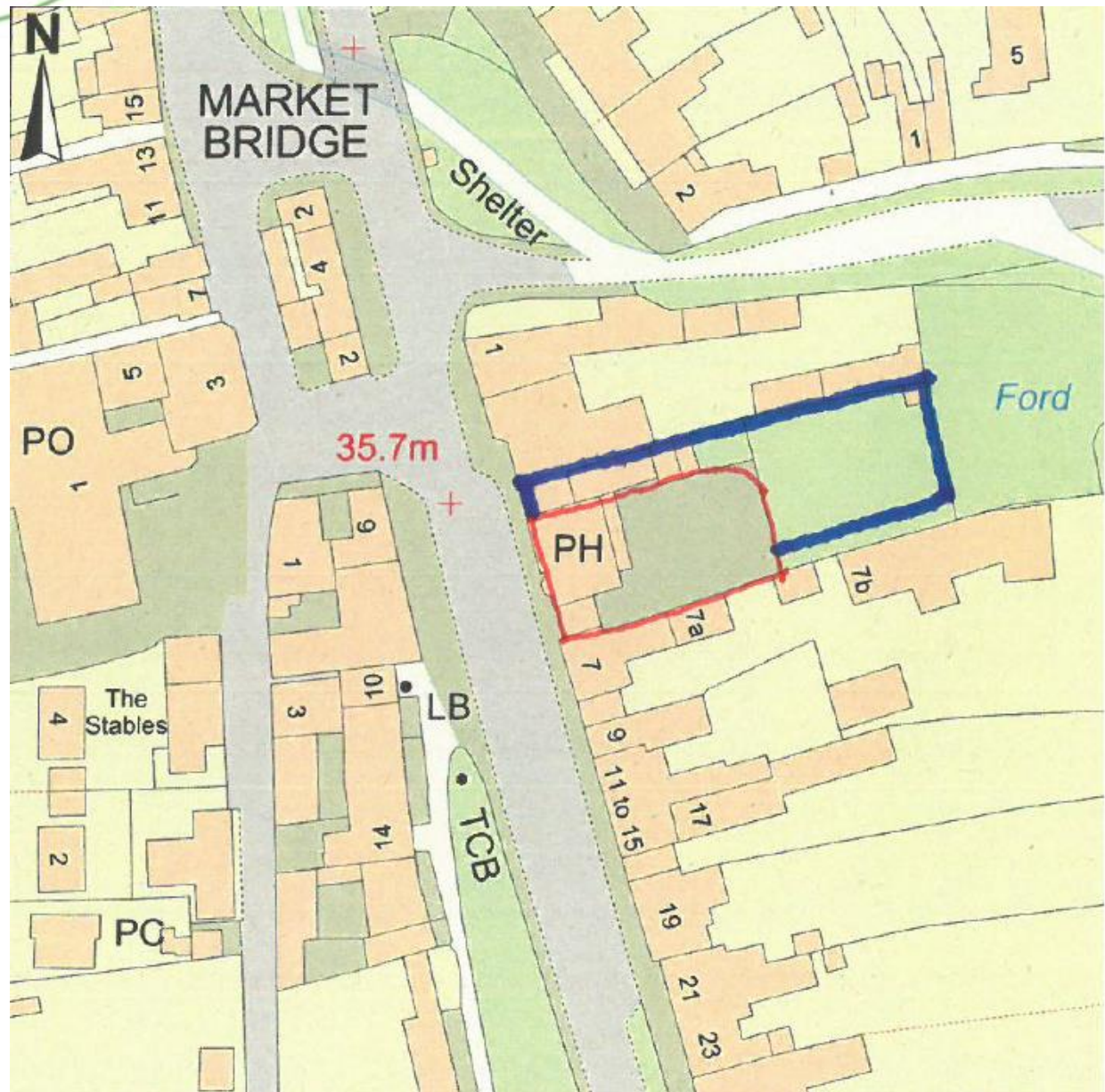
- Footpaths, bridleways, etc.
- Retail Core
- Commercial Core
- Conservation Area
- Existing Settlement Boundary
- Allocated Sites (Policy No. shown)
- Highly Valued Views (para 5.7)

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 Date Printed: 04/12/2018

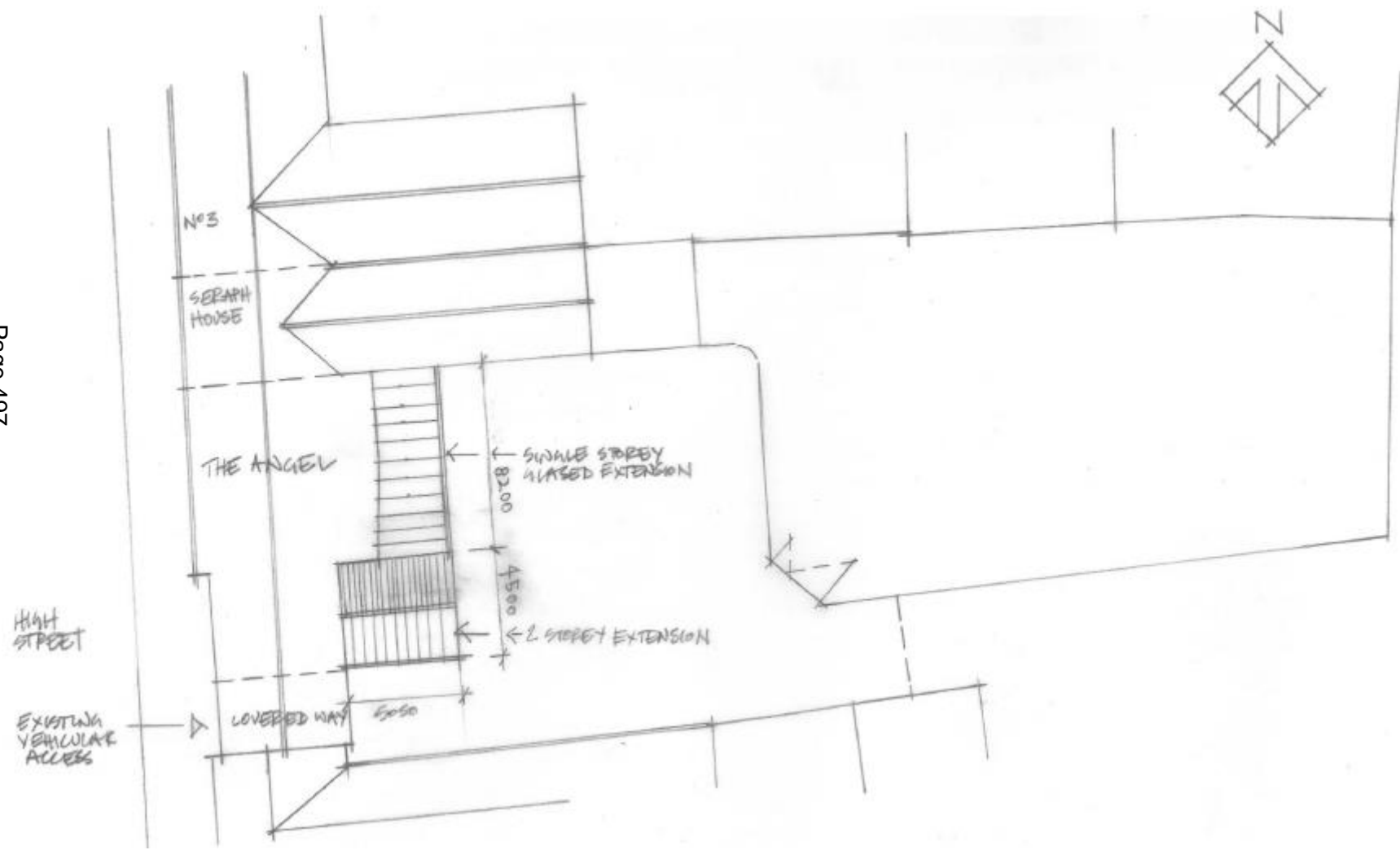
NB: Numbers attached to views on map match numbers allocated to views in para 5.7 and referred to in DEB 19



Site Location Plan

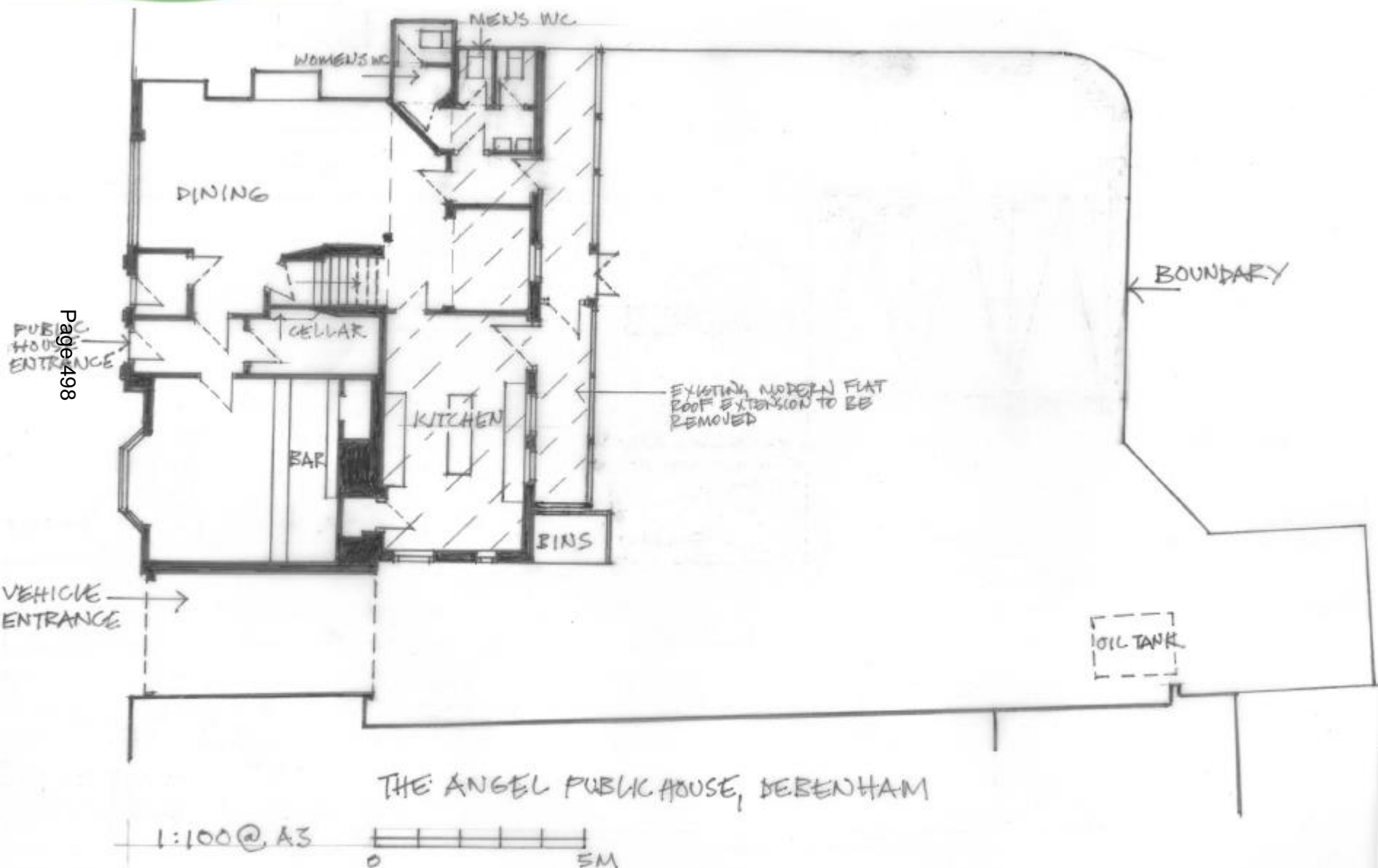


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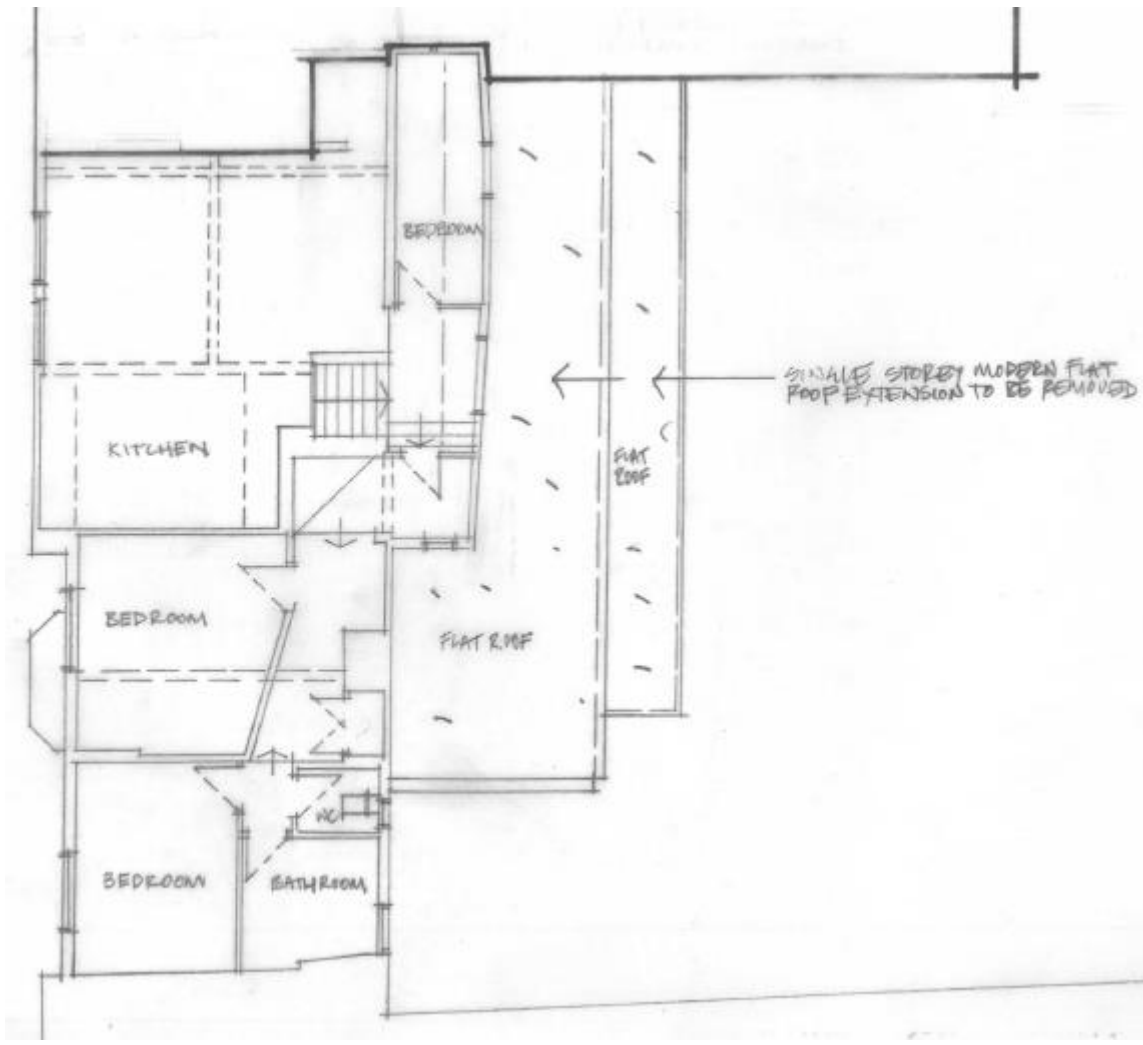
Ground Floor Plan - Existing

Slide 10



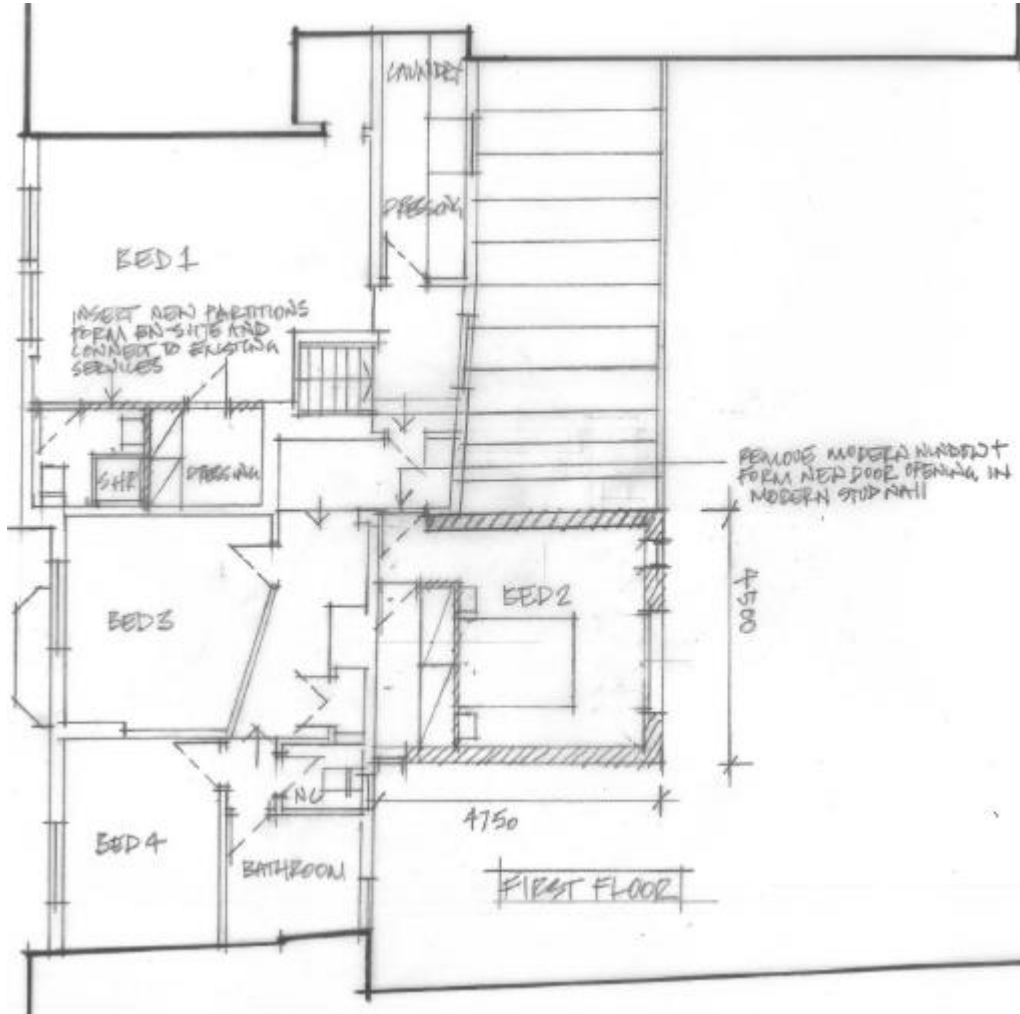
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First Floor Plan - Existing



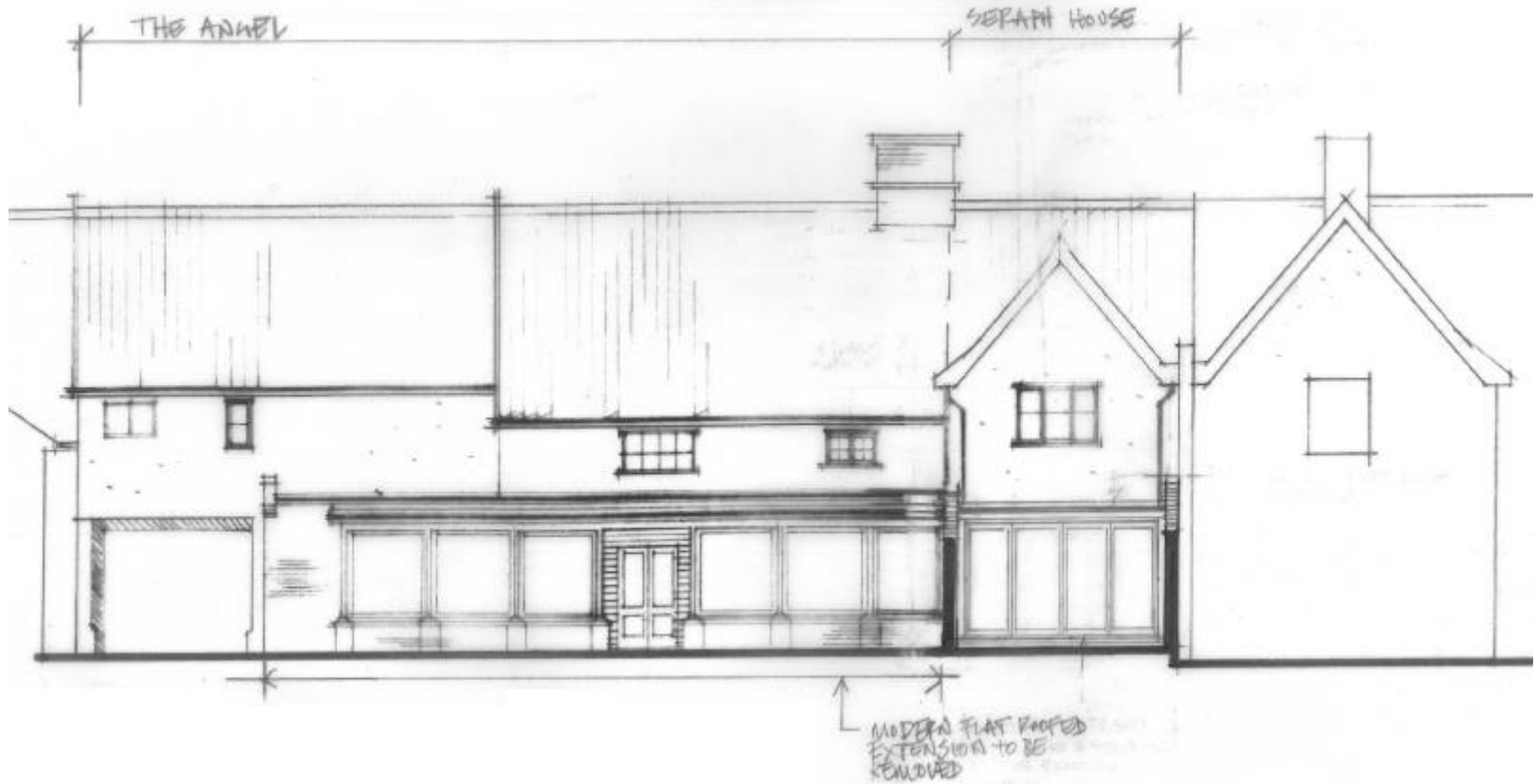
First Floor Plan - Proposed

Slide 13



Rear Elevation - Existing

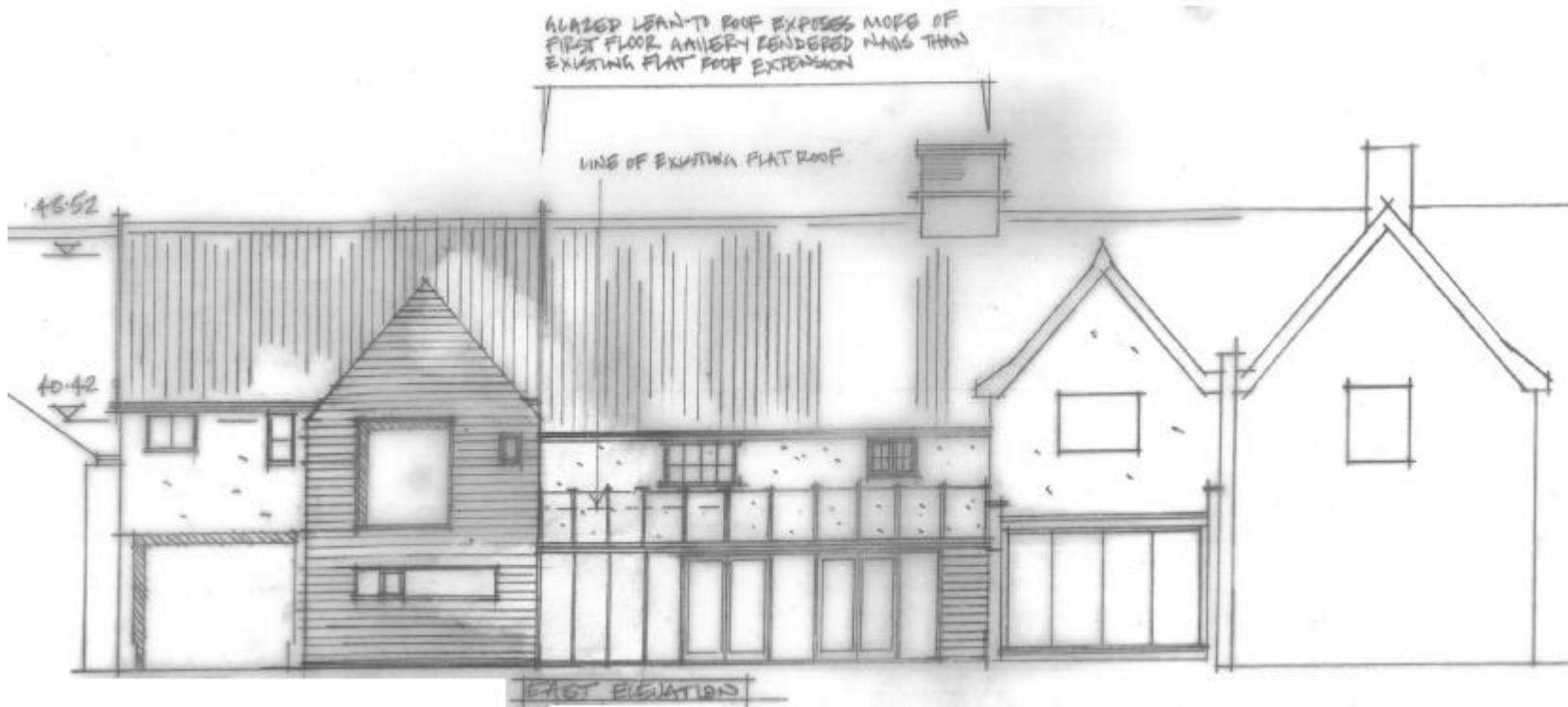
Slide 14



Rear Elevation - Proposed

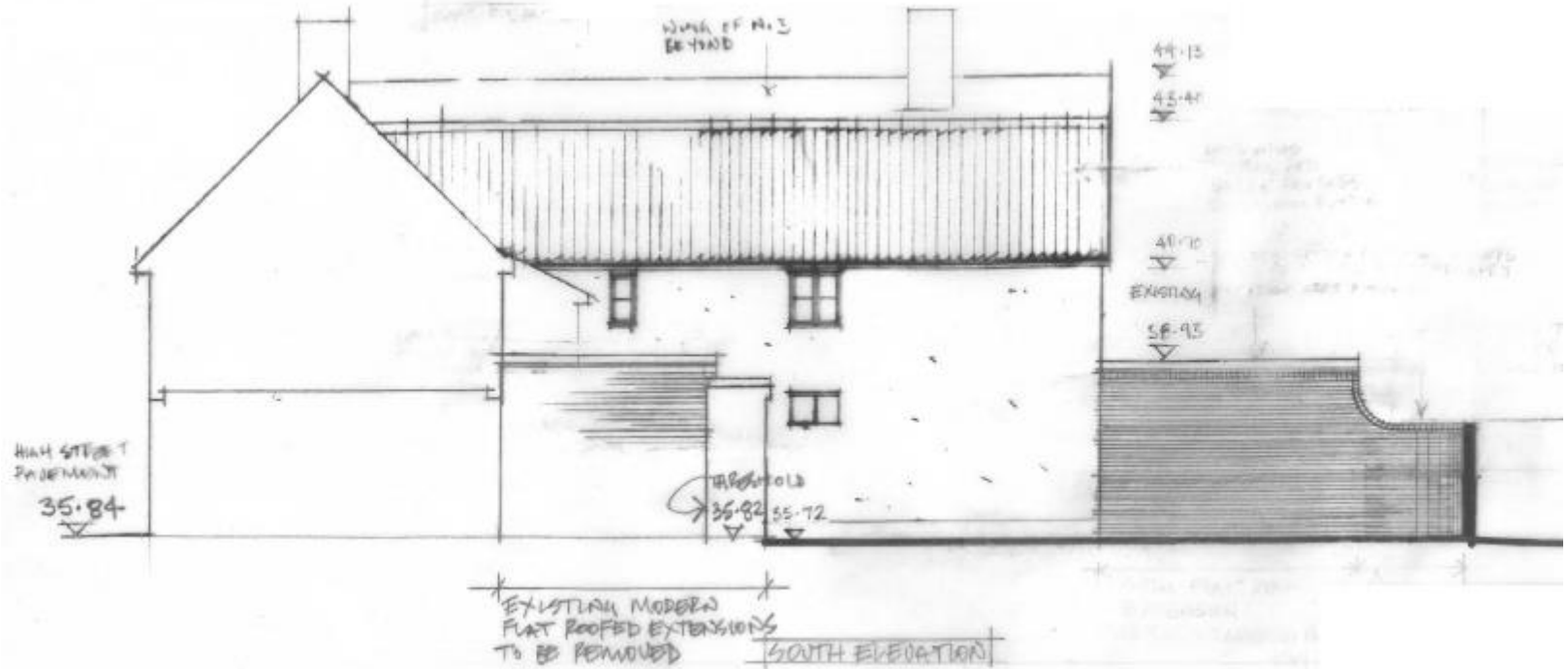
Slide 15

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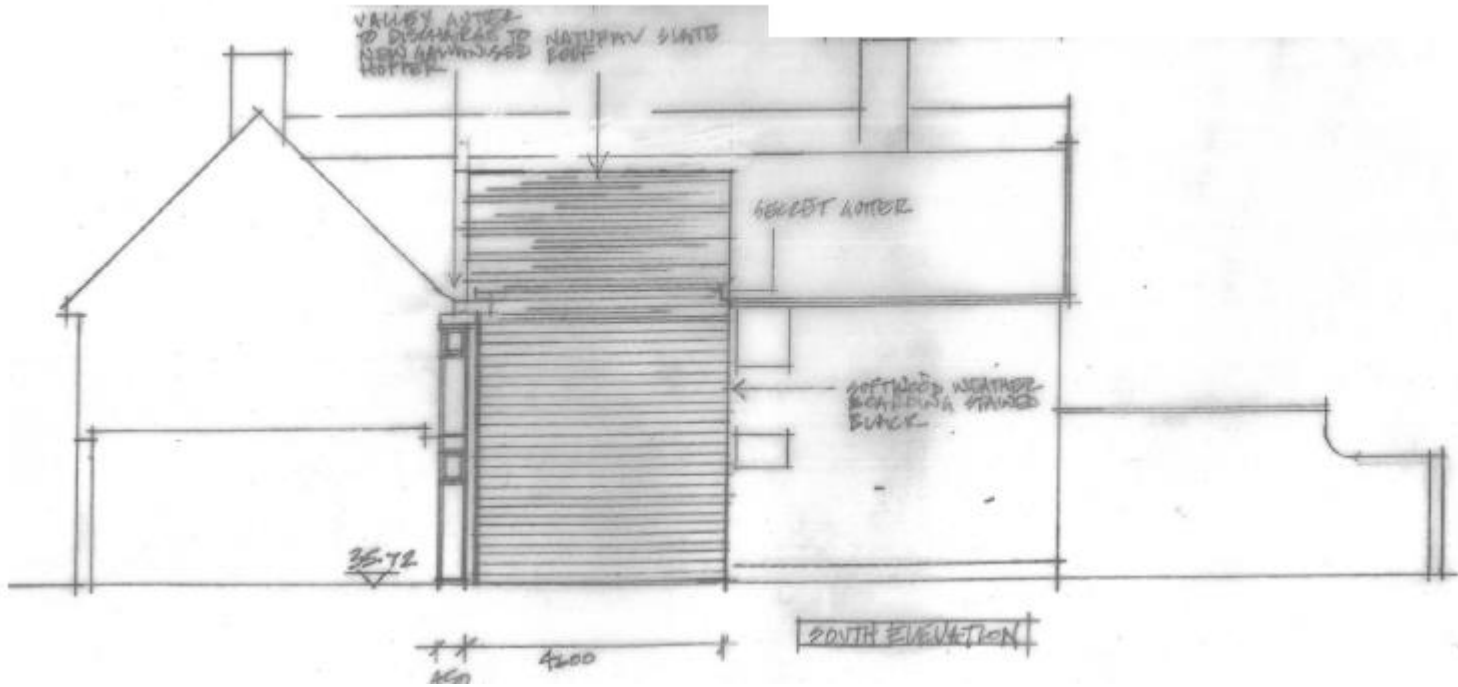


Side Elevation - Existing

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Side Elevation - Proposed



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