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COMMITTEE:	DEVELOPMENT CONTROL COMMITTEE A
DATE:	WEDNESDAY, 23 JUNE 2021 9.30 AM
VENUE:	KING EDMUND CHAMBER, ENDEAVOUR HOUSE, 8 RUSSELL ROAD, IPSWICH

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

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 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.

PLEASE NOTE: Additional Covid safe instructions attached this agenda.

AGENDA

PART 1

MATTERS TO BE CONSIDERED WITH THE PRESS AND PUBLIC PRESENT

Page(s)

- 1 **APOLOGIES FOR ABSENCE/SUBSTITUTIONS**
- 2 **TO RECEIVE ANY DECLARATIONS OF PECUNIARY OR NON-PECUNIARY INTEREST BY MEMBERS**
- 3 **DECLARATIONS OF LOBBYING**
- 4 **DECLARATIONS OF PERSONAL SITE VISITS**
- 5 **NA/21/3 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 3 JUNE 2021**

To Follow.

6	TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION SCHEME	
7	NA/21/4 SCHEDULE OF PLANNING APPLICATIONS	7 - 14
	<i>Note: The Chairman may change the listed order of items to accommodate visiting Ward Members and members of the public.</i>	
a	DC/19/05740 LAND WEST OF OF JOHN SHEPHERD ROAD, FRESSINGFIELD, SUFFOLK	15 - 114
b	DC/19/05741 LAND OFF STRADBROKE ROAD, STREET FARM, FRESSINGFIELD, IP21 5PR	115 - 192
c	DC/21/01682 CEDARS PARK COMMUNITY CENTRE, PINTAIL ROAD, STOWMARKET, SUFFOLK, IP14 5FP	193 - 214
d	DC/20/05516 THE IVY HOUSE, WILBY ROAD, STRADBROKE, EYE, SUFFOLK, IP21 5JN	215 - 244
8	NA/21/5 SCHEDULE OF APPLICATIONS THAT WILL NOT BE HEARD BEFORE 1PM	245 - 250
a	DC/21/00248 LAND ON THE SOUTH EAST SIDE OF, THE STREET, BACTON, SUFFOLK	251 - 296
b	DC/21/01188 LAND ON THE SOUTH EAST SIDE OF, THE STREET, BACTON, SUFFOLK	297 - 342
9	SITE INSPECTION	

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

Notes:

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

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

Those persons wishing to speak on a particular application should arrive in the Council Chamber early and make themselves known to the Officers. They will then be invited by the Chairman to speak when the relevant item is under consideration. This will be done in the following order:

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

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

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

Date and Time of next meeting

Please note that the next meeting is scheduled for Wednesday, 21 July 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@babberghmidsuffolk.gov.uk - 01449 724930

Introduction to Public Meetings

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

Domestic Arrangements:

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

Evacuating the building in an emergency: Information for Visitors:

If you hear the alarm:

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

Mid Suffolk District Council

Vision

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

Strategic Priorities 2016 – 2020

1. Economy and Environment

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

2. Housing

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

3. Strong and Healthy Communities

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

Strategic Outcomes

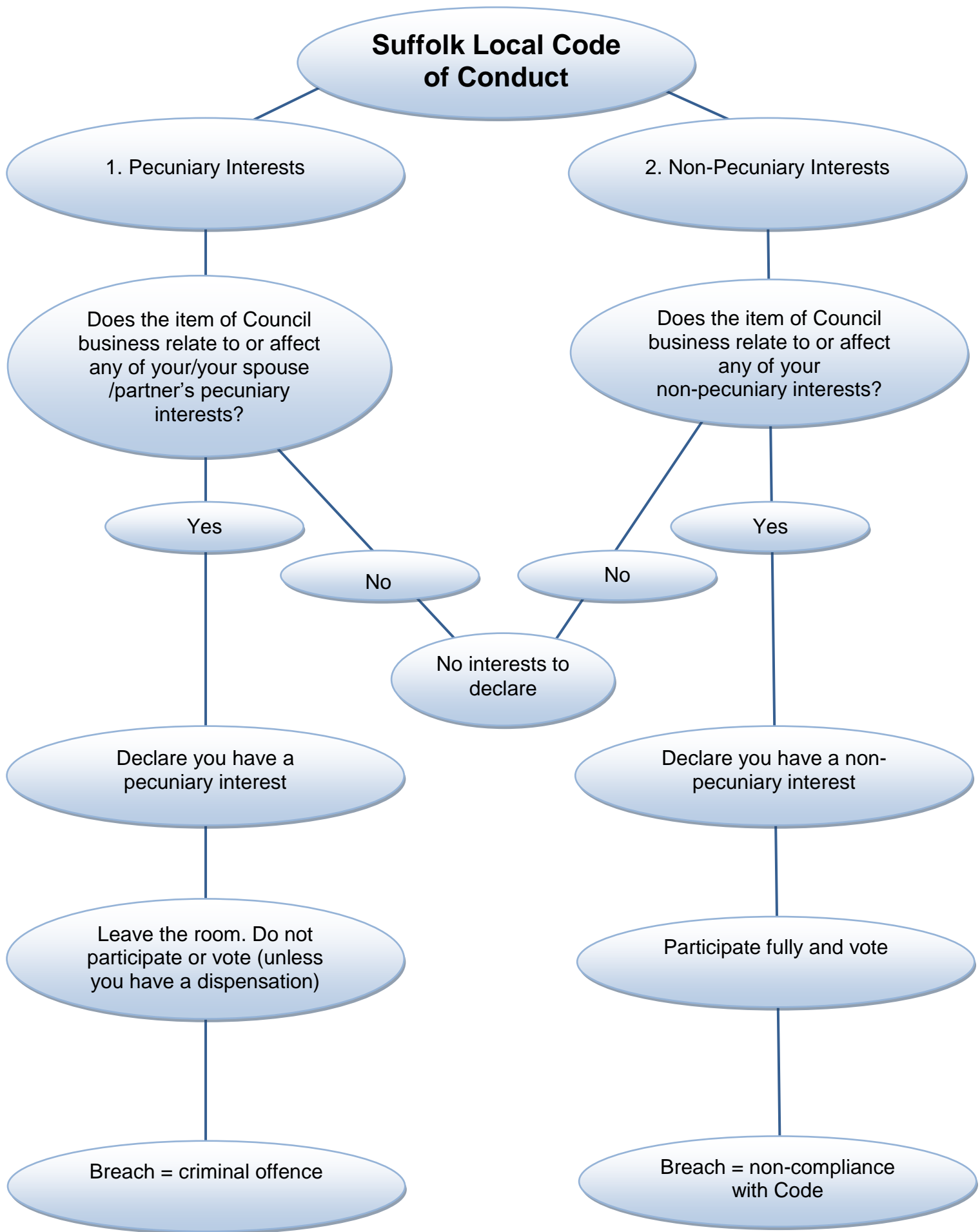
Housing Delivery – More of the right type of homes, of the right tenure in the right place

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

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

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

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



Agenda Item 7

MID SUFFOLK DISTRICT COUNCIL

DEVELOPMENT CONTROL COMMITTEE A – AM Session 09:30

23 June 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/19/05740	Land West of John Shepherd Road, Fressingfield, Suffolk	Cllr Lavinia Hadingham – Fressingfield	Vincent Pearce	15-114
7B	DC/19/05741	Land Off Stradbroke Road, Street Farm, Fressingfield	Cllr Lavinia Hadingham – Fressingfield	Vincent Pearce	115-192
7C	DC/21/01682	Cedars Park Community Centre, Pintail Road, Stowmarket, Suffolk, IP14 5FP	Cllr Dave Muller & Cllr Terence Carter	Michael Booker	193-214
7D	DC/20/05516	The Ivy House, Wilby Road, Stradbroke, Eye, Suffolk, IP21 5JN	Cllr Julie Flatman / Stradbroke and Laxfield	Daniel Cameron	215-244

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BMSDC COVID-19 – KING EDMUND COUNCIL CHAMBER ENDEAVOUR HOUSE

Babergh and Mid Suffolk District Councils (BMSDC) have a duty of care to ensure the office and the space used by Members of the Public, Councillors and Staff are COVID-19 Secure and safe. But each person is responsible for their own health and safety and that of those around them.

The BMSDC space within Endeavour House has been assessed and the level of occupancy which is compatible with COVID-19 Secure guidelines reached, having regard to the requirements for social distancing and your health and safety. As a result, you will find the number of available seats available in the Council Chamber and meeting rooms much lower than previously.

You must only use seats marked for use and follow signs and instructions which are on display.

The following specific guidance must be adhered to:

Arrival at Endeavour House (EH) and movement through the building

- On arrival use the main entrance.
- If there are other people inside signing in, wait outside until the space is free.
- Whilst in EH you are now required to wear your face covering (unless you have an exemption) when inside in all parts of the building (including the access routes, communal areas, cloakroom facilities, etc.).
- Use the sanitizer inside the entrance and then sign in.
- Please take care when moving through the building to observe social distancing – remaining a minimum of 2m apart from your colleagues.
- The floor is marked with 2m social distancing stickers and direction arrows. Please follow these to reduce the risk of contact in the walkways.
- Do not stop and have conversations in the walkways.
- There are restrictions in place to limit the occupancy of toilets and lifts to just one person at a time.
- Keep personal possessions and clothing away from other people.
- Do not share equipment including pens, staplers, etc.

- A seat is to be used by only one person per day.
- On arrival at the desk/seat you are going to work at you must use the wipes provided to sanitize the desk, the IT equipment, the arms of the chair before you use them.
- When you finish work repeat this wipe down before you leave.

Cleaning

- The Council Chamber and meeting rooms at Endeavour House has been deep cleaned.
- General office areas including kitchen and toilets will be cleaned daily.

Fire safety and building evacuation

- If the fire alarm sounds, exit the building in the usual way following instructions from the duty Fire Warden who will be the person wearing the appropriate fluorescent jacket
- Two metre distancing should be observed as much as possible but may always not be practical. Assemble and wait at muster points respecting social distancing while you do so.

First Aid

- Reception is currently closed. If you require first aid assistance call 01473 264444

Health and Hygiene

- Wash your hands regularly for at least 20 seconds especially after entering doors, using handrails, hot water dispensers, etc.
- If you cough or sneeze use tissues to catch coughs and sneezes and dispose of safely in the bins outside the floor plate. If you develop a more persistent cough please go home and do not remain in the building.
- If you start to display symptoms you believe may be Covid 19 you must advise your manager, clear up your belongings, go home and follow normal rules of isolation and testing.
- Whilst in EH you are required to wear your face covering when inside (unless you have an exemption) in all parts of the building (including

the access routes, communal areas, cloakroom facilities, etc.). Re-useable face coverings are available from the H&S Team if you require one.

- First Aiders – PPE has been added to first aid kits and should be used when administering any first aid.
- NHS COVID-19 App. You are encouraged to use the NHS C-19 App. To log your location and to monitor your potential contacts should track and trace be necessary.

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.

Agenda Item 7a

Committee Report

Item 7A

Reference: DC/19/05740

Case Officer: Vincent Pearce

Ward: Fressingfield.

Ward Member/s: Cllr Lavinia Hadingham

RECOMMENDATION – REFUSE OUTLINE PLANNING PERMISSION

Description of Development

Application for Outline Planning (all matters reserved) - Residential development (up to 27 dwellings, including affordable housing) and the construction of estate roads and footpaths together with related drainage and landscaping.

Location

Land west of John Shepherd Road, Fressingfield, Suffolk

Expiry Date: 30/06/2020

Application Type: OUT - Outline Planning Application

Development Type: Major Small Scale - Dwellings

Applicant: F. G. Brown and Son

Agent: Mr Neil Ward

Parish: Fressingfield

Site Area: 1.39ha

Density of Development:

Gross Density (Total Site): 19.4 dph

Net Density (Developed Site, excluding open space and SuDs): 19.4dph [no open space or SuDS within developable area]

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

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

Has the application been subject to Pre-Application Advice: No formal advice

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

Fressingfield Neighbourhood Development Plan - adopted 27 March 2021:

FRES 1 Housing provision

FRES 6 Protecting landscape character and natural assets and enhancing village gateways/entrances

FRES 11 Localised flooding and pollution

FRES 15 Transport and highway safety

NPPF National Planning Policy Framework 2019

Core Strategy Focused Review 2012:

FC01 - Presumption In Favour of Sustainable Development

FC01_1 - Mid Suffolk Approach to Delivering Sustainable Development

FC02 - Provision and Distribution of Housing

Core Strategy 2008:

CS01 - Settlement Hierarchy

CS02 - Development in the Countryside & Countryside Villages

CS05 - Mid Suffolk's Environment

Local Plan Alteration 2006

H4 - Proportion of Affordable Housing in New Housing Developments (35%)

Mid Suffolk Local Plan 1998:

GP01 - Design and layout of development

HB1 - Protection of Historic Buildings

HB8 - Safeguarding the Character of Conservation Areas

HB14 - Ensuring Archaeological Remains Are Not Destroyed

H4 - Affordable Housing

H5 - Affordable Housing

H7 – Housing in Open 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

CL11 - Retaining High Quality Agricultural Land

T09 - Parking Standards

T10 - Highway Considerations in Development

T11 - Facilities for Pedestrians and Cyclists
T13 - Bus Service
RT4 - Amenity Open Space and Play Areas within Residential Development
SC1 - Adequate Servicing of Infrastructure

Supplementary Planning Documents:

Suffolk Adopted Parking Standards (2019)
Suffolk Design Guide

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)

Fressingfield Parish Council

Fressingfield Parish Council recommends refusal of this application.

When the district council considered a previous application for this site (1432/17), councillors were appalled to hear of how raw sewage would periodically overflow from Fressingfields sewerage system into the street and a local watercourse. This problem has still not been solved and is getting worse. Steady or heavy rain seems to be the catalyst. (Details are in the SAFE response.) A working group and closer connections with Anglian Water, Suffolk Highways and Suffolk Flood Management have been established.

However, the full causes of the problem, which is a health hazard and a 21st century disgrace, have not yet been identified. Only when that is done can solutions be designed and implemented. Any proposals that try to avoid exacerbating the problem are currently based on incomplete knowledge of the causes.

Of course, the applicant may wish to install the pipework and controls described in this application to work towards a solution. It would be a way to complement the existing sewerage system for houses on New Street. It could resolve the existing problems of sewer egress in the Low Road area of the village. This would re-assure parishioners. Fressingfield Parish Council believes that only when solutions to the sewerage problems have been designed and implemented should new housing applications be seriously considered.

Put simply, it is not right to expect residents to live in an expanding village where the content of their loo ends up in the street and the local watercourse.

Key points from the councils planning committee meeting:

Planning permission already exists for 51 houses in the village. If permission is granted for this new development, it would mean that planning permission had been given to 39% more than the minimum required in BMSDC draft Local Plan.

There are 2 other development applications currently on the table. These would add a further 39 homes to the village. The resulting figure of 117 homes (51+27+39) is more than double that in the draft Local Plan. The plan has another 16 years to run.

As permission has been granted for 51 houses already, the medium-term sustainability of the school is not an issue.

Benefits would accrue to the parish via a CIL allocation.

Adding a further 27 houses (54 cars?) to an estate that already has 30 houses would create serious safety and congestion issues. John Shepherd Road is effectively a cul de sac as it has just one entry/exit. These additional vehicles will inevitably impact on the safety and emotional well-being of all pedestrians. There are important pedestrian routes in the middle village where there are no pathways and the streets are narrow (around Jubilee Corner, substantial parts of New Street and part of Stradbroke Road).

In its report to the district council at the last application (1432/17), Suffolk Highways confirmed that accidents did not need to have occurred to identify a route as dangerous, but ... that weight should be given to observed conflicts between pedestrians and vehicles... (NPPF para 110)

Although measures were proposed to mitigate the dangers likely to occur with an increase in vehicular and pedestrian traffic on routes at the core of the village, the report stated, The measures proposed are the best solution available within the existing constraints (but) they fall short of making the highway safe for pedestrians. Steve Merry, Transport Policy and Development Manager Growth, Highways and Infrastructure concluded, It is the Highway Authorities opinion that further traffic passing along New Street and/or through Jubilee Corner would result in an unacceptable impact on highway safety particularly for vulnerable pedestrians.

Speed restriction plans for New Street would be welcome.

There are no public transport links to and from the village.

National Consultee (Appendix 4)

Natural England

No comments.

Historic England

The proposed development site lies on the western side of the Fressingfield conservation area and in the setting of the grade I listed Church Farm Stable. This chiefly dates from the 14th century with a 16th century inserted floor. It is a former open hall of raised-aisle construction with smoke blackened roof components. This is an outstanding example of 14th century vernacular carpentry. The grade II* listed barn (listed as Barn approximately 50 metres west south west of Church Farm Stable) dates from the late 13th century to early 14th century and was rebuilt using much original material in the late 17th century. Both buildings are timber framed and weather boarded with pitched tile roofs. These agricultural buildings form part of a wider historic farmstead, Church Farm, which can be clearly identified on the 1885 OS map. This relationship to agricultural land is a long-standing part of the Church Farm Stable and the barn's setting and contributes to an understanding of them in a rural community. The conservation area is characterised by its close relationship with the surrounding countryside and its origins as a settlement being primarily agricultural.

This application seeks permission for up to 27 new dwellings to the west of Fressingfield. The development site encompasses two of the four fields which were the subject of an earlier application, permission for which was refused in 2017 due to its impact on the setting of the Church Farm group. The current proposals have removed new building from the land immediately west of Church Farm, but the 27 new dwellings would constitute an extension of modern building into the agricultural land which is their immediate setting of the listed buildings.

While the impact is certainly reduced we remain concerned that this part of the western side of the conservation area is not the most suitable part of Fressingfield to receive additional building due to its potential to harm the historic significance of the conservation area and the highly graded listed buildings. The National Planning Policy Framework (NPPF) states that the purpose of the planning system is to achieve sustainable development and that protection and enhancement of the historic environment is an overarching objective in this (paragraphs 7 and 8). The significance of listed buildings and conservation areas can be harmed or lost by alteration to them or development in their setting. The NPPF states that clear and convincing justification should be made for any such harm and that 'great weight' should be given

to the conservation of listed buildings and conservation areas irrespective of the level of harm caused (paragraphs 193 and 194). This weight and the justification for harm should be especially convincing where harm to buildings of a high grade of listing is concerned. Paragraph 200 also states that the Council should favour those proposals for development which preserve those elements of setting that make a positive contribution to the heritage asset or better reveal its significance.

We have considered this application in terms of this policy and are concerned that The proposed development to the west of Church Farm Stable and barn would introduce modern housing beyond the established historic pattern of development and could result in harm to the historic significance of the Former Stables and Barn by diminishing the quality of their setting that contributes to their significance. This could result in harm to significance of the listed building in terms of the NPPF, paragraphs 193 and 200. Paragraph 196 requires the Council to consider any public benefit which might be delivered by the proposals and weigh this against the harmful impact. We leave this matter to the Council but would recommend any harmful impact the development might cause is established and seek the required justification for that harm before determining the application. However, we would point out that the southern side of the conservation area is already marked by more extensive modern building and is further from Church Farm. This would seem a more appropriate place to provide new dwellings in the area.

Recommendation

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 7, 8, 193 and 194 of the NPPF. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice.

County Council Responses (Appendix 5)

Highways

The previous application for these sites was reviewed with another within Fressingfield to consider the cumulative impacts from all three developments on the highway. It was considered that the developments proposals would cumulatively give rise to a number of significant road safety concerns which taken in the round, add up to a severe impact in road safety terms:

- The footway network in the core of the village, where most pedestrian trips would need to pass to access the key services in the village, are below acceptable width standards, resulting in pedestrians needing to walk in the road to pass obstructions and opposing pedestrians.
- Some pedestrian crossing points have poor visibility and while traffic speeds are generally quite low, the increase in traffic flow resulting from the cumulative impact of developments in the village, would give rise to an unacceptable increase in risk of conflicts, as some of these would have the potential to result in injury collisions.

In recent appeal for the sites, the inspector determined the proposal would not have a harmful effect on highway and pedestrian safety within the village. The report acknowledged the concerns raised with regard to pedestrian safety, however, with low number in accidents in the area, it was considered there is little substantive evidence to demonstrate that the proposal would result in pedestrian and highway safety concerns.

As the proposed developments have a reduced number of dwellings from the previous applications and the Inspector's opinion on highway safety, we do not object to these proposals. We would recommend the highway improvements proposed from the previous applications are provided.

CONDITIONS

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

Highway Improvement Condition; Prior to occupation of the development, detailed design of the mitigation measures are to be submitted and approved by the highway authority. The approved scheme shall be laid out, constructed and made functionally available for use by the occupiers of the development prior to the occupation of the first dwelling and thereafter retained in the approved form for the lifetime of the development.

Reason: To ensure that suitable speed mitigation measures and highway improvements are provided.

Estate Roads Design 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.

Estate Roads 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.

Parking Condition: Before the development is commenced details of the areas to be provided for the manoeuvring and parking of vehicles including electric vehicle charging points and secure cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To enable vehicles to enter and exit the public highway in forward gear in the interests of highway safety, to promote the use of sustainable travelling alternatives within the area and use of electric vehicles.

Bin Condition: Before the development is commenced details of the areas to be provided for storage and presentation of Refuse/Recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

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

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

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

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

Developer Contributions

CIL	Education	Capital Contribution
	- Primary @ £17,268 per place	£120,876
	- Secondary @ £23,775 per place	£118,875
	- Sixth form @ £23,775 per place	£23,775
CIL	Libraries improvements	£5,832
CIL	Waste @ £56 per dwelling	£1,512
S106	Education	
	- Secondary school transport @ £1,205 per place	£30,125
S106	Highways	tbc
S106	Monitoring fee (per trigger point)	£412

Archaeology

This site lies in an area of archaeological potential recorded on the County Historic Environment Record (HER), within the site itself is medieval artefact scatter (HER reference FSF 081). To the east of the application area is the historic core of the village which includes the medieval parish Church of St Peter and St Paul (FSF 023), whilst surrounding the application area is artefact evidence dating from the Iron Age to post-medieval period. 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.

Internal Consultee Responses (Appendix 6)

Heritage

An application for Outline Planning Permission (1432/17) was refused for several reasons, including potential impact on the setting of listed buildings and of the Conservation Area around the northern part of the site.

The present application relates to a smaller area which was part of the site of the previous application, omitting the northern part. The present application site is not contiguous with the Conservation Area or the immediate setting of the listed buildings. The proposal would still result in some erosion of the rural character of the wider setting of these heritage assets, but the existing development at John Shepherd Road has compromised that character and accordingly the impact of this proposal is not considered to amount to harm in heritage terms.

In my view the present proposal overcomes heritage concerns raised by the proposal of 1432/17.

Strategic Housing

This is an open market development and should offer nine (9) affordable housing units which = 35% policy compliant position.

Ecology Consultant

No objection subject to securing biodiversity mitigation and enhancement measures.

Public Realm

Public Realm have concerns that there is no provision for open space or children's play within this development and that the developer states this is due to the potential problems of managing small space facilities. Public Realm would expect to see an appropriate level of open space/ accessible natural greenspace to be included within this development of 27 houses. Fressingfield is deficient in accessible natural greenspace and there is an opportunity here to create an area of ecological value to reduce this deficit. (There is no updated ecological report included in the document list) If a small play area cannot be included within the development site then a contribution towards improving existing facilities on the opposite side of the village would be expected. Given the lack of open space or play provision within this development and a lack of information as to the ecological enhancements that will be undertaken Public Realm object to this application in its current form.

Environmental Health Noise/Odour/Light/Smoke

No objection subject to conditions.

Environmental Health Sustainability

No objection subject to conditions.

Environmental Health Contamination

No objection subject to conditions.

Air Quality

No objection.

Waste

No objection subject to conditions.

Other

Anglian Water

In their initial response on this proposal Anglian Water stated that there is insufficient foul capacity at the Weybread Recycling Works to accept foul flows from this proposed development. This advice contradicts the advice given to the Council by Anglian water in respect of DC/19/05741 [Stradbroke Road] where adequate capacity at the Weybread Works was reported to exist. [A report on respect of the Stradbroke Road site also on this agenda].

In an email dated 10.06.2021 Anglian water confirmed that there was a typo in their initial advice in respect of DC/19/05740. **It should have read there is capacity.** On this basis there is no objection from Anglian water. Anglian Water has apologised for the typographical error and confusion it may have caused.

"This response has been based on the following submitted documents: Flood risk assessment p1930-1151_03 rev d - vol 1 and 2 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.

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. Anglian Water has reviewed the submitted documents (Flood risk assessment p1930-1151_03 rev d - vol 1 and 2) and can confirm that

these are acceptable to us. We require these documents to be listed as approved plans/documents if permission is granted.”

Suffolk Preservation Society

I am writing on behalf of the Suffolk Preservation Society (SPS) to object the above outline planning application for the erection of up to 27 dwellings on a greenfield site on the southern edge of the village. This is a revised application DC/17/01432 for 99 dwellings with associated infrastructure which was refused in November 2018. SPS objected to the previous application due to the unsustainable location and the disproportionate scale of the development, taken together with other large scale housing schemes. Notwithstanding the substantial reduction in the scale of the proposed development SPS continues to object on the following grounds.

The emerging Joint Local Plan downgrades Fressingfield from a Primary to a Hinterland Village which requires it to accommodate a lesser quantum of development, recognising that it is fundamentally not well placed or served to accommodate substantial increases in housing. Accordingly the evolving policy position shows a minimum housing requirement of 56 dwellings over the plan period.

Mid Suffolk, as of 3.09.19 (Mid Suffolk District Council Housing Land Supply Position Statement 2019/20 – 2023/24) asserts that the council can demonstrate a 5 year housing land supply. Therefore, the “tilted balance” presumption in favour of sustainable development does not apply and applications should be determined according to the development plan.

The Fressingfield Neighbourhood Plan (FNP) is at an advanced stage, having been through Examination and is about to go to Referendum in the coming weeks (January 2020). The FNP policy FNP1 allows for 60 dwellings, 51 of which have already been consented. The FNP does not allocate this site for development. The Examiner in her report, at paragraph 53 having considered the proposed site allocations stated that “I do not consider it necessary for inclusion of additional sites”. The Neighbourhood Plan has been carefully considered and independently assessed. The views of the parish have been clearly made. Therefore, the policies within the plan must be given considerable weight in the consideration of this case.

Conclusion

In summary, notwithstanding the material reduction in the scale of development, the proposal remains disproportionate relative to the level of growth allocated and planned for in the emerging Neighbourhood Plan. This would prejudice the policy making process by undermining the plan-led approach. Secondly, granting planning permission would undermine community confidence in the plan making process after successful Examination but in advance of a Referendum on that Plan.

The community, through the neighbourhood plan process, has clearly rejected this site for development whilst setting out alternative sites that are capable of contributing towards the housing need in the district. SPS considers that to approve this application would seriously undermine the neighbourhood planning process and we therefore urge that the proposals are yet again refused.

B: Representations

At the time of writing this report at least 60 letters/emails/online comments have been received. It is the officer opinion that this represents 60 objections. A verbal update shall be provided as necessary.

Grounds of objection are summarised below:

- Contrary to the Fressingfield Neighbourhood Development Plan
- Overlooking
- Loss of farmland
- Harm to local heritage and conservation values

- Highway safety
- Too many houses already approved in village
- Exacerbates existing flooding, sewage egress and associated pollution of water courses
- Lack of need – no local employment opportunities, public facilities, public transport
- MSDC has a five year housing supply
- Unacceptable strain on existing services and infrastructure
- High car dependency
- Local village character harm

(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: 1432/17	Application for Outline Planning Permission with all matters reserved for residential development, up to 99 dwellings, including affordable housing, together with the construction of estate roads & footpaths, drainage, landscaping & the provision of public open space, including children's play space	DECISION: REF 22.11.2018
REF: 0318/00/	REVISIONS TO PLOTS 1,2 AND 7 AND SITE LAYOUT (AS PREVIOUSLY APPROVED UNDER PLANNING PERMISSION REFERENCE 195/94).	DECISION: GTD 30.05.2000

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1. The site comprises an enclosed field of 1.39ha of agricultural land, adjoining the built up area of the north-western side of Fressingfield, designated in the Core Strategy as a Primary Village. The site adjoins the John Shepherd Road housing estate on its eastern side. To the south are properties that front New Street. To the west and north are similarly enclosed fields beyond which is open countryside. The site is bordered on all sides by woodland belts.
- 1.2. The nearest designated heritage assets are the Grade I listed Church Farm Stable and the Grade II* listed barn, located 100m and 145m northeast of the site respectively. An additional designated heritage asset, the Fressingfield Conservation Area, is located east (beyond the John Shepherd Road housing estate) and south of the site.
- 1.3. The site is not subject to special landscape designations or ecological designations.
- 1.4. The site is located adjacent the settlement boundary as defined in the Fressingfield Neighbourhood Development Plan, the Core Strategy and the Local Plan.
- 1.5.

2. The Proposal

- 2.1. The application is made in outline with all matters reserved seeking consent for up to 27 dwellings. The proposed density is just over 14 dwellings per hectare.
- 2.2. An illustrative scheme (3382-10F) supports the application indicating how development might be brought forward. Key elements of the illustrative scheme are as follows:
 - A mix of detached, semi-detached and terraced two storey dwellings comprising mix of two, three and four-bed dwelling types.
 - 9 affordable dwellings (33% affordable housing provision)
 - An estate road continuation of John Shepherd Road
 - A new permissive footpath link to New Street
 - Retention of perimeter hedgerows
 - Foul water sewer diversion
 - Off-site road improvement works at Jubilee Corner and New Street, together with a traffic order relating to New Street (refer drawing 1151/03/500B).
 - Surface water is to drain to an attenuation basin north of the site in the adjacent arable field
 - Foul water will connect to a diverted sewer serving New Street properties.
 - Provision is made for farm vehicle access to the applicant's retained farmland north and west of the site.
- 2.3. The application is a resubmission following the refusal of an outline proposal for 99 dwellings (1432/17) in November 2018. The subject site forms a smaller part of the site that was previously refused planning permission. The current application seeks to address the reasons upon which the previous application was refused.
- 2.4. The application is supported by the following technical documents:
 - Planning Statement
 - Design and Access Statement
 - Topographical Survey
 - Arboricultural Impact Assessment
 - Transport Assessment
 - Flood Risk Assessment and Drainage Strategy
 - Contaminated Land Assessment
 - Heritage Impact Assessment
 - Ecological Assessment.
- 2.5. The application is submitted by the same landowner as DC/19/05741 (an outline proposal for up to 21 dwellings) that also appears on this Development Control Committee agenda. The applicant is therefore seeking outline permission cumulatively for up to 48 dwellings in Fressingfield albeit this application has been judged on its individual merits.

3. Policy Context

- 3.1. Paragraph 11 of the NPPF explains that there is a presumption in favour of sustainable development which comprises economic, social and environmental objectives. It indicates that where the development plan is absent, silent or policies which are most important for determining the application are out-of-date, planning permission should be granted unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits when assessed against the

policies of the NPPF as a whole; or unless specific policies in the NPPF indicate that development should be restricted.

- 3.2. In view of advice in paragraph 11(d) of the NPPF, it is necessary to consider how consistent the most important policies in the development plan are with the NPPF, to assess what weight should be attached to them. Paragraph 213 of the NPPF explains that due weight should be given to relevant policies according to their degree of consistency with the NPPF, the closer the policies in the plan to those in the NPPF, the greater the weight that may be given.
- 3.3. The development plan for the area comprises a combination of the adopted Fressingfield Neighbourhood Development Plan (FNDP), the Core Strategy Focused Review 2012, the Core Strategy 2008, the 'saved' policies of the Local Plan 1998 and the emerging Joint Local Plan.
- 3.4. The application is made in outline. Local policies concerned with detailed design, residential amenity and landscaping are not deemed 'most important' and are not considered further.
- 3.5. The FNDP is very recently adopted. The policies in the FNDP relevant to the application, FRES 1, FRES 6, FRES 11 and FRES 15 are consistent with the NPPF and full weight is attached to them.
- 3.6. CS Policy FC1.1 is a broad policy that sets out how the Council will seek to implement sustainable development; it is up to date and afforded full weight.
- 3.7. Core Strategy Policies CS1, CS2 and Local Plan Policy H7 have been found previously to be deemed out of date by the Planning Inspectorate. However in this particular case we have a spatial strategy for Fressingfield that has been reviewed and brought up to date with the making of the FNDP, with new housing allocations made alongside policies sufficient to meet the latest identified requirement for new housing. Policies CS1, CS2, and H7 are compatible with the FNDP, and in particular FRES1. Their spatial setting principles remain sound when considered in the current context and their approach to dealing with housing in the countryside in the parish of Fressingfield now needs to be read alongside the making of the FNDP. Through the making of the FNDP the policies are responsive to local circumstances. Having regard to this application and the present circumstances, these policies are considered up to date.
- 3.8. Policy HB1 is consistent with the duties in the listed buildings Act and the requirements of the NPPF. It is afforded full weight
- 3.9. CS Policy T10 is similar to FRES15 and is consistent with the NPPF. It is up to date and afforded full weight.
- 3.10. The emerging Joint Local Plan is now at examination with hearings to commence shortly. At this particular point in the plan-making process (and having regard to NPPF paras 48 and 49) the JLP as a whole is afforded limited weight as a consideration though this is likely to change as time moves on. Regardless, it is not considered to play a determinative role in this application (and would if anything only serve to reinforce the conclusion reached).
- 3.11. For the reasons set out above, taken in the round the most important policies for the determination of this application are up to date. Mid Suffolk benefits from a five year housing supply. For these reasons the tilted balance does not engage.
- 3.12. Having determined that the tilted balance does not engage, it is left to determine the key issues and assess the proposal's performance against relevant policies in the context of those issues. The key issues are:

- a) Whether the site is an appropriate location for housing;
- b) The effect of the proposed development on local landscape character;
- c) The effect of the proposed development on the setting of nearby designated heritage assets;
- d) The effect of the proposed development on highway and pedestrian safety; and
- e) Whether the proposal would exacerbate the existing flooding and pollution issue in the village.

4. Appropriateness of Location for Housing

4.1. The FNDP (and in particular Policy FRES1) provides for a comprehensive spatial strategy and as noted above is recently made. The FNDP directs where new sustainable housing development should go (site allocations) and where it should not go (beyond the settlement boundary absent compliance with particular policy exceptions). An assessment of the proposal in the context of the directions contained at Policy FRES 1 finds:

- a) The subject site is not allocated for housing development in FRES 1;
- b) The subject site is outside the settlement boundary defined in FRES 1 (MAP 5.1);
- c) The application does not propose conversion of an existing building and is not in an isolated location where paragraph 79 of the NPPF might otherwise engage;
- d) An identified local need is not evidenced in the application;
- e) Policy FRES 1 contemplates around an additional 60 dwellings to be provided in the Plan period (2018-2036). 55 dwellings have already been permitted in the period. The proposed 27 dwellings would far exceed the provision contemplated by Policy FRES 1.

4.2. It is clear and obvious that the application is in direct conflict with Policy FRES 1. In turn, the application is not in accordance with Policy CS1. Within the terms of that policy Fressingfield is a Primary Village only expected to accommodate limited 'small scale' growth, subject to need. Such growth is dealt with in accordance with Policy FRES1 and the comprehensive strategy provided within the FNDP.

4.3. Further, the development does not meet any of the exceptions listed in Policy CS2. The proposed development also conflicts with Policy H7 because it does not form part of an existing settlement, a settlement that has only very recently been reviewed with a settlement boundary expanded to accommodate new growth.

4.4. It is concluded that the location is not appropriate for housing having regard to the development plan and national policies. It would be contrary to policies FRES1, FC1.1, CS1, CS2 and H7. Furthermore it is contrary to NPPF paragraphs 77 and 78, and would be contrary to the importance placed upon the plan-led system, in particular neighbourhood planning. This represents harm of notable significance.

5. Landscape Character

5.1. Policy FRES 6 seeks to ensure development does not adversely affect the visual scenic value of the landscape and countryside surrounding the village. The policy identifies four important views in the village that are sensitive to development. The site is not located in proximity of any of those views and therefore the development is not in conflict with this element of the local character policy. Policy FRES 6 also seeks to ensure proposals avoid harm to, or loss of, irreplaceable habitats such as ancient woodland and veteran trees. The proposal accords with these requirements.

5.2. The site is visually very well contained, enclosed on all sides by woodland belts. The application proposes the retention of all perimeter vegetation. The land is undeveloped and therefore the

development of 27 dwellings would result in an obvious character change, a significantly different landscape outcome to that which currently exists. The proposal would result in the erosion of the village's rural character edge. However, the harm is mitigated by the site's high level of visual enclosure and its location, set behind existing properties, meaning the development will be only visible in very limited public domain vantage points. Owing to the pattern of surrounding development to the north and west, comprising similarly enclosed fields, the development will not appear as an intrusion into open countryside. In visual terms whilst change will be very noticeable for the occupants of adjoining properties, it will not be noticeable to the wider public. In other words, the landscape character change will be localised.

- 5.3. The site context is such that development of the site for residential purposes does not result in significant conflict with Policy FRES 6. The degree of landscape harm brought about by the proposed development is not of a magnitude to warrant refusal of the application. Noteworthy is the fact this conclusion was also reached in respect to the previous 99 dwelling development.

6. Heritage Character

- 6.1. The principal heritage character concerns relate to the potential impact of the development on the setting of the Fressingfield Conservation Area as well as the Grade I listed Church Farm Stable and the Grade II* listed barn, the latter buildings located north-east of the site.
- 6.2. The previous application was refused, in part, on heritage character grounds. In response, the current application omits the previously proposed development that was in close proximity of these north-eastern heritage assets. Historic England however still have reservations, stating that the development 'could' result in harm to the historic significance of the Grade I listed Church Farm Stable and Grade II* listed Barn, by virtue of locating modern housing beyond the established historic pattern of development. Historic England observes the need for balancing heritage harm with the public benefits of a scheme and notes that this exercise is one for the Council to undertake. Historic England recommends Council establishes any harmful impact the development 'might' cause.
- 6.3. Council's Heritage Officer has undertaken the necessary assessment exercises recommended by Historic England. The Heritage Officer is of the view that whilst the proposal would result in some erosion of the rural character of the wider setting of the nearby heritage assets, the John Shepherd Road housing estate has compromised that character to an extent that the impact of the subject scheme is not considered to amount to harm in heritage terms. In short, the Heritage Officer considers the current scheme addresses the heritage concerns raised by the previous refused proposal. In light of the Heritage Officer advice the level of harm is deemed very low, less than substantial and therefore the harm must be weighed against the public benefits of the scheme, in accordance with paragraph 196 of the NPPF. Although the scheme benefits are not significant (see further discussion at section 8 of this report), they are considered to outweigh the heritage harm, given it is low. This is the case even where considerable importance and weight is attached to the harm identified and acknowledging that where harm is identified there is a presumption against a grant of permission. In this case the public benefits would provide clear and convincing justification for the heritage harm – being very low – that would be posed.
- 6.4. Thus, the heritage character harm brought about by the proposed development is not of a level sufficient to constitute a reason to withhold planning permission.

7. Highway and Pedestrian Safety

- 7.1. Local Plan Policy T10 requires consideration of a number of highway matters when determining planning applications, including; the provision of safe access, the safe and free flow of traffic and pedestrian safety, safe capacity of the road network and the provision of adequate parking and turning for vehicles. Policy T10 is a general transport policy which is generally consistent with Section 9 of the NPPF on promoting sustainable transport, and therefore is afforded considerable weight.
- 7.2. Policy FRES 15 seeks to ensure developments provide safe and attractive pedestrian and cycle links that connect to existing networks and improve levels of walking and cycling in the area. As noted above, this policy is consistent with the NPPF, is up to date and afforded full weight.
- 7.3. Access is a reserved matter and therefore beyond the scope of this assessment. This said, it is to be noted that a continuation of John Shepherd Road raises no obvious road safety issues in and of itself and support is envisaged at the reserved matters stage in respect to access should members be minded to grant outline permission. Clearly the local highway authority's advice within which it raises no objection on highway safety and/or capacity grounds is critical in this respect. The reason why such advice has changed between the refusal of the larger proposal by the Council in 2018 and this the smaller proposal has been set out by the local highway authority.
- 7.3. The illustrative layout demonstrates that on-site parking can be provided in accordance with relevant standards, a consideration to be furthered at the reserved matters stage should members be minded to grant outline consent.
- 7.4. Many residents are concerned with highway safety in the village more generally, in particular significant concern is raised regarding Jubilee Corner both for vehicles and pedestrians. The applicant proposes off-site highway improvements to Jubilee Corner and New Street, which were previously agreed with the Highways Authority. Measures include a new pedestrian strip, widened footway, splitter island modifications, new overrun areas on both sides of the junction and road resurfacing incorporating coloured chippings. It was also agreed with the Highways Authority that the applicant would fund a Traffic Regulation Order in respect to New Street, which again is proposed by the applicant.
- 7.5. The proposed development provides pedestrian linkages to existing networks, noting the continuation of the footpaths on both sides of John Shepherd Road. That said the outcome does not in and of itself materially improve levels of walking and cycling in the area.
- 7.6. The application proposes a new permissive footpath link connecting the western side of the site to New Street, with a link provided on the western side of Gable Cottage. There are no footpaths on New Street and the road is narrow. There are no bus stops on New Street. Fressingfield Stores on New Street is only a few metres east of the proposed permissive footpath link and so the absence of a footpath for this short stretch would not be unacceptable, save for the fact that Fressingfield Stores is proposed to be relocated to Stradbroke Road as part of the development proposal in concurrent application DC/19/05741. If that proposal is granted permission and implemented, i.e. Fressingfield Stores is relocated, the outcome would be one where a pedestrian link is provided to a road without footpaths, without public transport opportunities, without any local amenities. For this reason officers consider the public benefit of the proposed permissive footpath link, in pedestrian connectivity terms, to be very limited.

8. Flood Risk, Drainage and Waste

- 8.1. Policy FRES 11 requires new development to adopt sustainable drainage systems and to avoid increased flooding in the village, with development in flood risk areas not supported. In respect to the latter, the site is not located in an area subject to unacceptable flood risk, being located in Flood Zone 1, and it is also outside the localised flooding areas identified in the FNDP (MAP6.4).
- 8.2. Many objectors, including the Parish Council, raise concerns regarding the ongoing issue of insufficient sewer capacity in the village. Many residents consider that the proposal will exacerbate this issue and such an outcome would be unacceptable. Anglian Water has clarified that the Weybread Water Recycling Centre **does** have capacity to treat the foul water flows from the proposed development. They do however state that they would take the necessary steps to ensure that there is sufficient treatment capacity should the outline permission be granted.
- 8.3. Acknowledging the sewage flooding issue in the village, the applicant has worked with Anglian Water and now proposes a scheme to divert the foul sewer in New Street (currently serving 105 dwellings) and provide temporary storage capacity within oversized sewers. As observed by the applicant, this scheme would divert far more properties from the existing foul water system and much greater sewage flows than would be added to it as a result of the current proposal and it therefore results in a significant net gain. It is concluded that this diversion scheme will alleviate the sewage flooding issue that is, quite rightly, of such concern to local residents.
- 8.4. It must be made clear however that irrespective of the proposed diversion scheme, on the evidence available at this time, a clear link between the proposed development and an increased risk of flooding has not been established. On that basis officers do not consider that this could reasonably form a reason for withholding planning permission.

9. Other Issues

- 9.1. There are considerations not already discussed in this report that are additionally material to the application. These include, for example, the impact on the supply of agricultural land, ecological impacts, public open space provision, residential amenity, contamination risk, arboricultural impacts and archaeology. The application does not turn on any of these matters. They are either satisfactory or could be adequately managed at the reserved matters stage of the development process. For these reasons there is no requirement to consider them in any further detail at this outline stage.

10. Scheme Benefits

- 10.1. The application should be determined in accordance with the development plan unless material considerations indicate otherwise. The benefits of the development, as material considerations, must therefore be taken into account.
- 10.2. Such benefits in this case principally relate to the provision of new housing. While new housing, and new affordable housing, are of themselves important benefits they are afforded limited weight in light of the district's current housing supply, which exceeds five years. The economic benefits to flow from a 27 dwelling development would not be insignificant, however in respect to local construction related benefits these would be relatively short lived and in any event temporary. Increased local spending by future occupants are a benefit to the village but this is not a matter upon which great weight is attached, particularly in light of the very limited local employment opportunities on offer in the village. The highway improvements proposed would have some wider

utility but are nevertheless proposed in order to improve highway safety credentials. An improved foul water management system is a benefit of note. Overall however, when considered in the round, limited weight is attached to the scheme benefits.

PART FOUR – CONCLUSION

11. Planning Balance and Conclusion

- 11.1. The residents of the parish of Fressingfield have set the guiding principles for how the future development of the village is to progress for the period 2018 – 2036, through the neighbourhood planning process and the making of the FNDP, a plan adopted in March this year. The FNDP forms part of the development plan, is consistent with the NPPF, is up to date and therefore afforded full weight. Policies CS1, CS2, and H7 are compatible with the FNDP, in particular FRES1. They are also deemed up to date. The basket of policies most important in determining the application are up to date and the Council benefits from a five plus year housing supply. The tilted balance at paragraph 11 of the NPPF therefore does not engage.
- 11.2. Fressingfield is a Primary Village expected to accommodate ‘small scale’ development to meet local needs. The FNDP allocates sites for future housing, sets a quantum of dwellings to be provided in the forthcoming 20 year period having regard to its Primary Village function, and seeks to prevent housing development outside the village’s settlement boundary. The subject land does not form part of an allocated site and is outside the settlement boundary. The application does not demonstrate a local need for an additional 27 dwellings. A 27 dwelling proposal does not constitute ‘small scale’ development. Taking account of the dwellings already granted permission in the village in the period, the quantum of additional housing proposed would result in a local housing supply far exceeding the quantum set out in the FNDP. The proposal is in clear conflict with the housing policies of the FNDP.
- 11.3. The proposed development would have limited adverse effects on nearby designated heritage assets, including the Fressingfield Conservation Area, with the John Shepherd housing estate acting as an effective buffer between the site and the nearby assets. Landscape harm is low owing to the site context, with proposed development enclosed by perimeter vegetation screening and having limited appreciation from public vantage points.
- 11.5. Issues such as highways, flood risk, foul water management, public open space, ecology, residential amenity and archaeology are either acceptable, able to be managed effectively by way of planning conditions on an outline approval or have the scope to be appropriately resolved through reserved matters applications. The application does not turn on these matters.
- 11.6. The public benefits of the scheme are not significant, with the housing (including affordable housing) supply increase the principal advantage. However this benefit is attached low weight given the district’s current five plus year housing supply.
- 11.7. The proposed development is contrary to the development plan and national planning policy and there are no material considerations that justify a departure from those policies; the harm that has been identified significantly and demonstrably outweighs the limited benefits.
- 11.8. There are no other considerations that would indicate a planning balance being struck any other way than to refuse outline planning permission.

RECOMMENDATION

That the application is REFUSED outline planning permission for the following reasons:

1. The proposed 27 dwelling development, located outside the settlement boundary, on land not allocated for housing and lacking a justifiable need, fails to accord with Policy FRES1 of the adopted Fressingfield Neighbourhood Development Plan 2018 - 2036, Policy FC1.1 of the Core Strategy Focused Review 2012, Policies CS1 and CS2 of the Mid Suffolk Core Strategy 2008, Policy H7 of the Mid Suffolk Local Plan 1998 and the National Planning Policy Framework 2019.
2. The development proposed is contrary to the development plan as a whole and there are no considerations which indicate otherwise.

That Members delegate authority to the Chief Planning Officer to defend any appeal for the reasons set out above, being amended and/or varied as may be required.

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Application No: DC/19/05740

Location: Land west of John Shepherd Road
Fressingfield

Page No.

Appendix 1: Call In Request	<i>NO</i>	
Appendix 2: Details of Previous Decision	<i>This application has not been to Committee before but site has been included in a larger proposal that was refused by the Council. 1432/17 outline up to 99 dwellings</i>	
Appendix 3: Town/Parish Council/s	<i>Fressingfield</i>	
Appendix 4: National Consultee Responses	<i>Natural England Historic England</i>	
Appendix 5: County Council Responses	<i>Highways Developer Contributions Archaeology Floods and water</i>	
Appendix 6: Internal Consultee Responses	<i>Heritage Strategic Housing Place Services ecology Public Realm EHO: Noise/odour/light/smoke EHO: Sustainability EHO: Contamination EHO: Air Quality Waste</i>	
Appendix 7: Any other consultee responses	<i>Anglian Water Suffolk Preservation Society</i>	



Babergh and Mid Suffolk District Councils



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

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



Consultee Comments for Planning Application DC/19/05740

Application Summary

Application Number: DC/19/05740

Address: Land West Of John Shepherd Road Fressingfield Suffolk

Proposal: Application for Outline Planning (all matters reserved) - Residential development (up to 27 dwellings, including affordable housing) and the construction of estate roads and footpaths together with related drainage and landscaping.

Case Officer: Vincent Pearce

Consultee Details

Name: Mr Andy Parris

Address: The Stooks, New Street, Fressingfield Eye, Suffolk IP21 5PG

Email: clerk.fresspc@gmail.com

On Behalf Of: Fressingfield Parish Clerk

Comments

Fressingfield Parish Council recommends refusal of this application.

When the district council considered a previous application for this site (1432/17), councillors were appalled to hear of how raw sewage would periodically overflow from Fressingfields sewerage system into the street and a local watercourse. This problem has still not been solved and is getting worse. Steady or heavy rain seems to be the catalyst. (Details are in the SAFE response.) A working group and closer connections with Anglian Water, Suffolk Highways and Suffolk Flood Management have been established.

However, the full causes of the problem, which is a health hazard and a 21st century disgrace, have not yet been identified. Only when that is done can solutions be designed and implemented. Any proposals that try to avoid exacerbating the problem are currently based on incomplete knowledge of the causes.

Of course, the applicant may wish to install the pipework and controls described in this application to work towards a solution. It would be a way to complement the existing sewerage system for houses on New Street. It could resolve the existing problems of sewer egress in the Low Road area of the village. This would re-assure parishioners. Fressingfield Parish Council believes that only when solutions to the sewerage problems have been designed and implemented should new housing applications be seriously considered.

Put simply, it is not right to expect residents to live in an expanding village where the content of their loo ends up in the street and the local watercourse.

Key points from the councils planning committee meeting:

Planning permission already exists for 51 houses in the village.

If permission is granted for this new development, it would mean that planning permission had been given to 39% more than the minimum required in BMSDC draft Local Plan.

There are 2 other development applications currently on the table. These would add a further 39 homes to the village. The resulting figure of 117 homes (51+27+39) is more than double that in the draft Local Plan. The plan has another 16 years to run.

As permission has been granted for 51 houses already, the medium-term sustainability of the school is not an issue.

Benefits would accrue to the parish via a CIL allocation.

Adding a further 27 houses (54 cars?) to an estate that already has 30 houses would create serious safety and congestion issues. John Shepherd Road is effectively a cul de sac as it has just one entry/exit.

These additional vehicles will inevitably impact on the safety and emotional well-being of all pedestrians. There are important pedestrian routes in the middle village where there are no pathways and the streets are narrow (around Jubilee Corner, substantial parts of New Street and part of Stradbroke Road).

In its report to the district council at the last application (1432/17), Suffolk Highways confirmed that accidents did not need to have occurred to identify a route as dangerous, but ... that weight should be given to observed conflicts between pedestrians and vehicles... (NPPF para 110)

Although measures were proposed to mitigate the dangers likely to occur with an increase in vehicular and pedestrian traffic on routes at the core of the village, the report stated, The measures proposed are the best solution available within the existing constraints (but) they fall short of making the highway safe for pedestrians.

Steve Merry, Transport Policy and Development Manager Growth, Highways and Infrastructure concluded, It is the Highway Authorities opinion that further traffic passing along New Street and/or through Jubilee Corner would result in an unacceptable impact on highway safety particularly for vulnerable pedestrians.

Speed restriction plans for New Street would be welcome.

There are no public transport links to and from the village.

From: SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>
Sent: 18 December 2019 10:49
To: BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>
Subject: Planning Consultation DC/19/05740 Natural England Response

Dear Sir or Madam,

Application ref: DC/19/05740
Our ref: 303521

Natural England has no comments to make on this application.

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

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

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

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

Yours faithfully

Corben Hastings
Support Adviser, Operations Delivery
Consultations Team
Natural England



Mr Vincent Pearce
Babergh Mid Suffolk
Endeavour House
8 Russell Road
Ipswich
Suffolk
IP1 2BX

Direct Dial: 01223 582711

Our ref: **W:** P01141870

23 November 2020

Dear Mr Pearce

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

**LAND WEST OF JOHN SHEPHERD ROAD, FRESSINGFIELD, SUFFOLK, IP21
5SW
Application No. DC/19/05740**

Thank you for your letter of 19 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





Historic England

Mr Vincent Pearce
Babergh Mid Suffolk
Endeavour House
8 Russell Road
Ipswich
Suffolk
IP1 2BX

Direct Dial: 01223 582738

Our ref: P01141870

23 December 2019

Dear Mr Pearce

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

**LAND WEST OF JOHN SHEPHERD ROAD, FRESSINGFIELD, SUFFOLK, IP21
5SW**

Application No. DC/19/05740

Thank you for your letter of 11 December 2019 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Historic England Advice

The proposed development site lies on the western side of the Fressingfield conservation area and in the setting of the grade I listed Church Farm Stable. This chiefly dates from the 14th century with a 16th century inserted floor. It is a former open hall of raised-aisle construction with smoke blackened roof components. This is an outstanding example of 14th century vernacular carpentry. The grade II* listed barn (listed as Barn approximately 50 metres west south west of Church Farm Stable) dates from the late 13th century to early 14th century and was rebuilt using much original material in the late 17th century. Both buildings are timber framed and weather boarded with pitched tile roofs. These agricultural buildings form part of a wider historic farmstead, Church Farm, which can be clearly identified on the 1885 OS map. This relationship to agricultural land is a long-standing part of the Church Farm Stable and the barn's setting and contributes to an understanding of them in a rural community. The conservation area is characterised by its close relationship with the surrounding countryside and its origins as a settlement being primarily agricultural.



Historic England, Brooklands, 24 Brooklands Avenue, Cambridge CB2 8BU
Telephone 01223 58 2749 HistoricEngland.org.uk

Please note that Historic England operates an access to information policy.

Correspondence or information which you send us may therefore become publicly available.



This application seeks permission for up to 27 new dwellings to the west of Fressingfield. The development site encompasses two of the four fields which were the subject of an earlier application, permission for which was refused in 2017 due to its impact on the setting of the Church Farm group. The current proposals have removed new building from the land immediately west of Church Farm, but the 27 new dwellings would constitute an extension of modern building into the agricultural land which is their immediate setting of the listed buildings. While the impact is certainly reduced we remain concerned that this part of the western side of the conservation area is not the most suitable part of Fressingfield to receive additional building due to its potential to harm the historic significance of the conservation area and the highly graded listed buildings.

The National Planning Policy Framework (NPPF) states that the purpose of the planning system is to achieve sustainable development and that protection and enhancement of the historic environment is an overarching objective in this (paragraphs 7 and 8). The significance of listed buildings and conservation areas can be harmed or lost by alteration to them or development in their setting. The NPPF states that clear and convincing justification should be made for any such harm and that 'great weight' should be given to the conservation of listed buildings and conservation areas irrespective of the level of harm caused (paragraphs 193 and 194). This weight and the justification for harm should be especially convincing where harm to buildings of a high grade of listing is concerned. Paragraph 200 also states that the Council should favour those proposals for development which preserve those elements of setting that make a positive contribution to the heritage asset or better reveal its significance.

We have considered this application in terms of this policy and are concerned that the proposed development to the west of Church Farm Stable and barn would introduce modern housing beyond the established historic pattern of development and could result in harm to the historic significance of the Former Stables and Barn by diminishing the quality of their setting that contributes to their significance. This could result in harm to significance of the listed building in terms of the NPPF, paragraphs 193 and 200. Paragraph 196 requires the Council to consider any public benefit which might be delivered by the proposals and weigh this against the harmful impact. We leave this matter to the Council but would recommend any harmful impact the development might cause is established and seek the required justification for that harm before determining the application. However, we would point out that the southern side of the conservation area is already marked by more extensive modern building and is further from Church Farm. This would seem a more appropriate place to provide new dwellings in the area.

Recommendation

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 7, 8, 193 and 194 of the NPPF. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act



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Telephone 01223 58 2749 HistoricEngland.org.uk

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1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

Yours sincerely

David Eve
Inspector of Historic Buildings and Areas
e-mail: david.eve@historicengland.org.uk



Historic England, Brooklands, 24 Brooklands Avenue, Cambridge CB2 8BU
Telephone 01223 58 2749 HistoricEngland.org.uk

Please note that Historic England operates an access to information policy.

Correspondence or information which you send us may therefore become publicly available.



Your ref: DC/19/05740/OUT
 Our ref: Fressingfield, Land West of,
 John Shepherd Road, IP21 5SW.
 Matter No: 60003
 Date: 11 May 2021
 Enquiries to: Ruby Shepperson
 Tel: 01473 265063
 Email: Ruby.shepperson@suffolk.gov.uk



By e-mail only:

planningyellow@baberghmidsuffolk.gov.uk
Vincent.pearce@baberghmidsuffolk.gov.uk

Dear Vincent,

Fressingfield: Land West Of, John Shepherd Road, Suffolk, IP21 5SW – developer contributions.

I refer to the proposal: Application for Outline Planning (all matters reserved) – Residential development (up to 27 dwellings, including affordable housing) and the construction of estate roads and footpaths together with related drainage and landscaping.

This letter provides an update in respect of infrastructure requirements set out in my previous letters dated 20 December 2019 and 17 November 2020 which were time-limited to six months.

Updated summary of infrastructure requirements:

CIL	Education	Capital Contribution
	- Primary @ £17,268 per place	£120,876
	- Secondary @ £23,775 per place	£118,875
	- Sixth form @ £23,775 per place	£23,775
CIL	Libraries improvements	£5,832
CIL	Waste @ £56 per dwelling	£1,512
S106	Education	
	- Secondary school transport @ £1,205 per place	£30,125
S106	Highways	tbc
S106	Monitoring fee (per trigger point)	£412

1. Waste.

A CIL contribution of £1,512 (£56 per dwelling (2020/21 costs)) will be made to improve Leiston Recycling Centre facilities serving the proposed development.

2. The above information is time-limited for 6 months only from the date of this letter.

Yours sincerely,

Ruby Shepperson
Planning Officer
Growth, Highways & Infrastructure Directorate

cc Carol Barber, SCC (education)



2020.11.17
Fressingfield John She

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

From: Planning Contributions Mailbox <planningcontributions.admin@suffolk.gov.uk>
Sent: 19 November 2020 16:40
To: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>
Cc: Vincent Pearce <Vincent.Pearce@baberghmidsuffolk.gov.uk>; Ruby Shepperson <Ruby.Shepperson@suffolk.gov.uk>
Subject: RE: MSDC Planning Re-consultation Request - DC/19/05740

Good afternoon,

Please find attached the updated response sent by Ruby Shepperson on 17 Nov 2020.

Hopefully this will suffice as a response to your consultation of this morning as the number of dwellings appears not to have changed.

I note that the above response is already showing on your public portal.

Please let us know if anything else is needed.

Thanks
Adrian

Adrian Buxton
Planning Obligations Support Officer
Growth, Highways and Infrastructure Directorate Planning Section Suffolk County Council
B1 F5 D108 Endeavour House
8 Russell Road
Ipswich
IP1 2BX

01473 264178

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

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

Enquiries to: Gemma Stewart
Direct Line: 01284 741242
Email: Gemma.Stewart@suffolk.gov.uk
Web: <http://www.suffolk.gov.uk>

Our Ref: 2019_05740
Date: 13th December 2019

For the Attention of Vincent Pearce

Dear Mr Isbell

**Planning Application DC/19/05740 - Land West of John Shepherd Road, Fressingfield:
Archaeology**

This site lies in an area of archaeological potential recorded on the County Historic Environment Record (HER), within the site itself is medieval artefact scatter (HER reference FSF 081). To the east of the application area is the historic core of the village which includes the medieval parish Church of St Peter and St Paul (FSF 023), whilst surrounding the application area is artefact evidence dating from the Iron Age to post-medieval period. As a result, there is high potential for the discovery of below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.

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

In this case the following two conditions would be appropriate:

1. No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions; and:

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

2. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 1 and the provision made for analysis, publication and dissemination of results and archive deposition.

REASON:

To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Core Strategy Objective SO 4 of Mid Suffolk District Council Core Strategy Development Plan Document (2008) and the National Planning Policy Framework (2018).

INFORMATIVE:

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

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

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

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

Yours sincerely,

Gemma Stewart

Senior Archaeological Officer
Conservation Team

From: Gemma Stewart <Gemma.Stewart@suffolk.gov.uk>
Sent: 19 November 2020 11:18
To: Vincent Pearce <Vincent.Pearce@baberghmidsuffolk.gov.uk>
Cc: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>
Subject: RE: MSDC Planning Re-consultation Request - DC/19/05740 - Fressingfield

Dear Vincent,

Thank you for the re-consultation. It does not affect our previous advice (attached).

Regards,

Gemma

Gemma Stewart
Senior Archaeological Officer

Suffolk County Council Archaeological Service
Bury Resource Centre
Hollow Road
Bury St Edmunds
Suffolk IP32 7AY



SCCAS (GS)_Planning
Application DC_19_05'

From: Gemma Stewart <Gemma.Stewart@suffolk.gov.uk>
Sent: 24 November 2020 09:24
To: Vincent Pearce <Vincent.Pearce@baberghmidsuffolk.gov.uk>
Cc: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>
Subject: RE: MSDC Planning Re-consultation Request - DC/19/05740_20/11/2020

Morning Vincent,

Thank you for the re-consultation. It does not affect our previous advice (attached).

Regards,

Gemma

Gemma Stewart
Senior Archaeological Officer

Suffolk County Council Archaeological Service
Bury Resource Centre
Hollow Road
Bury St Edmunds
Suffolk IP32 7AY

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

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)

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

From: planningyellow@baberghmidsuffolk.gov.uk <planningyellow@baberghmidsuffolk.gov.uk>
Sent: 20 November 2020 16:27
To: RM Archaeology Mailbox <archaeology@suffolk.gov.uk>
Subject: MSDC Planning Re-consultation Request - DC/19/05740

Please find attached planning re-consultation request letter relating to planning application - DC/19/05740 - Land West Of, John Shepherd Road, Fressingfield, Suffolk

Kind Regards

Planning Support Team

From: Paul Harrison <Paul.Harrison@baberghmidsuffolk.gov.uk>
Sent: 02 January 2020 09:25
To: Vincent Pearce <Vincent.Pearce@baberghmidsuffolk.gov.uk>; BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>
Subject: DC 19 05740 Fressingfield

Vincent

An application for Outline Planning Permission (1432/17) was refused for several reasons, including potential impact on the setting of listed buildings and of the Conservation Area around the northern part of the site.

The present application relates to a smaller area which was part of the site of the previous application, omitting the northern part. The present application site is not contiguous with the Conservation Area or the immediate setting of the listed buildings. The proposal would still result in some erosion of the rural character of the wider setting of these heritage assets, but the existing development at John Shepherd Road has compromised that character and accordingly the impact of this proposal is not considered to amount to harm in heritage terms.

In my view the present proposal overcomes heritage concerns raised by the proposal of 1432/17.

Paul

Paul Harrison
Heritage and Design Officer
T 01449 724677 | 07798 781360
E paul.harrison@baberghmidsuffolk.gov.uk
E heritage@baberghmidsuffolk.gov.uk
W www.babergh.gov.uk | www.midsuffolk.gov.uk



Consultee Comments for Planning Application DC/19/05740

Application Summary

Application Number: DC/19/05740

Address: Land West Of John Shepherd Road Fressingfield Suffolk

Proposal: Application for Outline Planning (all matters reserved) - Residential development (up to 27 dwellings, including affordable housing) and the construction of estate roads and footpaths together with related drainage and landscaping.

Case Officer: Vincent Pearce

Consultee Details

Name: Miss Louise Barker

Address: Endeavour House, Russell Road, Ipswich IP1 2BX

Email: Not Available

On Behalf Of: Strategic Housing (Affordable/Major Dwel/G+T)

Comments

APPLICATION FOR OUTLINE PLANNING PERMISSION - DC/19/05740

Proposal: Application for Outline Planning (all matters reserved) - Residential development (up to 27 dwellings, including affordable housing) and the construction of estate roads and footpaths together with related drainage and landscaping.

Location: Land West Of, John Shepherd Road, Fressingfield, Suffolk

Re-Consultation dated 12/11/2020

We have no further comments to make on this application.

Louise Barker

Acting Strategic Housing Team Manager

Babergh & Mid Suffolk District Councils

MID SUFFOLK DISTRICT COUNCIL

MEMORANDUM

TO: Vincent Pearce – Principal Planning Officer

From: Julie Abbey-Taylor, Professional Lead – Strategic Housing

Date: 23.12.2019

SUBJECT: - **Application Reference: DC/19/05740**

Proposal: Application for Outline Planning permission with all matters reserved for the erection of up to 27 dwellings and the construction of estate roads and footpaths at Land west of John Shepherd Road, Church Farm, Fressingfield.

Key Points

1. Background Information

A development proposal for up to 27 residential dwellings. There had been a previous application for up to 99 dwellings which was refused. Although this is a scaled down development, the road layout would facilitate potential later phases of development.
--

This is an open market development and should offer nine (9) affordable housing units which = 35% policy compliant position.
--

2. Housing Need Information:

- 2.1 The Ipswich Housing Market Area, Strategic Housing Market Assessment (SMHA) document, updated in 2019, confirms a continuing need for housing across all tenures and a growing need for affordable housing.
- 2.2 The 2019 SHMA indicates that in Mid Suffolk there is a need for **127 new affordable homes per annum.**
- 2.3 The Council's 2014 Suffolk Housing Needs Survey shows that there is high demand for smaller homes, across all tenures, both for younger people, who may be newly forming households, and also for older people who are already in the property owning market and require different, appropriate housing, enabling them to downsize. Affordability issues are the key drivers for this increased demand for smaller homes.
- 2.4 The Council's Choice Based Lettings system currently has circa.690 applicants registered for affordable housing in Mid Suffolk at October 2019. This site is a S106

planning obligation site so the affordable housing provided will be to meet district wide need hence the **690** applicants registered is the important number.

3. Preferred Mix for Open Market homes.

No detail has been provided for the open market mix, however, to address local needs we would like to see that there are: -

- 2 x 2 bed bungalows/chalet bungalows
- 2 x 3 bed bungalows/chalet bungalows
- 8 x 2 bed houses
- 4 x 3 bed houses
- 2 x 4 bed houses

The inclusion of bungalows/chalet bungalows would be welcomed as this will provide opportunities for older people to downsize.

- 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 9 of the proposed dwellings on the development should be for affordable housing. These should be offered in the form of: -

Rented (6): -

- 1 x 2 bed 3-person bungalows @ 63 sqm
- 2 x 2 bed 4-person bungalows @ 70 sqm
- 3 x 2-bedroom 4-person houses at 79 sqm

Shared Ownership (3): -

- 2 x 2 bed 4 person houses @ 79 sqm
- x 3 bed 5 person houses @ 93 sqm.

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

5. Other requirements for affordable homes:

- Properties must be built to current Homes England Design and Quality and Lifetime-Homes standards
- The council is granted 100% nomination rights to all the affordable units for initial lets and at least 75% on relets.
- **Standard trigger points for the delivery of the affordable housing – this will then be included automatically in the instruction from planning to shared legal services that it needs to be in the S106 agreement as a matter of course.**
- **(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
- Affordable homes should not be located in clusters of more than 15 units in any one area of the development.
- Adequate parking provision and secure cycle storage is made for the affordable housing units.

Julie Abbey-Taylor, Professional Lead – Strategic Housing



21 May 2020

Vincent Pearce
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/19/05740
Location: Land West Of John Shepherd Road Fressingfield Suffolk
Proposal: Application for Outline Planning (all matters reserved) - Residential development (up to 27 dwellings, including affordable housing) and the construction of estate roads and footpaths together with related drainage and landscaping.

Dear Vincent,

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

No objection subject to securing biodiversity mitigation and enhancement measures

Summary

We have reviewed the Addendum to Update the Ecological Assessment (Adonis Ecology Ltd, March 2020) and Ecological Assessment (Adonis Ecology Ltd, November 2016), relating to the likely impacts of development on designated sites, protected & Priority Species / Habitats.

We are satisfied that there is sufficient ecological information available for determination.

The Addendum to Update the Ecological Assessment advises they consider the revised proposals would have the same potential impact upon protected and Priority Species as the original proposals, just over a smaller area, and the impact avoidance recommendations, as well as the mitigation and compensation measures of the original ecological report should still be followed.

With regard to Great Crested Newts (GCN) Adonis Ecology Ltd advised in an addendum (Adonis Ecology Ltd, 2017) to the original ecological report additional precautions would be required for GCN in the western-most field. However, as this field is no longer being impacted, the applicant's



ecologist has recommended that the recommendations made for GCN within the original ecology report should be followed.

This provides certainty for the LPA of the likely impacts on protected and Priority species/habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

The mitigation measures identified in the Ecological Assessment (Adonis Ecology Ltd, November 2016) should be secured and implemented in full. This is necessary to conserve and enhance protected and Priority Species. This includes precautionary measures to protect reptiles and Hedgehog, due diligence for nesting birds, general precautions to protect biodiversity, small mammal gaps in fences, compensation for loss of bird nesting habitat, compensation for loss of hedgehog and reptile refuges, and wildlife sensitive lighting.

We also recommend that a Wildlife Friendly Lighting Strategy is implemented for this application. This should follow the [Institution of Lighting Professionals Guidance Note 8 Bats and artificial lighting \(September 2018\)](#) and the recommendation made by the applicants' ecologist. Therefore, technical specification should be submitted prior to occupation, which demonstrates measures to avoid lighting impacts to foraging / commuting bats, which are likely present within the local area. This should summarise the following measures will be implemented:

- Light levels should be as low as possible as required to fulfil the lighting need.
- Warm White lights should be used at <3000k. This is necessary as lighting which emit an ultraviolet component or that have a blue spectral content have a high attraction effects on insects. This may lead in a reduction in prey availability for some light sensitive bat species.
- The provision of motion sensors or timers to avoid the amount of 'lit-time' of the proposed lighting.
- Lights should be designed to prevent horizontal spill e.g. cowls, hoods, reflector skirts or shields.

We also support the proposed reasonable biodiversity enhancements, which have been recommended to secure measurable net gains for biodiversity, as outlined under Paragraph 170[d] of the National Planning Policy Framework 2019. This includes three bat boxes, four bird boxes (two of each type), three habitat piles and native tree and shrub planting. The reasonable biodiversity enhancement measures should be secured via a separate Biodiversity Enhancement Strategy to be secured at reserved matters stage.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

Impacts will be minimised such that the proposal is acceptable subject to the conditions below based on BS42020:2013.

Submission for approval and implementation of the details below should be a condition of any planning consent.



Recommended conditions

1. CONCURRENT WITH RESERVED MATTERS: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

"A construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority, in accordance with the details contained in the Ecological Assessment (Adonis Ecology Ltd, November 2016).

The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.*
- b) Identification of "biodiversity protection zones".*
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).*
- d) The location and timing of sensitive works to avoid harm to biodiversity features.*
- e) The times during construction when specialist ecologists need to be present on site to oversee works.*
- f) Responsible persons and lines of communication.*
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.*
- h) Use of protective fences, exclusion barriers and warning signs.*

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority"

Reason: To conserve Protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

2. CONCURRENT WITH RESERVED MATTERS: BIODIVERSITY ENHANCEMENT STRATEGY

"A Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the local planning authority, in accordance with the details contained in the Ecological Assessment (Adonis Ecology Ltd, November 2016).

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;*
- b) detailed designs to achieve stated objectives;*
- c) locations of proposed enhancement measures by appropriate maps and plans;*
- d) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;*
- e) persons responsible for implementing the enhancement measures;*
- f) details of initial aftercare and long-term maintenance (where relevant).*

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter."



Reason: To enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

3. 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 UK Habitats 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 BSc (Hons) GradCIEEM MRSB

Ecological Consultant

ecology.placeservices@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.



03 January 2020

Vincent Pearce
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/19/05740
Location: Land West Of John Shepherd Road Fressingfield Suffolk
Proposal: Application for Outline Planning (all matters reserved) - Residential development (up to 27 dwellings, including affordable housing) and the construction of estate roads and footpaths together with related drainage and landscaping.

Dear Vincent,

Thank you for consulting Place Services on the above application.

Holding objection due to insufficient ecological information

Summary:

We have reviewed the Ecological Assessment (Adonis Ecology Ltd, March 2017), 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 of this application. This is because the Ecological Assessment (Adonis Ecology Ltd, March 2017) 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 a professional ecologist will need to undertake a site visit and then review the validity of the report, which could be delivered via an addendum to the Ecological Assessment.

We also note the Ecological Assessment (Adonis Ecology Ltd, November 2016) was delivered for refused application at this location (Application Number: 1432/17). Therefore, the current



recommendations within the Ecological Assessment have been delivered to support the refused application at this site. Therefore, the applicant's ecologist should indicate whether the proposed compensation and enhancements are still appropriate for the new application, now that scale of site and the number of dwellings has been reduced.

This further information is required to provide the LPA with certainty of impacts on protected and Priority species and enable it to demonstrate compliance with its statutory duties, including its biodiversity duty under s40 NERC Act 2006.

We look forward to working with the LPA and the applicant to provide the additional information to overcome our holding objection.

Please contact us with any queries.

Yours sincerely,

Hamish Jackson BSc (Hons) GradCIEEM MRSB

Ecological Consultant

ecology.placeservices@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.

Consultee Comments for Planning Application DC/19/05740

Application Summary

Application Number: DC/19/05740

Address: Land West Of John Shepherd Road Fressingfield Suffolk

Proposal: Application for Outline Planning (all matters reserved) - Residential development (up to 27 dwellings, including affordable housing) and the construction of estate roads and footpaths together with related drainage and landscaping.

Case Officer: Vincent Pearce

Consultee Details

Name: Mr Tony Bass

Address: Endeavour House, Ipswich IP1 2BX

Email: tony.bass@baberghmidsuffolk.gov.uk

On Behalf Of: Communities (Major Development)

Comments

I concur with Public Realm (18/12) comments in regard to the lack of open space provision.

BMSDC Planning Area Team Yellow

From: BMSDC Public Realm Consultation Mailbox
Sent: 18 December 2019 16:27
To: BMSDC Planning Area Team Yellow
Subject: RE: MSDC Planning Consultation Request - DC/19/05740

Categories: Katherine

Public Realm have concerns that there is no provision for open space or children's play within this development and that the developer states this is due to the potential problems of managing small scape facilities. Public Realm would expect to see an appropriate level of open space/ accessible natural greenspace to be included within this development of 27 houses. Fressingfield is deficient in accessible natural greenspace and there is an opportunity here to create an area of ecological value to reduce this deficit. (There is no updated ecological report included in the document list) If a small play area cannot be included within the development site then a contribution towards improving existing facilities on the opposite side of the village would be expected.

Given the lack of open space or play provision within this development and a lack of information as to the ecological enhancements that will be undertaken Public Realm object to this application in its current form.

Regards

Public Realm Team

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

From: planningyellow@baberghmidsuffolk.gov.uk <planningyellow@baberghmidsuffolk.gov.uk>
Sent: 11 December 2019 12:56
To: BMSDC Public Realm Consultation Mailbox <consultpublicrealm@baberghmidsuffolk.gov.uk>
Subject: MSDC Planning Consultation Request - DC/19/05740

Please find attached planning consultation request letter relating to planning application - DC/19/05740 - Land West Of, John Shepherd Road, Fressingfield, Suffolk

Kind Regards

Planning Support Team

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

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

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

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

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

Sent: 23 November 2020 15:15

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

Subject: RE: MSDC Planning Re-consultation Request - DC/19/05740

Public Realm do not wish to make any additional comments on this application nor change the opinion that there is inadequate public open space associated with this development. The earlier objection on the grounds of inadequate open space provision is still the case.

Regards

Dave Hughes
Public Realm Officer

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

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

Sent: 19 November 2020 11:00

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

Subject: MSDC Planning Re-consultation Request - DC/19/05740

Please find attached planning re-consultation request letter relating to planning application - DC/19/05740 - Land West Of, John Shepherd Road, Fressingfield, 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: David Harrold

Sent: 18 December 2019 08:34

To: BMSDC Planning Mailbox <planning@baberghmidsuffolk.gov.uk>

Cc: Vincent Pearce <Vincent.Pearce@baberghmidsuffolk.gov.uk>

Subject: Plan ref DC/19/05740 Land West Of, John Shepherd Road, Fressingfield. Environmental Health - Noise/Odour/Light/Smoke

Thank you for consulting me on the above outline planning application to erect 27 dwellings.

With respect to noise and other environmental health issues, I do not have any adverse comments and no objection to the proposed development.

Due to the size of the development and proximity of existing residential premises, however, I would recommend that construction activity is controlled by way of condition:

“Construction work and any construction related traffic movements to or from the site shall not take place other than between 08hours and 18:00 hours Monday to Friday, 09:00 hours to 14:00 hours Saturday with no construction activity on Sunday or Bank Holidays”

Reason: To protect the amenity of neighbouring noise sensitive premises and mitigate adverse noise impacts from construction activity.

I trust this is of assistance

David Harrold MCIEH
Senior Environmental Health Officer

Babergh & Midsuffolk District Councils

From: Nathan Pittam <Nathan.Pittam@babberghmidsuffolk.gov.uk>
Sent: 23 November 2020 11:42
To: Vincent Pearce <Vincent.Pearce@babberghmidsuffolk.gov.uk>
Cc: BMSDC Planning Mailbox <planning@babberghmidsuffolk.gov.uk>
Subject: DC/19/05740. Land Contamination and Air Quality

Dear Vincent

EP Reference : 284028/ 284027
DC/19/05740. Land Contamination and Air Quality
Land west of, John Shepherd Road, Fressingfield, EYE, Suffolk.
App for Outline Planning (all matters reserved)-Residential development (upto 27 dwellings, including affordable housing) & the construction of estate roads & footpaths with related drainage and landscaping.

Many thanks for your request for comments in relation to the above application. I can confirm that I have no comments to make with respect to the Flood Risk Assessment

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: Nathan Pittam <Nathan.Pittam@baberghmidsuffolk.gov.uk>
Sent: 13 December 2019 12:01
To: Vincent Pearce <Vincent.Pearce@baberghmidsuffolk.gov.uk>
Cc: BMSDC Planning Area Team Green <planninggreen@baberghmidsuffolk.gov.uk>
Subject: DC/19/05740. Land Contamination

Dear Vincent,

EP Reference : 270250
DC/19/05740. Land Contamination
Land west of, John Shepherd Road, Fressingfield, EYE, Suffolk
Application for Outline Planning (all matters reserved) - Residential
development (up to 27 dwellings, including affordable housing) & the
construction of estate roads & footpaths with related drainage and
landscaping.

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

Kind regards

Nathan

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

Babergh and Mid Suffolk District Councils – Working Together

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



Minimum requirements for dealing with unexpected ground conditions being encountered during construction.

1. *All site works at the position of the suspected contamination will stop and the Local Planning Authority and Environmental Health Department will be notified as a matter of urgency.*
2. *A suitably trained geo-environmental engineer should assess the visual and olfactory observations of the ground and the extent of contamination and the Client and the Local Authority should be informed of the discovery.*
3. *The suspected contaminated material will be investigated and tested appropriately in accordance with assessed risks. The investigation works will be carried out in the presence of a suitably qualified geo-environmental engineer. The investigation works will involve the collection of solid samples for testing and, using visual and olfactory observations of the ground, delineate the area over which contaminated materials are present.*
4. *The unexpected contaminated material will either be left in situ or be stockpiled (except if suspected to be asbestos) whilst testing is carried out and suitable assessments completed to determine whether the material can be re-used on site or requires disposal as appropriate.*
5. *The testing suite will be determined by the independent geo-environmental specialist based on visual and olfactory observations.*
6. *Test results will be compared against current assessment criteria suitable for the future use of the area of the site affected.*
7. *Where the material is left in situ awaiting results, it will either be reburied or covered with plastic sheeting.*
8. *Where the potentially contaminated material is to be temporarily stockpiled, it will be placed either on a prepared surface of clay, or on 2000-gauge Visqueen sheeting (or other impermeable surface) and covered to prevent dust and odour emissions.*
9. *Any areas where unexpected visual or olfactory ground contamination is identified will be surveyed and testing results incorporated into a Verification Report.*
10. *A photographic record will be made of relevant observations.*
11. *The results of the investigation and testing of any suspect unexpected contamination will be used to determine the relevant actions. After consultation with the Local Authority, materials should either be: • re-used in areas where test results indicate that it meets compliance targets so it can be re-used without treatment; or • treatment of material on site to meet compliance targets so it can be re-used; or • removal from site to a suitably licensed landfill or permitted treatment facility.*
12. *A Verification Report will be produced for the work.*

From: Peter Chisnall <Peter.Chisnall@babberghmidsuffolk.gov.uk>
Sent: 26 November 2020 22:07
To: BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>
Subject: DC/19/05740

Dear Vincent,

APPLICATION FOR OUTLINE PLANNING PERMISSION - DC/19/05740

Proposal: Application for Outline Planning (all matters reserved) - Residential development (up to 27 dwellings, including affordable housing) and the construction of estate roads and footpaths together with related drainage and landscaping.

Location: Land West Of, John Shepherd Road, Fressingfield, Suffolk

Reason(s) for re-consultation: Please disregard consultation request for the Flood Risk Assessment for this application number submitted 12/11/20.

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

In light of the Council's declaration of a Climate Emergency I have an addition to my previous response of 30th December 2019 as below.

It is acknowledged that the application is for outline permission however some consideration of this topic area is expected at this stage.

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).

For developments constructed with levels of insulation to just equal or slightly better the current building regulations' Part L requirements it is likely that 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.

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.

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

BMSDC Planning Area Team Yellow

From: Peter Chisnall
Sent: 30 December 2019 14:51
To: BMSDC Planning Area Team Yellow
Subject: DC/19/05740

Categories: Katherine

Dear Vincent,

Proposal: Application for Outline Planning (all matters reserved) - Residential development (up to 27 dwellings, including affordable housing) and the construction of estate roads and footpaths together with related drainage and landscaping.

Location: Land West Of, John Shepherd Road, Fressingfield, Suffolk

Many thanks for your request to comment on the sustainability aspects of this application.

It is acknowledged that the application is for outline permission but considering the size of the development some consideration of this topic area is expected. 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.

Should the planning department consider setting conditions to ensure the development meets its environmental obligations the following is suggested.

Prior to the commencement of development a scheme for the provision and implementation of water, energy and resource efficiency measures, during the construction and operational phases of the development shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include a clear timetable for the implementation of the measures in relation to the construction and occupancy of the development. The scheme shall be constructed and the measures provided and made available for use in accordance with such timetable as may be agreed.

The Sustainability & Energy Strategy must be provided detailing how the development will minimise the environmental impact during construction and occupation (as per policy CS3 and NPPF) including details on environmentally friendly materials, construction techniques minimisation of carbon emissions and running costs and reduced use of potable water (suggested maximum of 105ltr per person per day). Details as to the provision for electric vehicles should also be included.

The document should clearly set out the unqualified commitments the applicant is willing to undertake on the topics of energy and water conservation, CO2 reduction, resource conservation, use of sustainable materials and provision for electric vehicles.

Clear commitments and minimum standards should be declared and phrases such as 'where possible, subject to, where feasible' must not be used.

Evidence should be included where appropriate demonstrating the applicants previous good work and standards achieved in areas such as site waste management, eg what recycling rate has the applicant achieved in recent projects to show that their % recycling rate commitment is likely.

Reason – To enhance the sustainability of the development through better use of water, energy and resources. This condition is required to be agreed prior to the commencement of any development as any construction process, including site preparation, has the potential to include energy and resource efficiency

measures that may improve or reduce harm to the environment and result in wider public benefit in accordance with the NPPF.

Guidance can be found at the following locations:

<https://www.midsuffolk.gov.uk/environment/environmental-management/planning-requirements/>

<https://www.babergh.gov.uk/environment/environmental-management/planning-requirements/>

Regards,

Peter

Peter Chisnall, CEnv, MIEMA, CEnvH, MCIEH

Environmental Management Officer

Babergh and Mid Suffolk District Council - Working Together

Tel: 01449 724611

Email: peter.chisnall@baberghmidsuffolk.gov.uk

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

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: 154782/1/0075136

Local Planning Authority: Mid Suffolk District

Site: Land West Of John Shepherd Road
Fressingfield Suffolk

Proposal: Application for Outline Planning (all matters reserved) - Residential development (up to 27 dwellings, including affordable housing) and the construction of estate roads and footpaths together with related drainage and landscaping

Planning application: DC/19/05740

Prepared by: Pre-Development Team

Date: 3 January 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 Weybread 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 p1930-1151_03 rev d - vol 1 and 2 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.

Anglian Water has reviewed the submitted documents (Flood risk assessment p1930-1151_03 rev d - vol 1 and 2) and can confirm that these are acceptable to us. We require these documents to be listed as approved plans/documents if permission is granted.

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.

Assets Affected (Section 1)

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."

Surface Water Disposal (Section 4)

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)

From: Planning Liaison <planningliaison@anglianwater.co.uk>
Sent: 27 November 2020 15:05
To: BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>
Subject: RE: DC/19/05740 Land to the West of John Shepherd Road Fressingfield

Dear Vanessa

Our reference: PLN-0075136

Thank you for your email regarding the above application.

We have reviewed this application and we can confirm we have no additional comments to add to our previous response

Please do not hesitate to contact me if you require further assistance

Regards



Sandra De Olim

Pre-Development Advisor

Telephone: 03456066087 Option 1

Anglian Water Services Limited

Thorpe Wood House, Thorpe Wood, Peterborough,
Cambridgeshire, PE3 6WT

10 January 2020

Mr Vincent Pearce
Senior Planning Officer
Mid Suffolk District Council
Endeavour House, 8 Russell Rd,
Ipswich, IP1 2BX

Dear Mr Pearce,

Planning application ref: DC/19/05740 Application for Outline Planning (all matters reserved) - Residential development (up to 27 dwellings, including affordable housing) and the construction of estate roads and footpaths together with related drainage and landscaping.

Land West Of John Shepherd Road Fressingfield Suffolk

I am writing on behalf of the Suffolk Preservation Society (SPS) to object the above outline planning application for the erection of up to 27 dwellings on a greenfield site on the southern edge of the village. This is a revised application DC/17/01432 for 99 dwellings with associated infrastructure which was refused in November 2018. SPS objected to the previous application due to the unsustainable location and the disproportionate scale of the development, taken together with other large scale housing schemes. Notwithstanding the substantial reduction in the scale of the proposed development SPS continues to object on the following grounds.

The emerging Joint Local Plan downgrades Fressingfield from a Primary to a Hinterland Village which requires it to accommodate a lesser quantum of development, recognising that it is fundamentally not well placed or served to accommodate substantial increases in housing. Accordingly the evolving policy position shows a minimum housing requirement of 56 dwellings over the plan period.

Mid Suffolk, as of 3.09.19 (Mid Suffolk District Council Housing Land Supply Position Statement 2019/20 – 2023/24) asserts that the council can demonstrate a 5 year housing land supply. Therefore, the “tilted balance” presumption in favour of sustainable development does not apply and applications should be determined according to the development plan.

The Fressingfield Neighbourhood Plan (FNP) is at an advanced stage, having been through Examination and is about to go to Referendum in the coming weeks (January 2020). The FNP policy FNP1 allows for 60 dwellings, 51 of which have already been consented. The FNP does

not allocate this site for development. The Examiner in her report, at paragraph 53 having considered the proposed site allocations stated that *“I do not consider it necessary for inclusion of additional sites”*. The Neighbourhood Plan has been carefully considered and independently assessed. The views of the parish have been clearly made. Therefore, the policies within the plan must be given considerable weight in the consideration of this case.

Conclusion

In summary, notwithstanding the material reduction in the scale of development, the proposal remains disproportionate relative to the level of growth allocated and planned for in the emerging Neighbourhood Plan. This would prejudice the policy making process by undermining the plan-led approach. Secondly, granting planning permission would undermine community confidence in the plan making process after successful Examination but in advance of a Referendum on that Plan.

The community, through the neighbourhood plan process, has clearly rejected this site for development whilst setting out alternative sites that are capable of contributing towards the housing need in the district. SPS considers that to approve this application would seriously undermine the neighbourhood planning process and we therefore urge that the proposals are yet again refused.

We trust that you will find these comments helpful in the consideration of this application.

Yours sincerely,

Fiona Cairns RTPI IHBC
Director

Cc: Fressingfield Parish Council
Phil Butler, SPS Mid Suffolk District
David Burn, Portfolio Holder, Planning
John Castro, Chair SAFE

From: Fiona Cairns <director@suffolksociety.org>
Sent: 25 November 2020 08:47
To: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>
Subject: Fressingfield, land west of John Shepherd Road - Application 1905740

Dear Mr Pearce

Thank you for the re-consultation. It does not affect our previous representation and we do not wish to comment further.

Kind regards

Fiona Cairns IHBC MRTPI
Director
Suffolk Preservation Society
Little Hall, Market Place
Lavenham
Suffolk
CO10 9QZ
01787 247 179

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From: SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>
Sent: 26 November 2020 15:29
To: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>
Subject: Planning Consultation DC/19/05740 Natural England Response

Dear Sir or Madam,

Application ref: DC/19/05740
Our ref: 334888

Natural England has no comments to make on this application.

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

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

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

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

Yours faithfully

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

During the current coronavirus situation, Natural England staff are working remotely and from some offices to provide our services and support our customers and stakeholders. Although some offices and our Mail Hub are now open, please continue to send any documents by email or contact us by phone to

let us know how we can help you. See the latest news on the coronavirus at <http://www.gov.uk/coronavirus> and Natural England's regularly updated operational update at <https://www.gov.uk/government/news/operational-update-covid-19>.

Wash hands. Cover face. Make space.



www.gov.uk/natural-england

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

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

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

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

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

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

Sent: 20 November 2020 07:51

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

Cc: Angela Kempen <Angela.Kempen@suffolk.gov.uk>; neil.ward@nwaplanning.co.uk

Subject: FW: MSDC Planning Re-consultation Request - DC/19/05740

Fire Ref.: F180929

Good Morning,

Thank you for your email informing us of the new information submitted.

The Suffolk Fire & Rescue Service do not have additional comments to add to our original letter, which we note have been published, in which we have requested a Condition for the installation of Fire Hydrants.

If you have any queries, please let us know.

Kind regards,

A Stordy

BSC

Admin to Water Officer

Engineering

Fire and Public Safety Directorate

Suffolk County Council

3rd Floor, Lime Block

Endeavour House

Russell Road

IP1 2BX

Tel.: 01473 260564

Team Mailbox: water.hydrants@suffolk.gov.uk

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/F180929
Enquiries to: Angela Kempen
Direct Line: 01473 260588
E-mail: Fire.BusinessSupport@suffolk.gov.uk
Web Address: <http://www.suffolk.gov.uk>

Date: 16/12/2019

Dear Sirs

Land west of John Shepherd road, Fressingfield IP21 5SW
Planning Application No: DC/19/05740/OUT
Hydrants are required for this development
(see our required conditions)

I refer to the above application.

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

Access and Fire Fighting Facilities

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

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

Water Supplies

Suffolk Fire and Rescue Service recommends that fire hydrants be installed within this development on a suitable route for laying hose, i.e. avoiding obstructions. However, it is not possible, at this time, to determine the number of fire hydrants required for fire fighting purposes. The requirement will be determined at the water planning stage when site plans have been submitted by the water companies.

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: neil.ward@nwaplanning.co.uk

Enc: Sprinkler information

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

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

Your Ref:
Our Ref: ENG/AK
Enquiries to: Mrs A Kempen
Direct Line: 01473 260486
E-mail: Angela.Kempen@suffolk.gov.uk
Web Address: www.suffolk.gov.uk

Date: 16 December 2019

Planning Ref: DC/19/05740/OUT

Dear Sirs

RE: PROVISION OF WATER FOR FIRE FIGHTING
ADDRESS: Land west of John Shepherd Road, Fressingfield IP21 5SW
DESCRIPTION: 27 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.

- 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



FBUS-19-13685.pdf

From: Angela Kempen <Angela.Kempen@suffolk.gov.uk>

Sent: 26 November 2020 14:38

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

Subject: FW: DC/19/05740 Land to the West of John Shepherd Road Fressingfield

Thank you for your email.

We made comment on your application dated 08/11/19 and it was returned to you on the 16/12/19.

Requesting a fire hydrant condition.

Please see the original letter attached.

Kind regards

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

BMSDC Planning Area Team Yellow

From: RM Floods Planning
Sent: 16 December 2019 14:21
To: BMSDC Planning Area Team Yellow
Cc: Vincent Pearce
Subject: 2019-12-16 JS Reply Land West Of, John Shepherd Road, Fressingfield, Suffolk ref DC/19/05740

Categories: Katherine

Dear Vincent Pearce,

Subject: Land West Of, John Shepherd Road, Fressingfield, Suffolk ref DC/19/05740

- Proposed Development Ref 3382-10F
- Flood Risk Assessment and Drainage Strategy Ref JJ/CC/P16-1016/03 Rev C

The reason why we are recommending a holding objection is because the submitted assessment of the flood risk is out of date and is no longer valid. We also note that the proposed surface water drainage system proposed utilises a hybrid Suds system, this is contrary to national and local policy/guidance for multifunctional SuDs.

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

1. Submit a updated assessment of the predicted and known flood risk for all flood risk. Also update the list of referenced documents
 - a. Fressingfield has a history of surface water flooding along Cratfield Rd whereby the existing foul water drainage system is overwhelmed.
2. Submit a surface water drainage system utilising an above ground full SuDs system
3. Submit infiltration test results to prove if the use of soakaways is feasible or not
4. Submit evidence that there is no watercourse to discharge into rather than the AWS public sewer
5. Demonstrate that there is sufficient space (area and volume) for the for the attenuation basin
 - a. Basin side slopes shall be no greater than 1:4, with a max depth of water of 1.2m, 1.5m width wet/dry basins and a 300mm freeboard

Kind Regards

Jason Skilton
Flood & Water Engineer
Flood & Water Management
Growth, Highways & Infrastructure

Suffolk County Council | Endeavour House, 8 Russell Road, Ipswich, Suffolk, IP1 2BX
T: 01473 260411 | <https://www.suffolk.gov.uk/planning-waste-and-environment/flooding-and-drainage/>

Appendix A to the Suffolk Flood Risk Management Strategy has been updated! If you're involved in the planning, design and construction of new developments this may be of interest to you. You will be expected to comply with this new local guidance. More information can be found here; <https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-on-development-and-flood-risk/>

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

From: planningyellow@baberghmidsuffolk.gov.uk <planningyellow@baberghmidsuffolk.gov.uk>
Sent: 11 December 2019 12:56
To: RM Floods Planning <floods.planning@suffolk.gov.uk>

Subject: MSDC Planning Consultation Request - DC/19/05740

Please find attached planning consultation request letter relating to planning application - DC/19/05740 - Land West Of, John Shepherd Road, Fressingfield, 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.

Your ref: DC/19/05740/OUT
 Our ref: Fressingfield, Land West of,
 John Shepherd Road, IP21 5SW. Matter
 No: 60003
 Date: 20 December 2019
 Enquiries to: Ruby Shepperson
 Tel: 01473 265063
 Email: ruby.shepperson@suffolk.gov.uk



By e-mail only:
planningyellow@babberghmidsuffolk.gov.uk

Dear Vincent,

Fressingfield: Land West Of, John Shepherd Road, Suffolk, IP21 5SW.

I refer to the proposal: Application for Outline Planning (all matters reserved) – Residential development (up to 27 dwellings, including affordable housing) and the construction of estate roads and footpaths together with related drainage and landscaping.

I set out below Suffolk County Council’s position, which provides our infrastructure requirements associated with the development proposed.

Summary of infrastructure requirements:

CIL	Education	Capital Contribution
	- Primary	£116,172.00
	- Secondary	£113,690.00
	- Sixth form	£22,738.00
CIL	Libraries improvements	£5,832.00
CIL	Waste	£1,377.00
S106	Education	
	- Secondary school transport	£24,000.00
S106	Highways	tbc
Total Contribution: £283,809.00		

This letter sets out the infrastructure requirements which arise, most of which will be covered by the district’s CIL funding apart a school transport contribution to be secured by S106.

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.

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 most recent scorecard is 2018 and the national average school expansion build cost per pupil for primary schools is £16,596. The most recent (March 2019) BCIS location factor for the East of England, which includes Suffolk, is 100. When applied to the national expansion build cost (£16,596 x 1.00) produces a total of £16,596 per pupil for permanent expansion of primary schools.

The most recent scorecard is 2018 and the national average school expansion build cost per pupil for secondary schools is £22,738. The most recent (March 2019) BCIS location factor for the East of England, which includes Suffolk, is 100. When applied to the national expansion build cost (£22,738 x 1.00) produces a total of £22,738 per pupil for permanent expansion of secondary schools. The DfE guidance in paragraph 16 says, “further education places provided within secondary school sixth forms will cost broadly the same as a secondary school place”.

School level	Minimum pupil yield:	Required:	Cost per place £ (2016/17):
Primary school age range, 5-11:	7	7	£16,596
High school age range, 11-16:	5	5	£22,738
Sixth school age range, 16+:	1	1	£22,738

Total education CIL contributions:	£252,600.00
---	--------------------

The local catchment schools and capacity are Fressingfield Church of England Primary School, Stradbroke High School and Thomas Mills High School.

The existing primary school is at capacity and it is clear that the site proposal will add to challenges in terms of adding extra capacity to meet anticipated future needs arising from both latent population and housing growth. It is understood that it is possible to expand the school within its site from 140 places to 210 places whilst also improving the school operational environment.

The catchment primary School is Fressingfield. Due to this proposal, local plans, and potential approvals the school is expected to exceed capacity. On this basis, a CIL contribution of (7 pupils x £16,596) = £116,172.

The catchment secondary school is Stradbroke High School. The forecast pupil numbers for Stradbroke High School are expected to increase annually. On this basis, a CIL contribution of (5 pupils x £22,738) = £113,690 is sought to improve and enhance provision.

Thomas Mills High School is the catchment sixth form. It is unable to accommodate potential over-surplus from Stradbroke High School as it is currently exceeding capacity, with no surplus places available for the 1 pupil arising from the development. The forecast shows this situation to worsen in future years, thus overspill from the Stradbroke into Thomas Mills is unsustainable and a CIL contribution of (1 pupil x £22,738) = £22,738 is sought for expansion to the current site.

- a) **School transport contribution** – 5 secondary-age pupils are forecast to arise from the proposed development. Developer s.106 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 £960. Therefore, contribution is £960 x 5 pupils x 5 years = £24,000, increased by RPI

School transport S106 contribution:	£24,000.00
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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.

This matter will generate 2 FTEs, but there is no contribution sought in this matter.

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, 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).

Suffolk County Council FAO Sam Harvey will coordinate a response.

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. £5,832, which will be spent on improving services and outreach at Stradbroke 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:	£5,832.00
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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.

A future CIL funding bid of £1,377 (£51 per dwelling) will be made to improve Leiston Recycling Centre facilities serving the proposed development.

Waste CIL Contribution:	£ 1,377.00
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- 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.** SCC, as Lead Local Flood Authority, responded on 16 December 2019, see comments by Jason Skilton.

- 9. Archaeology.** Please refer to letter sent on 13 December 2019 by Gemma

Stewart.

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.

Please refer to letter sent on 16 December 2019 by Water Officer.

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.

I would be grateful if the above information can be provided to the decision-taker in respect of this planning application and infrastructure mitigation reported fully in the committee report.

Yours sincerely,

Ruby Shepperson
Planning Officer
Growth, Highways & Infrastructure Directorate – Strategic Development

cc Carol Barber, Suffolk CC
Jason Skilton, Suffolk CC
Sam Harvey, Suffolk CC

From: Chris Ward <Chris.Ward@suffolk.gov.uk>
Sent: 20 November 2020 09:16
To: Vincent Pearce <Vincent.Pearce@baberghmidsuffolk.gov.uk>
Cc: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>
Subject: RE: MSDC Planning Re-consultation Request - DC/19/05740

Dear Vincent,

Thank you for notifying me about the re-consultation. Having reviewed the documents submitted I have no additional comment to make.

Kind regards

Chris Ward
Travel Plan Officer
Transport Strategy
Strategic Development - Growth, Highways and Infrastructure
Suffolk County Council

Endeavour House, 8 Russell Road, Ipswich, IP1 2BX

web : <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/travel-plans/>

BMSDC Planning Area Team Yellow

From: Chris Ward
Sent: 11 December 2019 16:10
To: Vincent Pearce
Cc: BMSDC Planning Area Team Yellow; Sam Harvey
Subject: RE: MSDC Planning Consultation Request - DC/19/05740

Categories: Katherine

Dear Vincent,

Thank you for consulting me about the proposed residential development at Land West of John Shepherd Road in Fressingfield. I will be providing a response, as a Travel Plan related measure was identified within the planning documents submitted, however this response will form part of the Suffolk County Council Highway's response that Sam Harvey is currently leading on to comply with internal protocol.

Kind regards

Chris Ward
Travel Plan Officer
Transport Strategy
Strategic Development - Growth, Highways and Infrastructure
Suffolk County Council

Endeavour House, 8 Russell Road, Ipswich, IP1 2BX

web : <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/travel-plans/>

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

From: planningyellow@baberghmidsuffolk.gov.uk <planningyellow@baberghmidsuffolk.gov.uk>
Sent: 11 December 2019 13:02
To: Chris Ward <Chris.Ward@suffolk.gov.uk>
Subject: MSDC Planning Consultation Request - DC/19/05740

Please find attached planning consultation request letter relating to planning application - DC/19/05740 - Land West Of, John Shepherd Road, Fressingfield, 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

From: Clerk FressingfieldPC <clerk.fresspc@gmail.com>

Sent: 20 May 2020 12:34

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

Subject: Re: DC/19/05740 Land West of John Shepherd Road Fressingfield.

Hello Jane.

The addendum to update the ecological assessment, provided by NWA Planning in April, does not affect the council's views about this application. Therefore there will not be a new comment.

Andy Parris clerk to Fressingfield Parish Council
01379 586745 | 07873 970834 | clerk.fresspc@gmail.com

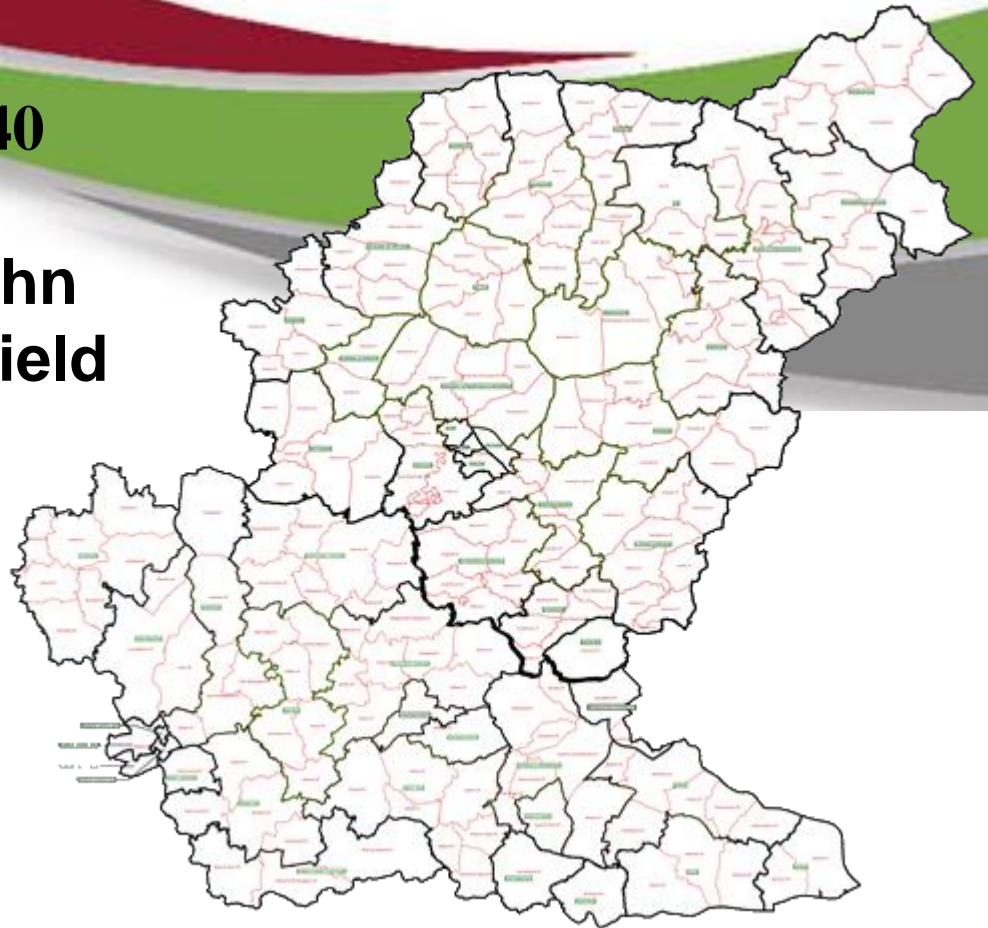
Website: <https://fressingfieldpc.org/>

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Application No: DC/19/05740

**Address: Land West Of John
Shepherd Road, Fressingfield**

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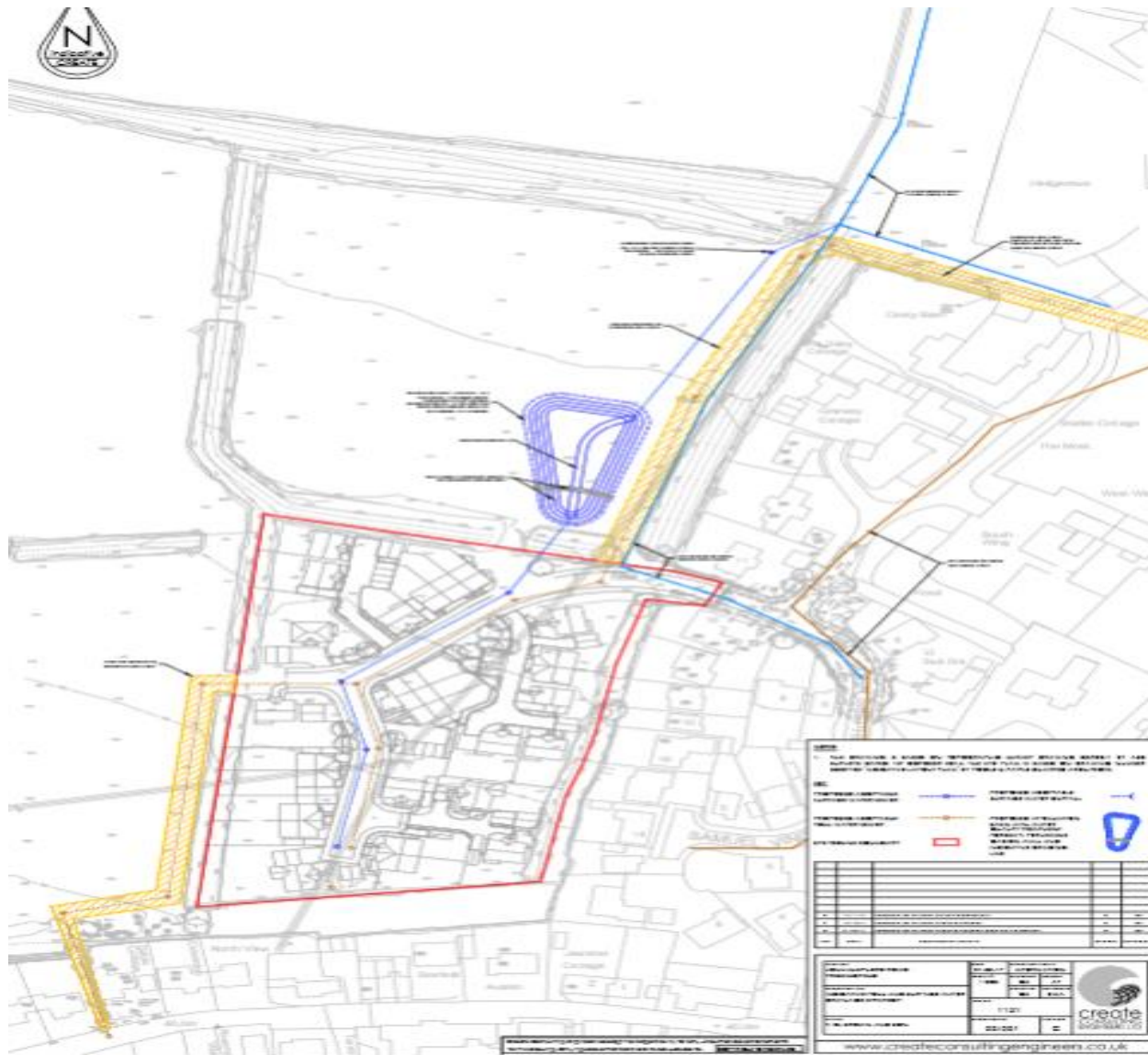




Foul and water surface drainage plan

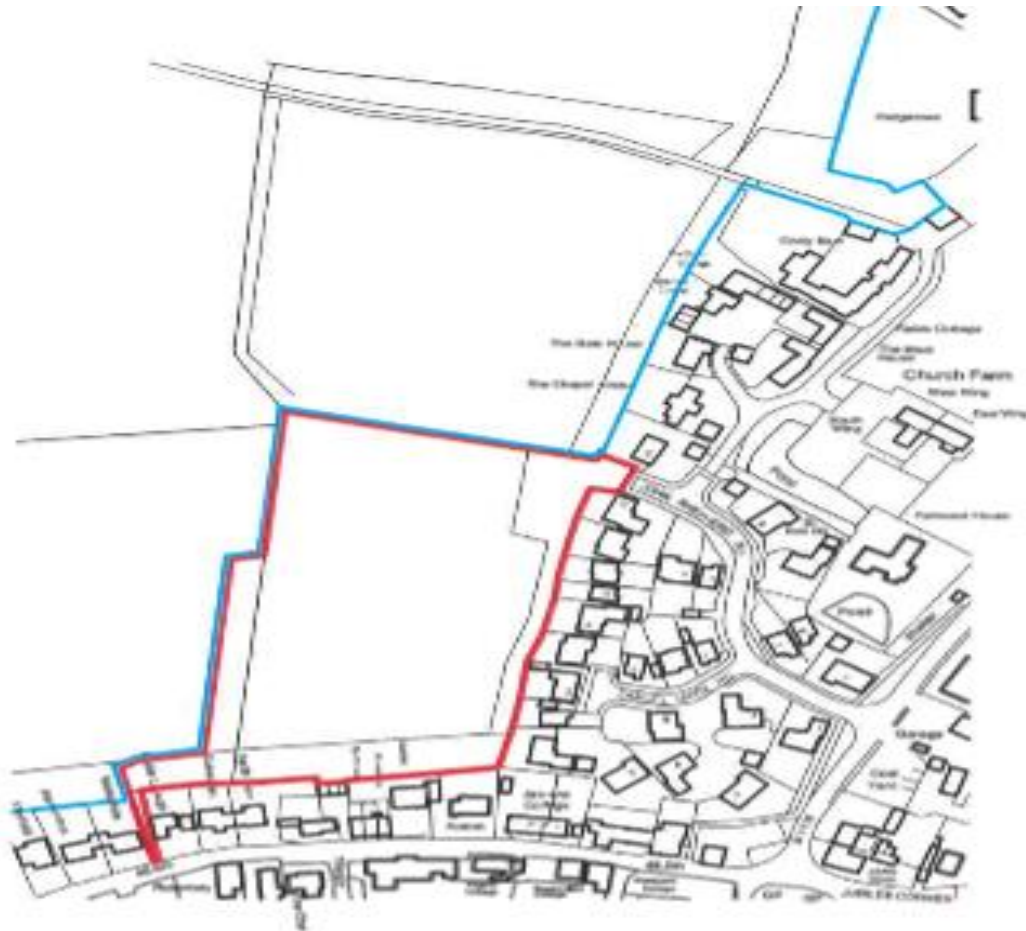
Slide 4

Page 108



Site Location Plan

Slide 5










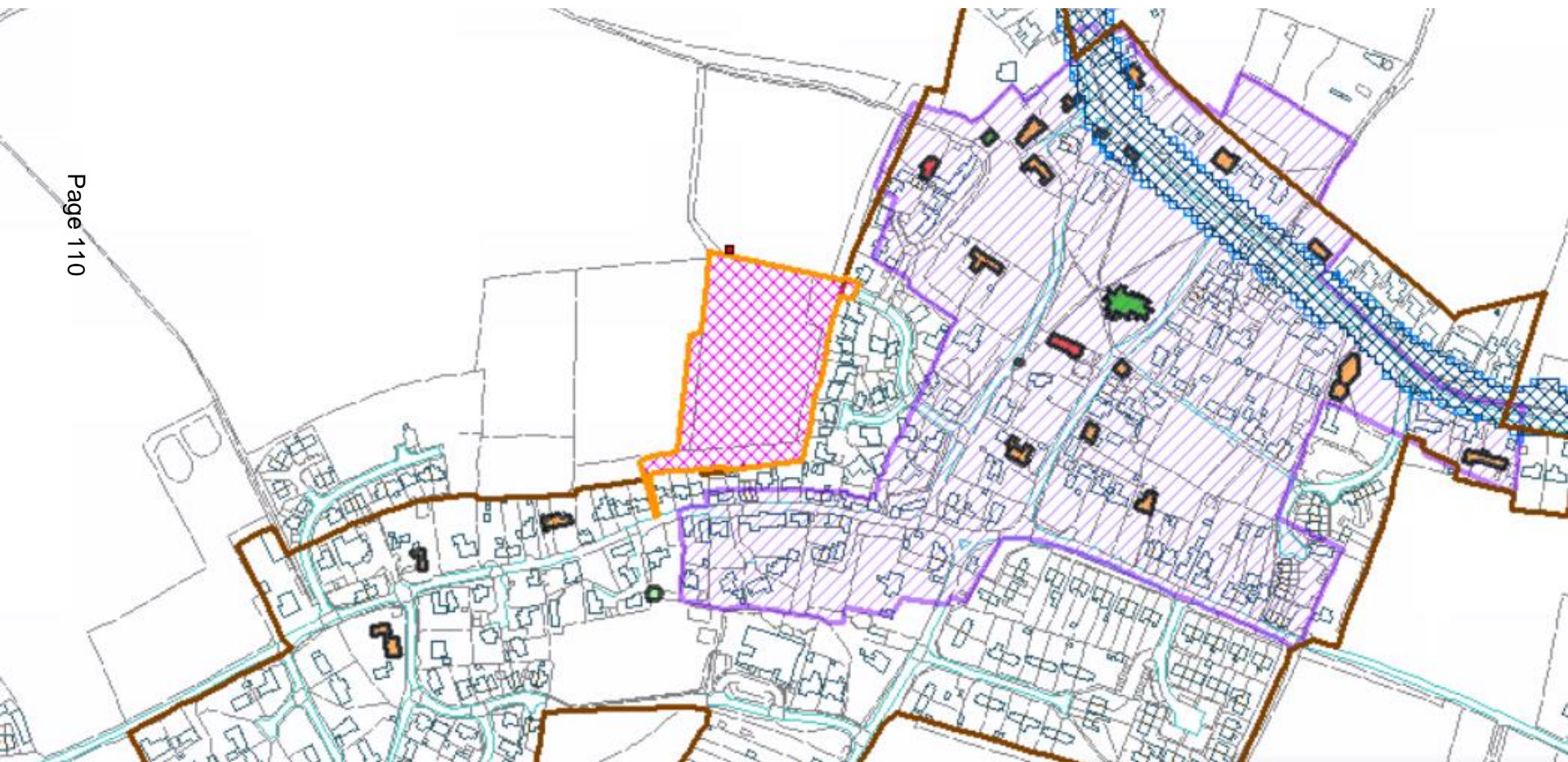
0 100m
SCALE - 1:2500 @ A4

LOCATION PLAN – Drawing 3382-01

Constraints Map

Slide 6

- | | | | |
|--|--|--|--|
|  TPO - Individual TPOs/trees/T1 |  Flood Zone 2 |  Conservation Area |  Grade I |
| |  Flood Zone 3 |  Built Up Area Boundaries |  Grade II |

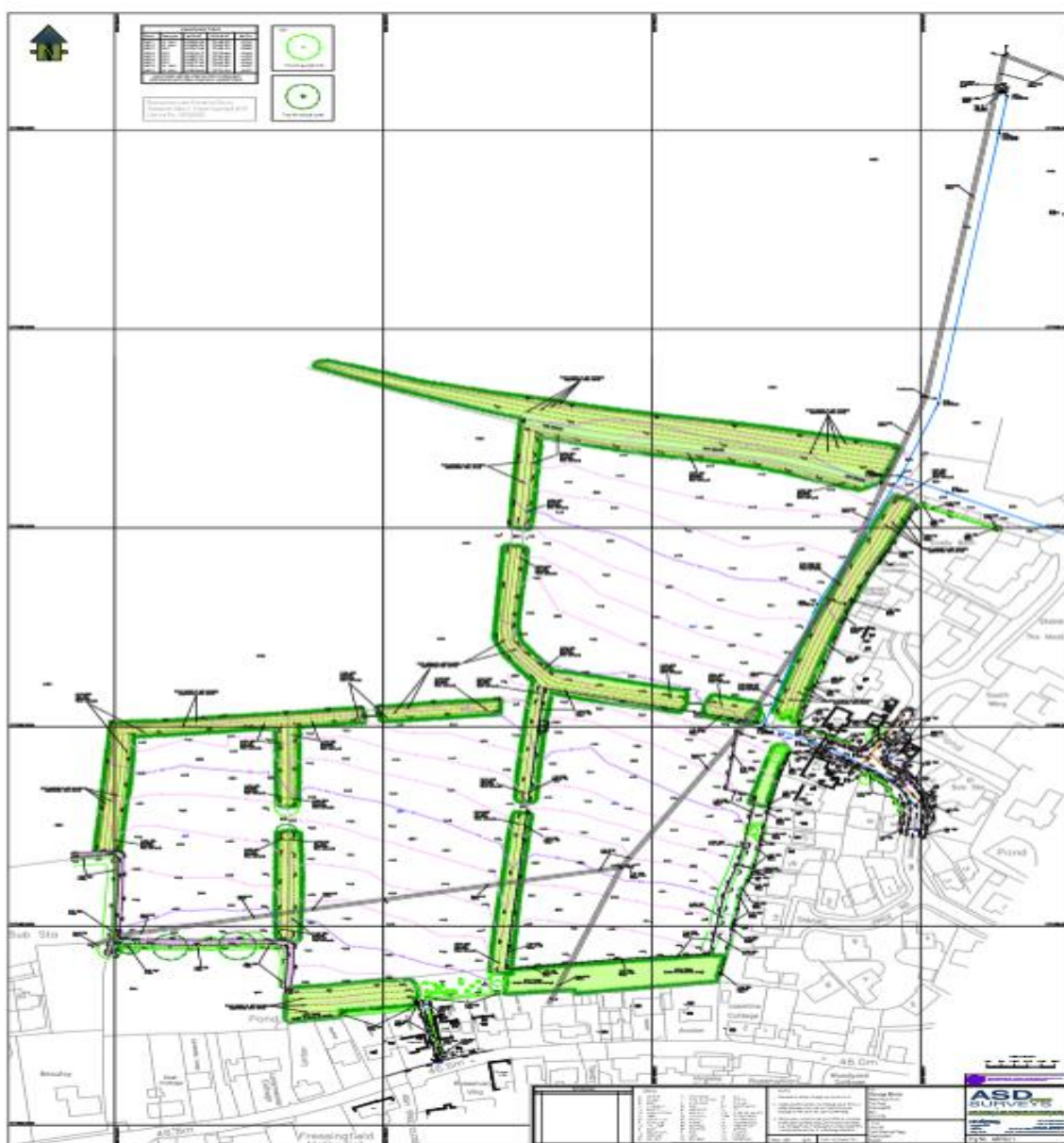


Site Layout

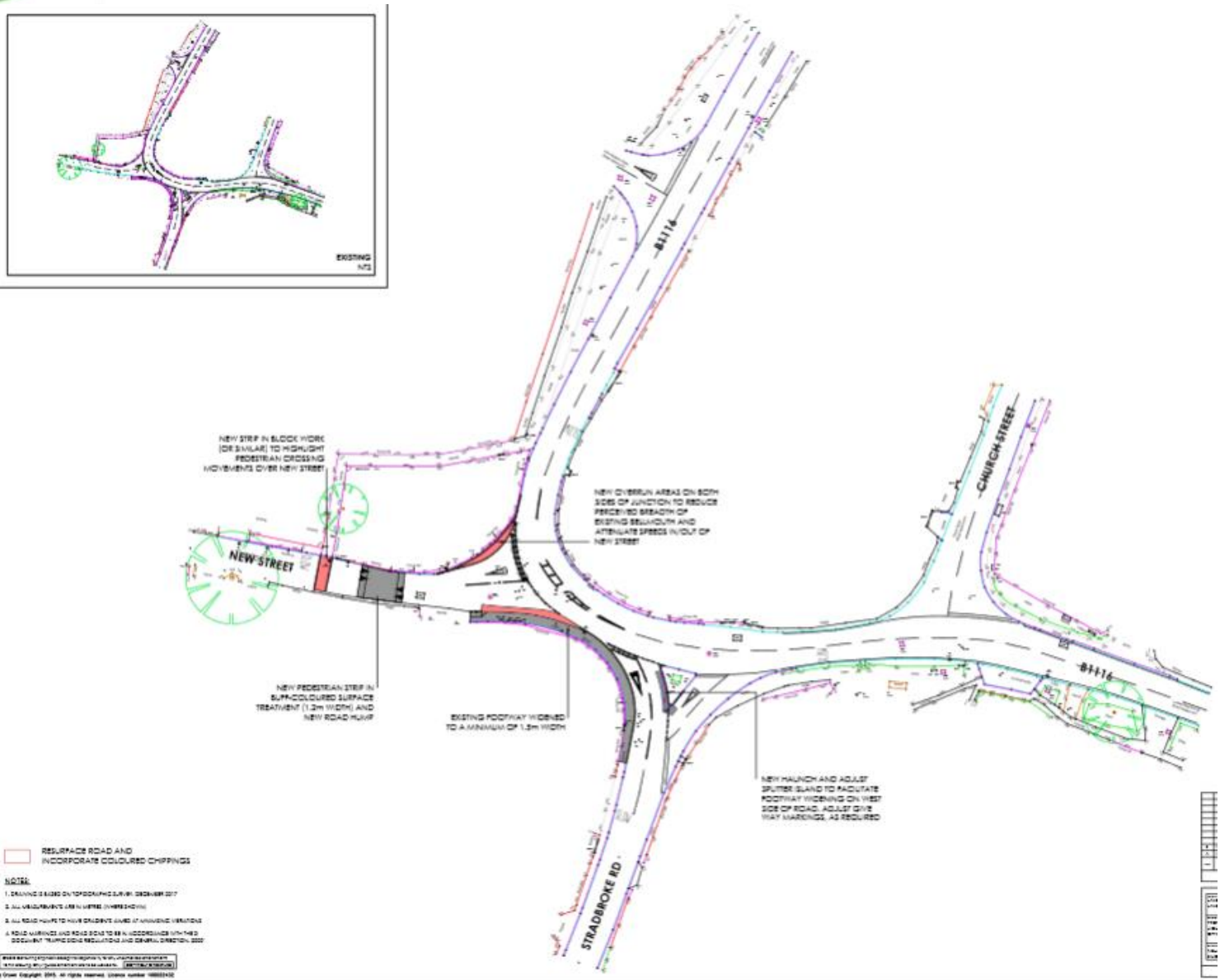


Tree Plan

Slide 8



Proposed highways plan



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Agenda Item 7b

Committee Report

Item 7B

Reference: DC/19/05741

Case Officer: Vincent Pearce

Ward: Fressingfield.

Ward Member/s: Cllr Lavinia Hadingham

RECOMMENDATION – REFUSE OUTLINE PLANNING PERMISSION

Description of Development

Outline Planning Application (all matters reserved) - Erection of shop (Class A1) and residential development (up to 21 dwellings including affordable and self-build housing), construction of access road, driveways, parking areas and footpaths with related drainage and landscaping.

Location

Land off Stradbroke Road, Street Farm, Fressingfield, IP21 5PR

Expiry Date: 30/06/2020

Application Type: OUT - Outline Planning Application

Development Type: Major Small Scale - Dwellings

Applicant: Mr Simon Brown

Agent: Mr Neil Ward

Parish: Fressingfield

Site Area: 0.86ha.

Density of Development:

Gross Density (Total Site): 24.4dph

Net Density (Developed Site, excluding open space and SuDs): 1

7.6dph [excludes retail area from site measurement]

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

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

Has the application been subject to Pre-Application Advice: 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

Fressingfield Neighbourhood Development Plan 2018 – 2036 (adopted 27 March 2021):

FRES 1 Housing provision

FRES 4 Community Facilities

FRES 6 Protecting landscape character and natural assets and enhancing village gateways/entrances

FRES 11 Localised flooding and pollution

FRES 13 New and existing businesses

FRES 15 Transport and highway safety

NPPF National Planning Policy Framework 2019

Core Strategy Focused Review 2012:

FC01 - Presumption In Favour of Sustainable Development

FC01_1 - Mid Suffolk Approach to Delivering Sustainable Development

FC02 - Provision and Distribution of Housing

Core Strategy 2008:

CS01 - Settlement Hierarchy

CS02 - Development in the Countryside & Countryside Villages

CS05 - Mid Suffolk's Environment

Local Plan Alteration 2006

H4 - Proportion of Affordable Housing in New Housing Developments (35%)

Mid Suffolk Local Plan 1998:

GP01 - Design and layout of development

HB14 - Ensuring Archaeological Remains Are Not Destroyed

H4 - Affordable Housing

H5 - Affordable Housing

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

CL11 - Retaining High Quality Agricultural Land

T09 - Parking Standards

T10 - Highway Considerations in Development

T11 - Facilities for Pedestrians and Cyclists

T13 - Bus Service

RT4 - Amenity Open Space and Play Areas within Residential Development
SC1 - Adequate Servicing of Infrastructure

Suffolk Adopted Parking Standards (2019)
Suffolk Design Guide

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)

Fressingfield Parish Council

Fressingfield Parish Council recommends refusal of this application.

When the district council considered the previous application (1449/17), councillors were appalled to hear of how raw sewage would periodically overflow from Fressingfields sewerage system into the street and a local watercourse. This problem has still not been solved and is getting worse. Steady or heavy rain seems to be the catalyst. (Details are in the SAFE response.) A working group and closer connections with Anglian Water, Suffolk Highways and Suffolk Flood Management have been established.

However, the full causes of the problem, which is a health hazard and a 21st century disgrace, have not yet been identified. Only when that is done can solutions be designed and implemented. Any proposals that try to avoid exacerbating the problem are currently based on incomplete knowledge of the causes. Fressingfield Parish Council believes that only when these problems have been solved should new housing applications be seriously considered.

Put simply, it is not right to expect residents to live in an expanding village where the contents of their loo end up in the street and the local watercourse.

Key points from the councils planning committee meeting:

Planning permission already exists for 51 houses in the village.

If permission is granted for this new development, it would mean that planning permission had been given to 28% more than the minimum required in BMSDC draft Local Plan.

There are 2 other development applications currently on the table. These would add a further 45 homes to the village. The resulting figure of 117 homes (51+21+45) is more than double that in the draft Local Plan. The plan has another 16 years to run.

As permission has been granted for 51 houses already, the medium-term sustainability of the school is not an issue.

Benefits would accrue to the parish via a CIL allocation.

There are real benefits in having the genuine asset of the shop being able to expand and thus provide a greater service.

A new shop would remove the dangers of parking pressures on New Street.

The mixed housing of this proposal (houses, self-build, flats) is good. It would offer opportunities to young people to get into the housing market.

Too many of the driveways for these houses feed directly onto Stradbroke Road.

Adding a further 21 houses (42 cars?) will add to the road safety fears of many residents.

These additional vehicles will inevitably impact on the safety and emotional well-being of all pedestrians. There are important pedestrian routes in the middle village where there are no pathways and the streets are narrow (around Jubilee Corner, substantial parts of New Street and part of Stradbroke Road).

In its report to the district council at the last application (1449/17), Suffolk Highways confirmed that accidents did not need to have occurred to identify a route as dangerous, but ... that weight should be given to observed conflicts between pedestrians and vehicles... (NPPF para 110)

Although measures were proposed to mitigate the dangers likely to occur with an increase in vehicular and pedestrian traffic on routes at the core of the village, the report stated, The measures proposed are the best solution available within the existing constraints (but) they fall short of making the highway safe for pedestrians.

Steve Merry, Transport Policy and Development Manager Growth, Highways and Infrastructure concluded, It is the Highway Authorities opinion that further traffic passing along New Street and/or through Jubilee Corner would result in an unacceptable impact on highway safety particularly for vulnerable pedestrians. There are no public transport links to and from the village.

Placing the shop close to the entrance to School Lane would create a danger of increased traffic particularly at the start of the school day.

Speed restriction plans for New Street would be welcome.

National Consultee (Appendix 4)

Natural England

No comments.

County Council Responses (Appendix 5)

Highways 10.06.2021 [note this response refers to the Stradbroke Road application and the John Shepherd Road application submitted by the same applicant. A report for both applications appears on the agenda]

-

The previous application for these sites was reviewed with another within Fressingfield to consider the cumulative impacts from all three developments on the highway. It was considered that the developments proposals would cumulatively give rise to a number of significant road safety concerns which taken in the round, add up to a severe impact in road safety terms:

- The footway network in the core of the village, where most pedestrian trips would need to pass to access the key services in the village, are below acceptable width standards, resulting in pedestrians needing to walk in the road to pass obstructions and opposing pedestrians.
- Some pedestrian crossing points have poor visibility and while traffic speeds are generally quite low, the increase in traffic flow resulting from the cumulative impact of developments in the village, would give rise to an unacceptable increase in risk of conflicts, as some of these would have the potential to result in injury collisions.

In recent appeal for the sites, the inspector determined the proposal would not have a harmful effect on highway and pedestrian safety within the village. The report acknowledged the concerns raised with regard to pedestrian safety, however, with low number in accidents in the area, it was considered there is little substantive evidence to demonstrate that the proposal would result in pedestrian and highway safety concerns.

As the proposed developments have a reduced number of dwellings from the previous applications and the Inspector's opinion on highway safety, we do not object to these proposals. We would recommend the highway improvements proposed from the previous applications are provided.

CONDITIONS

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

Highway Improvement Condition; Prior to occupation of the development, detailed design of the mitigation measures are to be submitted and approved by the highway authority. The approved scheme shall be laid out, constructed and made functionally available for use by the occupiers of the development prior to the occupation of the first dwelling and thereafter retained in the approved form for the lifetime of the development.

Reason: To ensure that suitable speed mitigation measures and highway improvements are provided.

Estate Roads Design 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.

Estate Roads 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.

Parking Condition: Before the development is commenced details of the areas to be provided for the manoeuvring and parking of vehicles including electric vehicle charging points and secure cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To enable vehicles to enter and exit the public highway in forward gear in the interests of highway safety, to promote the use of sustainable travelling alternatives within the area and use of electric vehicles.

Bin Condition: Before the development is commenced details of the areas to be provided for storage and presentation of Refuse/Recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

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

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

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

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

For Stradbroke Road Site -

Access Condition: Before the development is commenced, details of the access and associated works, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.

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

Visibility Condition: Before the access is first used visibility splays with an X dimension of 2.4m and a Y dimension of 90m 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.

Reason: In the interests of highway safety in order to maintain intervisibility between highway users.

Flood and Water

Holding objection pending resolution of technical points

Fire and Rescue

No objection.

Developer Contributions

CIL	Education	Capital Contribution
	- Primary @ £17,268 per place	£86,340
	- Secondary @ £23,775 per place	£95,100
	- Sixth form @ £23,775 per place	£23,775
CIL	Libraries improvements	£4,536
CIL	Waste @ £56 per dwelling	£1,176
S106	Education	
	- Secondary school transport @ £1,205 per place	£24,100
S106	Highways	Tbc
S106	Monitoring fee (per trigger point)	£412

Internal Consultee Responses (Appendix 6)

Strategic Housing

The policy position is for 35% affordable housing on any site of 10 or more units or site area in excess of 0.5 hectares. 21 dwellings equates to an affordable housing contribution of 7.35 dwellings for this submission in order for it to be policy compliant.

Ecology Consultant

No objection subject to securing biodiversity mitigation and enhancement measures.

Public Realm

The Public Realm Team have no objections in principle to the proposed development of up to 21 properties off Stradbroke Road, Fressingfield. A development of this size would be expected to incorporate an appropriate area of open space and some children's play provision. If not incorporated into the detailed design then an agreed contribution to open space and play provision within the village would be required.

Economic Development

Economic Development support this application. The proposal to develop purpose built retail premises to serve the growing community of Fressingfield is welcome. Local shops, public houses and businesses provide vital employment opportunities for local communities as well as services. Although the applicant has not made detailed reference to the shop development from consultee comments it appears that the

new premises are proposed to provide new accommodation for the existing Fressingfield Village Stores. The application form does identify additional jobs to be created in proposed new premises.

Environmental Health Noise/Odour/Light/Smoke

No objection subject to conditions.

Environmental Health Sustainability

No objection subject to conditions.

Environmental Health Contamination

No objection subject to conditions.

Air Quality

No objection.

Waste

No objection subject to conditions.

Other

Anglian Water

The foul drainage from this development is in the catchment of Weybread Water Recycling Centre that will have available capacity for these flows.

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.

Suffolk Preservation Society

Notwithstanding the applicant's positive response to the numerous and compelling objections held by many to the previous scheme, the SPS continues to object on the following grounds.

The emerging Joint Local Plan downgrades Fressingfield from a Primary to a Hinterland Village which requires a lesser quantum of development, recognising that it is fundamentally a less sustainable location with fewer services and facilities than a Primary Village. Accordingly the evolving policy position in the emerging Local Plan shows a minimum housing requirement of 56 dwellings over the plan period.

Mid Suffolk, as of 3.09.19 (Mid Suffolk District Council Housing Land Supply Position Statement 2019/20 – 2023/24) asserts that the council can demonstrate a 5 year housing land supply. Therefore, the "tilted balance" presumption in favour of sustainable development does not apply and applications should be determined according to the development plan.

The Fressingfield Neighbourhood Plan (FNP) is at an advanced stage, having been through Examination and is about to go to Referendum in the coming weeks (January 2020). The FNP policy FNP1 allows for 60 dwellings across the plan period, 51 of which have already been consented. Furthermore, the FNP does not allocate this site for development. The Examiner in her report, at paragraph 53 having considered the proposed site allocations stated that "I do not consider it necessary for inclusion of additional sites". In summary, the Neighbourhood Plan has been carefully considered and independently assessed. The views of the parish have been clearly made. Therefore, the policies within the plan must be given considerable weight in the consideration of this case.

Conclusion

Notwithstanding the material reduction in the scale of the revised proposals and the more appropriate mix of type and tenure of dwellings which more closely reflects the local housing need, the fact remains that the site has not been identified for development through the emerging Local Plan or Neighbourhood Plan and remains disproportionate, relative to the level of growth allocated and planned for in the emerging Neighbourhood Plan. To permit this application would prejudice the policy making process by undermining the plan-led approach. Secondly, granting planning permission would undermine community confidence in the plan making process after successful Examination but in advance of a Referendum on that Plan.

The community, through the neighbourhood plan process, has clearly rejected this site for development whilst setting out alternative sites that are capable of contributing towards the housing need in the district. SPS acknowledges that the revised scheme has positively responded to the reasons for the previous refusal and it is a matter of planning judgement whether the public benefits of this scheme outweigh the concerns expressed through the emerging Neighbourhood Plan. However, on balance SPS considers that to approve this application would seriously undermine the neighbourhood planning process and we therefore urge that the proposals are yet again refused.

B: Representations

At the time of writing this report at least 62 letters/emails/online comments have been received. It is the officer opinion that this represents 59 objections and three supporting submissions. A verbal update shall be provided as necessary.

Grounds of objection are summarised below:

- Contrary to the Neighbourhood Plan
- Loss of farmland
- Harm to local heritage and conservation values
- Highway safety
- Too many houses already approved in village
- New shop location is unsustainable
- Exacerbates existing flooding, sewage egress and associated pollution of water courses
- Lack of need – no local employment opportunities, public facilities, public transport
- MSDC has a five year housing supply

(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: 1449/17

Outline Application - Residential development (up to 85 dwellings including affordable housing) together with the construction of estate roads and footpaths, drainage, landscaping and the provision of public open space, including children's play space.

DECISION: REF
22.11.2018

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1. The site is located on the eastern side of Stradbroke Road, on the southern periphery of Fressingfield, designated in the Core Strategy as a Primary Village. The 0.86ha site, comprising agricultural land which forms part of a much larger field in arable use, adjoins the built up area of the village on its south-eastern side. Residential development is opposite, on the western side of Stradbroke Road. To the east is arable land separating the site from the Fressingfield Sports and Social Club. To the south is open countryside. A well-established hedgerow delineates the site's Stradbroke Road frontage.
- 1.2. The Fressingfield Conservation Area is approximately 110m north of the site. There are no listed buildings in proximity of the site. The site is in Flood Zone 1. A water main runs along the site's western (road frontage) boundary.
- 1.3. The site is not subject to special landscape designations or ecological designations.

2. The Proposal

- 2.1. The application is made in outline with all matters reserved seeking consent for up to 21 dwellings and an A1 retail unit.
- 2.2. An illustrative scheme supports the application indicating how development might be brought forward. Key elements of the illustrative scheme are as follows:
 - A mix of detached and semi-detached two storey dwellings comprising mix of one, two, three and four-bed dwelling types.
 - Housing comprises 9 market dwellings, 7 affordable dwellings, 3 low cost market flats (above shop) and 2 self-build market houses.
 - A mixed use retail/housing building is set midway along the site, comprising a 200sqm A1 unit at ground floor with three dwellings above. Car parking for the retail and dwelling units is set to the rear of the mixed use building.
 - Provision of a footpath along the site frontage with a new footpath crossing on the west side of Stradbroke Road to the north of School Lane.
 - The majority of dwellings are each served by a new vehicle access from Stradbroke Road.
 - Surface water is to drain to an attenuation basin east of the site in the adjacent arable field.
 - Foul water will connect to the existing foul water sewer serving properties in Stradbroke Road.
 - Removal of the Stradbroke Road frontage hedgerow together with 9 trees.
 - Off-site road improvement works at Jubilee Corner and New Street, together with a traffic order relating to New Street.
- 2.3. The application is a resubmission following the refusal of an outline proposal for 85 dwellings (1449/17) in November 2018. The subject site forms a smaller part of the site that was previously refused planning permission. The current application seeks to address the reasons upon which the previous application was refused.
- 2.4. The application is supported by the following technical documents:
 - Planning Statement
 - Design and Access Statement
 - Topographical Survey
 - Arboricultural Impact Assessment
 - Transport Assessment
 - Flood Risk Assessment and Drainage Strategy
 - Contaminated Land Assessment

- Ecological Assessment.

- 2.5. The application is submitted by the same landowner as DC/19/05740 (an outline proposal for up to 27 dwellings) that also appears on this Development Control Sub Committee agenda. The applicant is therefore seeking outline permission cumulatively for up to 48 dwellings in Fressingfield. Nevertheless this application is considered on its own merits.

3. Policy Context

- 3.1. Paragraph 11 of the NPPF explains that there is a presumption in favour of sustainable development which comprises economic, social and environmental objectives. It indicates that where the development plan is absent, silent or policies which are most important for determining the application are out-of-date, planning permission should be granted unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF as a whole; or unless specific policies in the NPPF indicate that development should be restricted.
- 3.2. In view of advice in paragraph 11(d) of the NPPF, it is necessary to consider how consistent the most important policies in the development plan are with the NPPF, to assess what weight should be attached to them. Paragraph 213 of the NPPF explains that due weight should be given to relevant policies according to their degree of consistency with the NPPF, the closer the policies in the plan to those in the NPPF, the greater the weight that may be given.
- 3.3. The development plan for the area comprises a combination of the adopted Fressingfield Neighbourhood Development Plan (FNDP), the Core Strategy Focused Review 2012, the Core Strategy 2008, the 'saved' policies of the Local Plan 1998 and the emerging Joint Local Plan.
- 3.4. The application is made in outline. Local policies concerned with detailed design, residential amenity and landscaping are not deemed 'most important' and are not considered further.
- 3.5. The FNDP is very recently adopted. The policies in the FNDP relevant to the application, FRES 1, FRES 6, FRES 11, FRES 13 and FRES 15, are consistent with the NPPF and are afforded full weight.
- 3.6. CS Policy FC1.1 is a broad policy that sets out how the Council will seek to implement sustainable development; it is up to date and afforded full weight.
- 3.7. Policies CS1, CS2 and H7 have been found previously to be deemed out of date by the Planning Inspectorate. However in this particular case we have a spatial strategy for Fressingfield that has been reviewed and brought up to date with the making of the FNDP, with new housing allocations made alongside policies sufficient to meet the latest identified requirement for new housing. Policies CS1, CS2, and H7 are compatible with the FNDP, and in particular FRES1. Their spatial setting principles remain sound when considered in the current context and their approach to dealing with housing in the countryside in the parish of Fressingfield now needs to be read alongside the making of the FNDP. Through the making of the FNDP the policies are responsive to local circumstances. Having regard to this application and the present circumstances, these policies are considered to be up to date.
- 3.8. CS Policy T10 is similar to FRES15 and is consistent with the NPPF. It is up to date and afforded full weight.

- 3.9. The emerging Joint Local Plan is now at examination with hearings to commence shortly. At this particular point in the plan-making process (and having regard to NPPF paras 48 and 49) the JLP as a whole is afforded limited weight as a consideration though this is likely to change as time moves on. Regardless, it is not considered to play a determinative role in this application (and would if anything only serve to reinforce the conclusion reached).
- 3.10. For the reasons set out above, taken in the round the most important policies for the determination of this application are up to date. Mid Suffolk benefits from a five year housing supply. For these reasons the tilted balance does not engage.
- 3.11. Having determined that the tilted balance does not engage, it is left to determine the key issues and assess the proposal's performance against relevant policies in the context of those issues. The key issues are:
- a) Whether the site is an appropriate location for housing;
 - b) Whether the site is an appropriate location for the village shop (relocated from New Street);
 - c) The effect of the proposed development on local landscape character;
 - d) The effect of the proposed development on highway and pedestrian safety; and
 - e) Whether the proposal would exacerbate the existing flooding and pollution issue in the village.

4. Appropriateness of Location for Housing

- 4.1. The FNDP (and in particular Policy FRES1) provides for a comprehensive spatial strategy and as noted above is recently made. The FNDP directs where new sustainable housing development should go (site allocations) and where it should not go (beyond the settlement boundary absent compliance with particular policy exceptions). An assessment of the proposal in the context of the directions contained at Policy FRES 1 finds:
- a) The subject site is not allocated for housing development in FRES 1;
 - b) The subject site is outside the settlement boundary defined in FRES 1 (MAP 5.1);
 - c) The application does not propose conversion of an existing building and is not in an isolated location where paragraph 79 of the NPPF might otherwise engage;
 - d) An identified local need is not evidenced in the application;
 - e) Policy FRES 1 contemplates around an additional 60 dwellings to be provided in the Plan period (2018-2036). 55 dwellings have already been permitted in the period. The proposed 21 dwellings would far exceed the provision contemplated by Policy FRES 1.
- 4.2. It is clear and obvious that the application is in direct conflict with Policy FRES 1. In turn, the application is not in accordance with Policy CS1. Within the terms of that policy Fressingfield is a Primary Village only expected to accommodate limited 'small scale' growth, subject to need. Such growth is dealt with in accordance with Policy FRES1 and the comprehensive strategy provided within the FNDP.
- 4.3. Further, the development does not meet any of the exceptions listed in Policy CS2. The proposed development also conflicts with Policy H7 because it does not form part of an existing settlement, a settlement that has only very recently been reviewed with a settlement boundary expanded to accommodate new growth.
- 4.4. It is concluded that the location is not appropriate for housing having regard to the development plan and national policies. It would be contrary to policies FRES1, FC1.1, CS1, CS2 and H7. Furthermore it is contrary to NPPF paragraphs 77 and 78, and would be contrary to the importance

placed upon the plan-led system, in particular neighbourhood planning. This represents harm of notable significance.

5. Appropriateness of Location for Village Shop

- 5.1. The application proposes the relocation of the Fressingfield Stores, from its existing premises at New Street to the application site, sited centrally within the site fronting Stradbroke Road. Policy FRES 4 deals with community facilities, including shops, focusing on the loss of existing facilities. It states that the loss of a facility will only be supported if, subject to other matters, an equivalent facility can be relocated to elsewhere in the parish to an equally convenient, safe and accessible location. It offers guidance in respect to the design of new facilities, however this is not relevant to the merits of the application given design is a reserved matter.
- 5.2. In light of Policy FRES 4, the key question is simply – is the proposed location for the relocated village shop equally convenient, safe and accessible as the current shop location?
- 5.3. What is clear is that the relocation of the existing shop to new larger premises offers the operator the chance to expand the offer to local people in terms of the range of goods available and the quality of the space for customers.
- 5.4. The current Covid-19 situation has highlighted the importance of local shops in such circumstances. It will be interesting to analyse whether local retail loyalty in a post covid environment is maintained.
- 5.5. It is also noted that the relocation would potentially mean servicing of the shop can occur off the public highway in the area to the rear of the proposed shop. Undoubtedly present arrangements. Undoubtedly arrangements for servicing the existing shop [from New Street] do contribute to localised congestion and some degree of added risk for pedestrians. [Concealment behind delivery vehicles for example].
- 5.6. That said officers consider the answer to the question posed in paragraph 5.2 above to be in the negative.
- 5.7. The subject site is located very much on the periphery of the village. Pedestrian connections to it from the bulk of the village are poor.
- 5.8. The vast majority of residents would still have to traverse the Jubilee Corner junction by foot to reach the shop, a junction that even with the highway improvements works proposed as part of the application, are deemed to not provide a truly acceptable pedestrian safety outcome (see further discussion at section 7 below). Moreover, the majority of village residents would have to traverse the footpath on the western side of Stradbroke Road south of New Street, the width of which is very narrow, suitable for one person only. The widening of this footpath would be into the carriageway, a very poor highway outcome given the already narrow width of the carriageway. The proposed shop location would also be further from the village bus stops than the existing shop.
- 5.3. Officers conclude that the proposed village shop location is not equally convenient, no safer save for servicing and customer parking opportunities to the rear] or accessible as the existing shop location, contrary to the requirements of Policy FRES 4.

6. Landscape Character

- 6.1. Policy FRES 6 seeks to ensure development does not adversely affect the visual scenic value of the landscape and countryside surrounding the village. The site fronts Stradbroke Road, the key southern gateway to the village. The site comprises open countryside, forming part of a much larger open, arable field. The proposal seeks to subdivide off a portion of the larger field. The result is the creation of arbitrary property boundaries that are not natural. This said, they are logical insofar as they extend one property deep, providing for ribbon development along Stradbroke Road. Residential development of the site would be consistent with the established housing on the western side of Stradbroke Road. The presence of the existing built up area directly opposite helps the development appear somewhat integrated and physically related to the village body.
- 6.2. The loss of frontage hedgerow, introduction of multiple vehicle access points and lack of any meaningful replacement landscaping to the frontage is a disappointing landscape character outcome, a streetscape gesture that does not reflect local distinctiveness nor respect the village's rural character. This said, the supporting concept is only illustrative. With some considerably greater design thought, officers consider there is scope to provide a revised design that would deliver at least a neutral, if not positive, landscape character outcome. Such an exercise would be undertaken at the reserved matters stage, should members be minded to grant outline permission.
- 6.3. The introduction of housing would appear as an intrusion into open countryside, with a landscape change clear and obvious given the undeveloped nature of the open field. However, through appropriate detailed design work the development could better respond to local character, and in so doing the adverse landscape impact could be more successfully mitigated. Whilst there would be some harm to the scenic value of the landscape, the harm would be at a relatively low level and therefore conflict with Policy FRES 6 would be somewhat limited.
- 6.4. Policy FRES 6 identifies four important views in the village that are sensitive to development. One of those views is from Stradbroke Road, described in the FNDP as the *'long view of the church looking north from Stradbroke Road. This view highlights not only the visual prominence of the church in long views, but also the intrusion of modern development on the historic character of the settlement.'* Officers are not convinced the development of the application site would undermine the visual prominence of the church given the relative positioning of the site to the road and the viewing corridor. Developing housing on the subject land is also unlikely to adversely impact the historic character of the settlement given its relationship to the body of the village, in particular its historic core. There is limited if any conflict with these elements of Policy FRES 6. Noteworthy is the fact that the previous 85 dwelling proposal was not refused on landscape character grounds.

7. Highway and Pedestrian Safety

- 7.1. Local Plan Policy T10 requires the consideration of a number of highway matters when determining planning applications, including; the provision of safe access, the safe and free flow of traffic and pedestrian safety, safe capacity of the road network and the provision of adequate parking and turning for vehicles. Policy T10 is a general transport policy which is generally consistent with Section 9 of the NPPF on promoting sustainable transport, and therefore is afforded considerable weight.
- 7.2. Access is a reserved matter and therefore beyond the scope of this assessment. This said it is worthy of comment given the Highways Authority consultee response. It is to be noted that the illustrative scheme proposes multiple new access points, 12 in total, from Stradbroke Road to which the Highways Authority objects. Officers are of the view that the site is of sufficient dimensions that an alternative layout could be developed that minimises the number of Stradbroke Road access points, to a number that would deliver an acceptable, policy compliant highway safety response.

That said it is really incumbent on the applicant to demonstrate that this could be the case, rather than relying on the Authority to imagine a solution on their behalf.

- 7.3. The illustrative layout demonstrates that on-site parking can be provided in accordance with relevant standards, a consideration to be furthered at the reserved matters stage should members be minded to grant outline consent.
- 7.4. Many residents are concerned with highway safety in the village more generally, in particular significant concern is raised regarding Jubilee Corner both for vehicles and pedestrians. The applicant proposes off-site highway improvements to Jubilee Corner and New Street, which were previously agreed with the Highways Authority. Measures include a new pedestrian strip, widened footway, splitter island modifications, new overrun areas on both sides of the junction and road resurfacing incorporating coloured chippings. It was also agreed with the Highways Authority that the applicant would fund a Traffic Regulation Order in respect to New Street, which again is proposed by the applicant.
- 7.5. The proposed development provides a footpath along its entire Stradbroke Road frontage, linking with the existing Stradbroke Road footpath network (western side) to the north, and to the public footpath 66 (south of the Laurels) south of the site
- 7.6. The impact of store location has been explored in section 5 of this report including highway benefits and disbenefits and so this section of the report will not repeat these.
- 7.7. Members will however note the view of the local highway authority in raising no overriding objection to the proposal. In their opinion the Inspector's decision in respect of the first Post Mill Lane Appeal decision is crucial. The local highway authority is unable to present any new evidence to suggest that the use of Jubilee Corner and New Street by pedestrians [no footways] results in a particular accident issue.
- 7.8. In such circumstances a refusal on highway safety grounds is difficult to sustain.

8. Flood Risk, Drainage and Waste

- 8.1. Policy FRES 11 requires new development to adopt sustainable drainage systems and to avoid increased flooding in the village, with development in flood risk areas not supported. In respect to the latter, the site is not located in an area subject to unacceptable flood risk, being located in Flood Zone 1, and it is also outside the localised flooding areas identified in the FNDP (MAP6.4).
- 8.2. Many objectors, including the Parish Council, raise concerns regarding the ongoing issue of insufficient sewer capacity in the village. Many residents consider that the proposal will exacerbate this issue and such an outcome would be unacceptable. Anglian Water acknowledges that the Weybread Water Recycling Centre does not currently have capacity to treat the foul water flows from the proposed development. They do however state that they would take the necessary steps to ensure that there is sufficient treatment capacity should the outline permission be granted.
- 8.3. All foul water is proposed to connect to the existing sewer in Stradbroke Road. Surface water runoff from the development is proposed to be directed to an attenuation pond east of the site and thereafter discharge to a ditch. Acknowledging the sewage flooding issue in the village, the applicant has worked with Anglian Water and now proposes a scheme to divert the foul sewer in New Street (currently serving 105 dwellings) and provide temporary storage capacity within oversized sewers proposed in connection with the proposed development scheme also currently

before members at the John Shepherd Road site (DC/19/05740) and which is also in the applicant's ownership, in order to mitigate over capacity in the downstream system at peak times. As observed by the applicant, this scheme would divert far more properties from the existing foul water system and much greater sewage flows than would be added to it as a result of the current proposal and it therefore results in a significant net gain. It is concluded that this diversion scheme will alleviate the sewage flooding issue that is, quite rightly, of such concern to local residents.

- 8.4. It must be made clear however that irrespective of the proposed diversion scheme, on the evidence available at this time, a clear link between the proposed development and an increased risk of flooding has not been established. On that basis officers do not consider that this could reasonably form a reason for withholding planning permission.
- 8.5 In view of the technical holding objection from SCC Floods and Water and the fact that the applicant owns adjacent land a satisfactory surface water drainage solution is expected to be achievable.
- 8.6 Anglian Water continues to raise no objection to the development. The issues around occasional foul water flooding in parts of Fressingfield are well known and the arguments well-rehearsed.
- 8.7 The official position is that Fressingfield has foul water capacity to accept additional development.

9. Other Issues

- 9.1. There are considerations not discussed in this report that are additionally material to the application. These include, for example, the impact on the supply of agricultural land, ecological impacts, public open space provision, residential amenity, contamination risk, arboricultural impacts and archaeology. The application does not turn on any of these matters. They are either satisfactory or could be adequately managed at the reserved matters stage of the development process. For these reasons there is no requirement to consider them in any further detail at this outline stage.

10. Scheme Benefits

- 10.1. The application should be determined in accordance with the development plan unless material considerations indicate otherwise. The benefits of the development, as material considerations, must therefore be taken into account.
- 10.2. Such benefits in this case principally relate to the provision of new housing. While new housing, and new affordable housing, are of themselves important benefits they are afforded limited weight in light of the district's current housing supply, which exceeds five years. The economic benefits to flow from a 21 dwelling development would not be insignificant, however in respect to local construction related benefits these would be relatively short lived and in any event temporary. Increased local spending by future occupants are a benefit to the village but this is not a matter upon which great weight is attached, particularly in light of the very limited local employment opportunities on offer in the village. The highway improvements proposed would have some wider utility but are nevertheless proposed in order to improve highway safety credentials. An improved foul water management system is a benefit of note.
- 10.3 It is fair to say that an expanded local shop would offer benefits to local customers in terms of the experience and the range of items available. Better servicing facilities would also reduce localised

congestion in New Street as occasional delivery vehicles would not be reducing available road width in an area with no footways. This is a matter of some weight.

10.4 Overall however, when considered in the round, limited weight is attached to the scheme benefits.

PART FOUR – CONCLUSION

11. Planning Balance and Conclusion

- 11.1. The residents of the parish of Fressingfield have set the guiding principles for how the future development of the village is to progress for the period 2018 – 2036, through the neighbourhood planning process and making of the FNDP, a plan adopted in March this year. The FNDP forms part of the development plan, is consistent with the NPPF, is up to date and therefore afforded full weight. Policies CS1, CS2, and H7 are compatible with the FNDP, in particular FRES1. They are also deemed up to date. The basket of policies most important in determining the application are up to date and the Council benefits from a five plus year housing supply. For these reasons the tilted balance at paragraph 11 of the NPPF therefore does not engage.
- 11.2. Fressingfield is a Primary Village expected to accommodate ‘small scale’ development to meet local needs. The FNDP allocates sites for future housing, sets a quantum of dwellings to be provided in the forthcoming 20 year period having regard to its Primary Village function, and seeks to prevent housing development outside the village’s settlement boundary. The subject land does not form part of an allocated site and is outside the settlement boundary. The application does not demonstrate a local need for an additional 21 dwellings. A 21 dwelling proposal does not constitute ‘small scale’ development. Taking account of the dwellings already granted permission in the village in the period, the quantum of additional housing proposed would result in a local housing supply far exceeding the quantum set out in the FNDP. The proposal is in clear conflict with the housing policies of the FNDP.
- 11.3. The development would urbanise the southern gateway to the village. The illustrative concept plan is a poor landscape response however with a redesign from first principles a development could be potentially brought forward that would have relatively limited adverse landscape character effects, noting that housing on the site would offer a framing effect given the housing established on the western side of the road. Development of the site for housing is unlikely to compromise the protected view (north along Stradbroke Road) designated in the FNDP at Policy FRES 6.
- 11.5. Issues such as highways, flood risk, foul water management, public open space, ecology, residential amenity and archaeology are either acceptable, able to be managed effectively by way of planning conditions on an outline approval or have the scope to be appropriately resolved through reserved matters applications. The application does not turn on these matters.
- 11.6. The public benefits of the scheme are not significant, with the housing (including affordable housing) supply increase the principal advantage. However this benefit is attached low weight given the district’s current five plus year housing supply.
- 11.7. The proposed development is contrary to the development plan and national planning policy and there are no material considerations that justify a departure from those policies; the harm that has been identified significantly and demonstrably outweighs the limited benefits.

11.8. There are no other considerations that would indicate a planning balance being struck any other way than to refuse outline planning permission.

RECOMMENDATION

That the application is REFUSED outline planning permission for the following reasons:

1. The proposed 21 dwelling development, located outside the settlement boundary, on land not allocated for housing and lacking a justifiable need, fails to accord with Policy FRES1 of the adopted Fressingfield Neighbourhood Development Plan 2018 - 2036, Policy FC1.1 of the Core Strategy Focused Review 2012, Policies CS1 and CS2 of the Mid Suffolk Core Strategy 2008, Policy H7 of the Mid Suffolk Local Plan 1998 and the National Planning Policy Framework 2019.
2. The proposed development is contrary to the development plan and there are no considerations which indicate otherwise.

That Members delegate authority to the Chief Planning Officer to defend any appeal for the reasons set out above, being amended and/or varied as may be required.



Application No: DC/19/05741

Location: Land of Stradbroke Road
Fressingfield

Page No.

Appendix 1: Call In Request	<i>NO</i>	
Appendix 2: Details of Previous Decision	<i>This application has not been to Committee before but site has been included in a larger proposal that was refused by the Council. 1449/17 outline up to 85 dwellings</i>	
Appendix 3: Town/Parish Council/s	<i>Fressingfield</i>	
Appendix 4: National Consultee Responses	<i>Natural England</i>	
Appendix 5: County Council Responses	<i>Highways Floods and Water Fire and Rescue Developer Contributions</i>	
Appendix 6: Internal Consultee Responses	<i>Strategic Housing Place Services ecology Economic development Public Realm EHO: Noise/odour/light/smoke EHO: Sustainability EHO: Contamination EHO: Air Quality Waste</i>	
Appendix 7: Any other consultee responses	<i>Anglian Water Suffolk Preservation Society</i>	



Babergh and Mid Suffolk District Councils



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

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



Babergh and Mid Suffolk District Councils

From: Clerk FressingfieldPC <clerk.fresspc@gmail.com>
Sent: 20 May 2020 12:34
To: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>
Subject: Re: DC/19/05741 Land off Stradbroke Road Street Farm Fressingfield

Hello Jane.

The addendum to update the ecological assessment, provided by NWA Planning in April, does not affect the council's views about this application. Therefore there will not be a new comment.

Andy Parris clerk to Fressingfield Parish Council
01379 586745 | 07873 970834 | clerk.fresspc@gmail.com
Website: <https://fressingfieldpc.org/>

Consultee Comments for Planning Application DC/19/05741

Application Summary

Application Number: DC/19/05741

Address: Land Off Stradbroke Road Street Farm Fressingfield IP21 5PR

Proposal: Outline Planning Application (all matters reserved) - Erection of shop (Class A1) and residential development (up to 21 dwellings including affordable and self-build housing), construction of access road, driveways, parking areas and footpaths with related drainage and landscaping.

Case Officer: Vincent Pearce

Consultee Details

Name: Mr Andy Parris

Address: The Stooks, New Street, Fressingfield Eye, Suffolk IP21 5PG

Email: clerk.fresspc@gmail.com

On Behalf Of: Fressingfield Parish Clerk

Comments

Fressingfield Parish Council recommends refusal of this application.

When the district council considered the previous application (1449/17), councillors were appalled to hear of how raw sewage would periodically overflow from Fressingfields sewerage system into the street and a local watercourse. This problem has still not been solved and is getting worse. Steady or heavy rain seems to be the catalyst. (Details are in the SAFE response.) A working group and closer connections with Anglian Water, Suffolk Highways and Suffolk Flood Management have been established.

However, the full causes of the problem, which is a health hazard and a 21st century disgrace, have not yet been identified. Only when that is done can solutions be designed and implemented. Any proposals that try to avoid exacerbating the problem are currently based on incomplete knowledge of the causes. Fressingfield Parish Council believes that only when these problems have been solved should new housing applications be seriously considered.

Put simply, it is not right to expect residents to live in an expanding village where the contents of their loo end up in the street and the local watercourse.

Key points from the councils planning committee meeting:

Planning permission already exists for 51 houses in the village.

If permission is granted for this new development, it would mean that planning permission had been given to 28% more than the minimum required in BMSDC draft Local Plan.

There are 2 other development applications currently on the table. These would add a further 45

homes to the village. The resulting figure of 117 homes (51+21+45) is more than double that in the draft Local Plan. The plan has another 16 years to run.

As permission has been granted for 51 houses already, the medium-term sustainability of the school is not an issue.

Benefits would accrue to the parish via a CIL allocation.

There are real benefits in having the genuine asset of the shop being able to expand and thus provide a greater service.

A new shop would remove the dangers of parking pressures on New Street.

The mixed housing of this proposal (houses, self-build, flats) is good. It would offer opportunities to young people to get into the housing market.

Too many of the driveways for these houses feed directly onto Stradbroke Road.

Adding a further 21 houses (42 cars?) will add to the road safety fears of many residents.

These additional vehicles will inevitably impact on the safety and emotional well-being of all pedestrians. There are important pedestrian routes in the middle village where there are no pathways and the streets are narrow (around Jubilee Corner, substantial parts of New Street and part of Stradbroke Road).

In its report to the district council at the last application (1449/17), Suffolk Highways confirmed that accidents did not need to have occurred to identify a route as dangerous, but ... that weight should be given to observed conflicts between pedestrians and vehicles... (NPPF para 110)

Although measures were proposed to mitigate the dangers likely to occur with an increase in vehicular and pedestrian traffic on routes at the core of the village, the report stated, The measures proposed are the best solution available within the existing constraints (but) they fall short of making the highway safe for pedestrians.

Steve Merry, Transport Policy and Development Manager Growth, Highways and Infrastructure concluded, It is the Highway Authorities opinion that further traffic passing along New Street and/or through Jubilee Corner would result in an unacceptable impact on highway safety particularly for vulnerable pedestrians.

There are no public transport links to and from the village.

Placing the shop close to the entrance to School Lane would create a danger of increased traffic particularly at the start of the school day.

Speed restriction plans for New Street would be welcome.

From: SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>
Sent: 17 December 2019 09:53
To: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>
Subject: DC/19/05741 Consultation Response

Dear Sir/Madam

Application ref: DC/19/05741
Our ref: 303541

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

Dominic Rogers
Consultations Team
Natural England
Hornbeam House, Electra Way
Crewe, Cheshire, CW1 6GJ

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

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

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

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

For further information on the Discretionary Advice Service see [here](#)

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

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

From: planningyellow@baberghmidsuffolk.gov.uk

[<mailto:planningyellow@baberghmidsuffolk.gov.uk>]

Sent: 12 December 2019 10:10

To: SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>

Subject: MSDC Planning Consultation Request - DC/19/05741

Please find attached planning consultation request letter relating to planning application - DC/19/05741 - Land Off Stradbroke Road , Street Farm, Fressingfield, IP21 5PR

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.

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Your Ref:DC/19/05741
Our Ref: SCC/CON/5214/19
Date: 10 January 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: Vincent Pearce

Dear Vincent

**TOWN AND COUNTRY PLANNING ACT 1990
CONSULTATION RETURN: DC/19/05741**

PROPOSAL: Outline Planning Application (all matters reserved) - Erection of shop (Class A1) and residential development (up to 21 dwellings including affordable and self-build housing), construction of access road, driveways, parking areas and footpaths with related drainage and landscaping.

LOCATION: Land Off Stradbroke Road, Street Farm, Fressingfield, IP21 5PR

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

The Indicative Site Plan for this site shows all the dwellings fronting Stradbroke Road having direct vehicular access onto the highway. Although it is shown there is sufficient turning facilities at each dwelling to enable vehicles to enter and exit the highway in forward gear, Stradbroke Road is a classified road (C515) and dwelling accesses should not, as far as possible, join a priority road; high number of accesses over a distance of 150m.

This proposal at present is is not acceptable in terms of highway safety and we recommend that the access design to altered to reduce the number of accesses. We look forward to receiving further information.

Yours sincerely,

Samantha Harvey
Senior Development Management Engineer
Growth, Highways and Infrastructure

BMSDC Planning Area Team Yellow

From: RM Floods Planning
Sent: 16 December 2019 09:06
To: BMSDC Planning Area Team Yellow
Cc: Vincent Pearce
Subject: 2019-12-16 JS reply ,Land Off Stradbroke Road Street Farm Fressingfield IP21 5PR Ref DC/19/05741

Categories: Katherine

Dear Vincent Pearce,

Subject: Land Off Stradbroke Road Street Farm Fressingfield IP21 5PR Ref DC/19/05741

Suffolk County Council, Flood and Water Management have reviewed application ref DC/19/05741.

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

- Location Plan Ref 3383-15
- Flood Risk Assessment & Drainage Strategy Ref JJ/CC/P16-1151/07 Rev D
- Indicative Foul and Surface Water Drainage Strategy ref 1151/02/002 rev C

The reason why we are recommending a holding objection is because the submitted assessment of the flood risk is out of date and is no longer valid. We also note that the proposed surface water drainage system proposed utilises a hybrid Suds system, this is contrary to national and local policy/guidance for multifunctional SuDs. The proposed storage area for surface water drainage system is proposed to be located outside of the redline boundary.

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

1. Submit a updated assessment of the predicted and known flood risk for all flood risk
 - a. Fressingfield has a history of surface water flooding along Cratfield Rd whereby the existing foul water drainage system is overwhelmed.
2. Submit a surface water drainage system utilising an above ground full SuDs system
3. Submit a revised plan showing all of the surface water drainage system wholly within the redline boundary of the application
4. Demonstrate that there is sufficient space (area and volume) for the for the attenuation basin
 - a. Basin side slopes shall be no greater than 1:4, with a max depth of water of 1.2m, 1.5m width wet/dry basins and a 300mm freeboard

Kind Regards

Jason Skilton
Flood & Water Engineer
Flood & Water Management
Growth, Highways & Infrastructure

Suffolk County Council | Endeavour House, 8 Russell Road, Ipswich, Suffolk, IP1 2BX
T: 01473 260411 | <https://www.suffolk.gov.uk/planning-waste-and-environment/flooding-and-drainage/>

Appendix A to the Suffolk Flood Risk Management Strategy has been updated! If you're involved in the planning, design and construction of new developments this may be of interest to you. You will be expected to comply with this new local guidance. More information can be found here; <https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-on-development-and-flood-risk/>

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/F180893
Enquiries to: Angela Kempen
Direct Line: 01473 260588
E-mail: Fire.BusinessSupport@suffolk.gov.uk
Web Address: <http://www.suffolk.gov.uk>

Date: 16/12/2019

Dear Sirs

Land off Stradbroke Road, Street Farm, Fressingfield IP21 5PR
Planning Application No: DC/19/05741/OUT
Hydrants are required for this development
(see our required conditions)

I refer to the above application.

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

Access and Fire Fighting Facilities

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

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

Water Supplies

Suffolk Fire and Rescue Service recommends that fire hydrants be installed within this development on a suitable route for laying hose, i.e. avoiding obstructions. However, it is not possible, at this time, to determine the number of fire hydrants required for fire fighting purposes. The requirement will be determined at the water planning stage when site plans have been submitted by the water companies.

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: neil.ward@nwaplanning.co.uk

Enc: Sprinkler information

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

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

Your Ref:
Our Ref: ENG/AK
Enquiries to: Mrs A Kempen
Direct Line: 01473 260486
E-mail: Angela.Kempen@suffolk.gov.uk
Web Address: www.suffolk.gov.uk

Date: 16 December 2019

Planning Ref: DC/19/05741/OUT

Dear Sirs

RE: PROVISION OF WATER FOR FIRE FIGHTING
ADDRESS: Land off Stradbroke road, Street Farm, Fressingfield IP21 5PR
DESCRIPTION: Shop and 21 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.

- 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/19/05741/OUT
 Our ref: Fressingfield, Land Off
 Stradbroke Road, Street Farm IP21
 5PR. Matter No: 60004
 Date: 18 November 2020
 Enquiries to: Ruby Shepperson
 Tel: 01473 265063
 Email: Ruby.shepperson@suffolk.gov.uk



By e-mail only:

planningyellow@baberghmidsuffolk.gov.uk
Vincent.pearce@baberghmidsuffolk.gov.uk

Dear Vincent,

Fressingfield: Land Off Stradbroke Road, Street Farm, IP21 5PR – developer contributions.

I refer to the proposal: Outline Planning Application (all matters reserved) – Erection of shop (Class A1 and residential development (up to 21 dwellings including affordable housing and self-build housing), construction of access road, driveways, parking areas and footpaths with related drainage and landscaping.

This letter provides an update in respect of infrastructure requirements set out in my letter dated 23 December 2019 which was time-limited to six months.

Updated summary of infrastructure requirements:

CIL	Education	Capital Contribution
	- Primary @ £17,268 per place	£86,340
	- Secondary @ £23,775 per place	£95,100
	- Sixth form @ £23,775 per place	£23,775
CIL	Libraries improvements	£4,536
CIL	Waste	£1,071
S106	Education	
	- Secondary school transport @ £1,205 per place	£24,100
S106	Highways	Tbc
S106	Monitoring fee (per trigger point)	£412

1. Education.

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”*.

The school transport costs for pupils were updated in May 2020. The average annual transport cost per pupil is £1,205 for a minimum of 5 years for secondary age pupils in mainstream provision.

2. The above information is time-limited for 6 months only from the date of this letter.

Yours sincerely,

Ruby Shepperson
Planning Officer
Growth, Highways & Infrastructure Directorate

cc Carol Barber, SCC (education)

Your ref: DC/19/05741/OUT
Our ref: Fressingfield, Land Off
Stradbroke Road, Street Farm IP21
5PR. Matter No: 60004
Date: 23 December 2019
Enquiries to: Ruby Shepperson
Tel: 01473 265063
Email: ruby.shepperson@suffolk.gov.uk



By e-mail only:

planningyellow@baberghmidsuffolk.gov.uk

Dear Vincent,

Fressingfield: Land Off Stradbroke Road, Street Farm, IP21 5PR.

I refer to the proposal: Outline Planning Application (all matters reserved) – Erection of shop (Class A1 and residential development (up to 21 dwellings including affordable housing and self-build housing), construction of access road, driveways, parking areas and footpaths with related drainage and landscaping.

I set out below Suffolk County Council's position, which provides our infrastructure requirements associated with the development proposed.

Summary of infrastructure requirements:

CIL	Education	Capital Contribution
	- Primary	£82,980.00
	- Secondary	£90,952.00
	- Sixth form	£22,738.00
CIL	Libraries improvements	£4,536.00
CIL	Waste	£1,071.00
S106	Education	
	- Secondary school transport	£19,200.00
S106	Highways	tbc
Total Contribution: £221,477.00		

This letter sets out the infrastructure requirements which arise, most of which will be covered by the district's CIL funding apart a school transport contribution to be secured by S106.

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.

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 most recent scorecard is 2018 and the national average school expansion build cost per pupil for primary schools is £16,596. The most recent (March 2019) BCIS location factor for the East of England, which includes Suffolk, is 100. When applied to the national expansion build cost (£16,596 x 1.00) produces a total of £16,596 per pupil for permanent expansion of primary schools.

The most recent scorecard is 2018 and the national average school expansion build cost per pupil for secondary schools is £22,738. The most recent (March 2019) BCIS location factor for the East of England, which includes Suffolk, is 100. When applied to the national expansion build cost (£22,738 x 1.00) produces a total of £22,738 per pupil for permanent expansion of secondary schools. The DfE guidance in paragraph 16 says, “further education places provided within secondary school sixth forms will cost broadly the same as a secondary school place”.

School level	Minimum pupil yield:	Required:	Cost per place £ (2016/17):
Primary school age range, 5-11:	5	5	£16,596
High school age range, 11-16:	4	4	£22,738
Sixth school age range, 16+:	1	1	£22,738

Total education CIL contributions:	£196,670.00
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The local catchment schools and capacity are Fressingfield Church of England Primary School, Stradbroke High School and Thomas Mills High School.

The existing primary school is at capacity and it is clear that the site proposal will add to challenges in terms of adding extra capacity to meet anticipated future needs arising from both latent population and housing growth. It is understood that it is possible to expand the school within its site from 140 places to 210 places whilst also improving the school operational environment.

The catchment primary School is Fressingfield. Due to this proposal, local plans, and potential approvals the school is expected to exceed capacity. On this basis, a CIL contribution of (5 pupils x £16,596) = £82,980 is sought to improve and enhance provision.

The catchment secondary school is Stradbroke High School. The forecast pupil numbers for Stradbroke High School are expected to increase annually. On this basis, a CIL contribution of (4 pupils x £22,738) = £90,952 is sought to improve and enhance provision.

Thomas Mills High School is the catchment sixth form. It is unable to accommodate potential over-surplus from Stradbroke High School as it is currently exceeding capacity, with no surplus places available for the 1 pupil arising from the development. The forecast shows this situation to worsen in future years, thus overspill from the Stradbroke into Thomas Mills is unsustainable and a CIL contribution of (1 pupil x £22,738) = £22,738 is sought for expansion to the current site.

- a) **School transport contribution** – 4 secondary-age pupils are forecast to arise from the proposed development. Developer s.106 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 £960. Therefore, contribution is £960 x 4 pupils x 5 years = £19,200 increased by RPI

School transport S106 contribution:	£19,200.00
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- 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.

This matter is in the Fressingfield Ward where there is a surplus of FTEs. This proposal will generate an additional 3 FTEs, but no contribution is sought.

- 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, 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).

Suffolk County Council FAO Sam Harvey will coordinate a response.

- 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. £4,536 which will be spent on improving services and outreach at Stradbroke 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:	£4,536.00
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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.

A future CIL funding bid of £1,071 (£51 per dwelling) will be made to improve Leiston Recycling Centre facilities serving the proposed development.

Waste CIL Contribution:	£ 1,071.00
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- 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.** SCC, as Lead Local Flood Authority, responded on 16 December 2019, see comments by Jason Skilton.

- 9. Fire Service.** Any fire hydrant issues will need to be covered by appropriate

planning conditions. SCC would strongly recommend the installation of automatic fire sprinklers. The Suffolk Fire and Rescue Service requests that early consideration is given during the design stage of the development for both access for fire vehicles and the provisions of water for firefighting which will allow SCC to make final consultations at the planning stage.

Please refer to letter sent on 16 December 2019 by Water Officer.

10. 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.

11. Legal costs. SCC will require an undertaking for the reimbursement of its own legal costs, whether or not the matter proceeds to completion.

12. 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.

13. 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.

I would be grateful if the above information can be provided to the decision-taker in respect of this planning application and infrastructure mitigation reported fully in the committee report.

Yours sincerely,

Ruby Shepperson
Planning Officer
Growth, Highways & Infrastructure Directorate – Strategic Development

Endeavour House, 8 Russell Road, Ipswich, Suffolk IP1 2BX

www.suffolk.gov.uk

MID SUFFOLK DISTRICT COUNCIL

MEMORANDUM

TO: Vincent Pearce – Planning

From: Sacha Tiller – Strategic Housing

Date: 17th December 2019

Proposal: Outline Planning Application (all matters reserved) – Erection of shop (Class A1) and residential development (up to 21 dwellings including affordable and Self-build housing), construction of access road, driveways, parking areas and footpaths with related drainage and landscaping. (M1449/17/OUT)

Location: Land Off Stradbroke Road, Street Farm, Fressingfield, IP21 5PR – DC-19-05741

Key Points

1. Background Information

A development proposal for 21 dwellings.

The policy position is for 35% affordable housing on any site of 10 or more units or site area in excess of 0.5 hectares.

21 dwellings equates to an affordable housing contribution of 7.35 dwellings for this submission in order for it to be policy compliant.

The Outline application has cited that 21 dwellings are to be provided in total, broken down into: -

12 open market dwellings

7 affordable (5 affordable rent / 2 shared ownership)

2 dwellings for self-build

Any residual amount that does not equate to a whole dwelling will need to be provided by way of a commuted sum.

The Fressingfield Neighbourhood Plan has been on-going during 2018 and 2019. This is now at the Referendum stage and developers should have regard to this plan when deciding on the housing provision. The draft policy states:

Housing size, type and tenure

Encouragement will be given to a wide range of types of housing that meet local needs to enable a mixed and inclusive community.

Developments should provide:

- Housing for older people (e.g. Retirement living housing/supported/sheltered housing, bungalows and retirement complexes)
- Family housing – 2-3 bedrooms
- Starter homes/first time buyers
- Adaptable, 'life-time' homes
- Affordable housing

Support is given for maximising the delivery of affordable housing on all qualifying sites in Fressingfield.

It should be noted that the above housing types may not be suitably accommodated on every site.

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**
- 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.
- 2.4 The Council's Choice Based Lettings system currently has circa. 690 applicants registered for affordable housing in Mid Suffolk as at April 2019. **Ref4**. There are 9 applicants registered for a housing need in Fressingfield as of September 2019. All of the applicants are looking for 1 and 2 bedroom dwellings. Please note that this site is a S106 planning obligation site therefore the affordable housing provided will be to meet the district wide need hence the **690** applicants registered is the important number.

3. **Preferred Mix for Open Market homes.**

- 3.1 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.
- 3.2 There is growing evidence that housebuilders need to address the demand from older people who are looking to downsize or right size and still remain in their local communities.
- 3.3 Broadband and satellite facilities as part of the design for all tenures should be standard to support.

3.4 All new properties need to have high levels of energy efficiency.

3.5 Details of the mix of type and size of the all the dwellings to be submitted to and approved in writing by the local planning authority.

4. Preferred Mix for Open Market homes (21 dwellings).

The open market mix should provide a mix of 2 and 3 bed dwellings for market sale with the emphasis on 2 bed dwellings and should include housing suitable for older people such as bungalows/chalet bungalows and Lifetime Homes standard homes across the site to reflect the ageing demographic profile of Mid Suffolk..

We would expect to see a minimum of 25% of the open market homes provided as 2 bed dwellings – houses or bungalows to promote choice for downsizing households and for new first-time buyers.

We would welcome a breakdown of the type and size of all proposed open market housing when possible and an understanding of the reason why a commercial dwellings is being build in the middle of this site as this is unclear.

5. Preferred mix for Affordable Housing

Affordable Rented = 5 homes required:-

2 x 1 bed 2 person flat @ 50sqm

3 x 2 bed 4-person houses @ 79sqm

We have reduced the affordable housing mix from 3 to 2 beds in order for the gardens to be made bigger and to create curtilage parking. This type of parking will be in keeping with the open market housing to be provided onsite. Adequate parking will also need to be provided for all flats. We are concerned that having ‘block parking’ and a shop nearby will encourage shoppers to park in residents parking bays.

Shared Ownership = 2 homes required:-

2 x 2 bed 4-person houses @ 79sqm

5.1 We would expect 75% of the affordable homes to be for affordable rent and 25% for shared ownership houses and bungalows. Any residual amount that does not equate to a whole dwelling needs to be provided by way of a commuted sum.

6. Self-build plots

With regard to the proposition of building self-build plots on this site we would like to bring to the attention of the developer that each of these plots must have access to a public highway and connections for electricity, water and waste water. BMSDC have a self-build register and we would ask that the site owner contact BMSDC with regard to marketing these self-build plots to its applicants.

7. 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.



21 May 2020

Vincent Pearce
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/19/05741

Location: Land Off Stradbroke Road Street Farm Fressingfield IP21 5PR

Proposal: Outline Planning Application (all matters reserved) - Erection of shop (Class A1) and residential development (up to 21 dwellings including affordable and self-build housing), construction of access road, driveways, parking areas and footpaths with related drainage and landscaping.

Dear Vincent,

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

No objection subject to securing biodiversity mitigation and enhancement measures

Summary

We have reviewed the Addendum to Update the Ecological Assessment (Adonis Ecology Ltd, March 2020) and the Ecological Assessment (Adonis Ecology Ltd, November 2016, submitted by the applicant, relating to the likely impacts of development on designated sites, protected & Priority species & habitats.

We are satisfied that there is sufficient ecological information available for determination.

The Addendum to Update the Ecological Assessment advises they consider the revised proposals would have a very similar impact upon protected and Priority species / habitats as the original proposals, just over a smaller area, and the impact avoidance recommendations, as well as the mitigation and compensation measures of the original ecological report should still be followed.

This provides certainty for the LPA of the likely impacts on protected and Priority species/habitats and, with appropriate mitigation measures secured, the development can be made acceptable.



The mitigation measures identified in the Ecological Assessment (Adonis Ecology Ltd, November 2016) should be secured and implemented in full. This is necessary to conserve and enhance protected and Priority Species. This includes precautionary measures to protect reptiles, due diligence for nesting birds, general precautions to protect biodiversity, update check for 'Shepherd's Needle' prior to the start of works, compensatory hedge planting consisting of a native shrub species mix of a minimum of eight native species and compensation for loss Harvest Mouse habitat.

We also recommend that a Wildlife Friendly Lighting Strategy is implemented for this application. This should follow the Institution of Lighting Professionals Guidance Note 8 Bats and artificial lighting (September 2018) and the recommendation made by the applicants' ecologist. Therefore, technical specification should be submitted prior to occupation, which demonstrates measures to avoid lighting impacts to foraging / commuting bats, which are likely present within the local area. This should summarise the following measures will be implemented:

- Light levels should be as low as possible as required to fulfil the lighting need.
- Warm White lights should be used at <3000k. This is necessary as lighting which emit an ultraviolet component or that have a blue spectral content have a high attraction effects on insects. This may lead in a reduction in prey availability for some light sensitive bat species.
- The provision of motion sensors or timers to avoid the amount of 'lit-time' of the proposed lighting. Lights should be designed to prevent horizontal spill e.g. cowls, hoods, reflector skirts or shields.

We also support the proposed reasonable biodiversity enhancements, which have been recommended to secure measurable net gains for biodiversity, as outlined under Paragraph 170d of the National Planning Policy Framework 2019. This includes three bat boxes, to three (two-hole boxes and one open-fronted box), native tree, shrub and hedgerow planting, and hedgehog access to gardens. The reasonable biodiversity enhancement measures should be secured via a separate Biodiversity Enhancement Strategy to be secured at reserved matters stage.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

Impacts will be minimised such that the proposal is acceptable subject to the conditions below based on BS42020:2013.

Submission for approval and implementation of the details below should be a condition of any planning consent.

Recommended conditions:

1. CONCURRENT WITH RESERVED MATTERS: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

"A construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority, in accordance with the details contained within the details contained in the Ecological Assessment (Adonis Ecology Ltd, November 2016).



The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.*
- b) Identification of “biodiversity protection zones”.*
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).*
- d) The location and timing of sensitive works to avoid harm to biodiversity features.*
- e) The times during construction when specialist ecologists need to be present on site to oversee works.*
- f) Responsible persons and lines of communication.*
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.*
- h) Use of protective fences, exclusion barriers and warning signs.*

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority”

Reason: To conserve Protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

2. CONCURRENT WITH RESERVED MATTERS: BIODIVERSITY ENHANCEMENT STRATEGY

“A Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the local planning authority. This should follow the recommendations made within the Addendum to Update the Ecological Assessment (Adonis Ecology Ltd, March 2020) and Ecological Assessment (Adonis Ecology Ltd, November 2016).

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;*
- b) detailed designs to achieve stated objectives;*
- c) locations of proposed enhancement measures by appropriate maps and plans;*
- d) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;*
- e) persons responsible for implementing the enhancement measures;*
- f) details of initial aftercare and long-term maintenance (where relevant).*

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

Reason: To enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

3. 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 UK Habitats Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

Please contact me with any queries.

Yours sincerely,

Hamish Jackson BSc (Hons) GradCIEEM MRSB

Ecological Consultant

ecology.placeservices@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.



28 December 2019

Vincent Pearce
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: Outline Planning Application (all matters reserved) - Erection of shop (Class A1) and residential development (up to 21 dwellings including affordable and self-build housing), construction of access road, driveways, parking areas and footpaths with related drainage and landscaping.
Location: Land Off Stradbroke Road Street Farm Fressingfield IP21 5PR
Proposal: DC/19/05741

Dear Vincent,

Thank you for consulting Place Services on the above application.

Holding objection due to insufficient ecological information

Summary:

We have reviewed the Ecological Assessment (Adonis Ecology Ltd, March 2017), 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 of this application. This is because the Ecological Assessment (Adonis Ecology Ltd, March 2017) 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 a professional ecologist will need to undertake a site visit and then review the validity of the report, which could be delivered via an addendum to the Ecological Assessment.



This further information is required to provide the LPA with certainty of impacts on protected and Priority species and enable it to demonstrate compliance with its statutory duties, including its biodiversity duty under s40 NERC Act 2006.

We look forward to working with the LPA and the applicant to provide the additional information to overcome our holding objection.

Please contact us with any queries.

Yours sincerely,

Hamish Jackson BSc (Hons) GradCIEEM MRSB

Ecological Consultant

ecology.placeservices@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.

BMSDC Planning Area Team Yellow

From: BMSDC Public Realm Consultation Mailbox
Sent: 23 December 2019 15:43
To: BMSDC Planning Area Team Yellow
Subject: RE: MSDC Planning Consultation Request - DC/19/05741

Categories: Katherine

The Public Realm Team have no objections in principle to the proposed development of up to 21 properties off Stradbroke Road, Fressingfield. A development of this size would be expected to incorporate an appropriate area of open space and some children's play provision. If not incorporated into the detailed design then an agreed contribution to open space and play provision within the village would be required.

Regards

Dave Hughes
Public Realm Officer

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

From: planningyellow@baberghmidsuffolk.gov.uk <planningyellow@baberghmidsuffolk.gov.uk>
Sent: 12 December 2019 10:08
To: BMSDC Public Realm Consultation Mailbox <consultpublicrealm@baberghmidsuffolk.gov.uk>
Subject: MSDC Planning Consultation Request - DC/19/05741

Please find attached planning consultation request letter relating to planning application - DC/19/05741 - Land Off Stradbroke Road , Street Farm, Fressingfield, IP21 5PR

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.

BMSDC Planning Area Team Yellow

Subject: FW: MSDC Planning Consultation Request - DC/19/05741

From: BMSDC Economic Development <BMSDCEconomicDevelopment@babberghmidsuffolk.gov.uk>
Sent: 31 December 2019 10:58
To: BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>
Subject: RE: MSDC Planning Consultation Request - DC/19/05741

Thank you for inviting Economic Development Team to comment on the above planning application.

Our comments concern the development of a dedicated shop premises as part of the application (for 21 residential units).

Economic Development support this application.

The proposal to develop purpose built retail premises to serve the growing community of Fressingfield is welcome. Local shops, public houses and businesses provide vital employment opportunities for local communities as well as services.

Although the applicant has not made detailed reference to the shop development from consultee comments it appears that the new premises are proposed to provide new accommodation for the existing Fressingfield Village Stores. The application form does identify additional jobs to be created in proposed new premises.

Best wishes
Delia Cook
Economic Development Officer
Economy and Regeneration

Babergh and Mid Suffolk District Councils - Working Together
m: 07860 827011
delia.cook@babberghmidsuffolk.gov.uk
www.baberghmidsuffolk.gov.uk

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

From: planningyellow@babberghmidsuffolk.gov.uk <planningyellow@babberghmidsuffolk.gov.uk>
Sent: 12 December 2019 10:11
To: BMSDC Economic Development <BMSDCEconomicDevelopment@babberghmidsuffolk.gov.uk>
Subject: MSDC Planning Consultation Request - DC/19/05741

Please find attached planning consultation request letter relating to planning application - DC/19/05741 - Land Off Stradbroke Road , Street Farm, Fressingfield, IP21 5PR

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

BMSDC Planning Area Team Yellow

From: Andy Rutson-Edwards
Sent: 19 December 2019 11:16
To: Vincent Pearce; BMSDC Planning Area Team Yellow; BMSDC Planning Mailbox
Subject: DC/19/05741

Categories: Katherine

Environmental Health -
Noise/Odour/Light/Smoke

APPLICATION FOR OUTLINE PLANNING PERMISSION - DC/19/05741

Proposal: Outline Planning Application (all matters reserved) - Erection of shop (Class A1) and residential development (up to 21 dwellings including affordable and self-build housing), construction of access road, driveways, parking areas and footpaths with related drainage and landscaping.

Location: Land Off Stradbroke Road , Street Farm, Fressingfield, IP21 5PR

Thank you for consulting Environmental Protection on this application. As the outline application is for a mixed residential and commercial development I request that the following are controlled by way of condition:

1. The applicant shall provide full details of all plant (i.e. chiller units/aircon units) associated with proposed A1 development. A full acoustic assessment relating to shop activities and the plant noise from the site shall be undertaken. This assessment shall be carried out by a competent person. The assessment shall have been made in accordance with the current version of British Standard 4142 to include all deliveries to the shop and confirmation of the findings of the assessment and any recommendations shall have been submitted to the Local Planning Authority and agreed prior to the commencement of the development.
2. Prior to the any development permitted coming into beneficial use, a competent person shall have ensured that the rating level of noise emitted from all plant when running at full capacity and site activities, does not exceed the sound levels predicted at facades of noise-sensitive premises. For any measured exceedances of the predicted daytime and night time noise levels measured, a scheme of mitigation shall be submitted to, and agreed in writing by, the Local Planning Authority. This scheme shall be adhered to thereafter during the lifetime of the development being in beneficial use.

Reason – To minimise detriment to nearby residential amenity.

3. No external lighting fixtures for any purpose shall be constructed or installed until details of all external lighting proposals (to include illuminated signage) have been submitted to and approved by the local planning authority; and no lighting shall be constructed or installed other than in accordance with those approved details.

Note: The lighting assessment shall take account of all lighting on the site - details to include luminaire type, operating hours, position, height, aiming points, lighting levels and a polar luminance diagram (based on the vertical plane and marked with 5, 1 and 0 lux contour lines).

Reason – To minimise detriment to nearby residential amenity.

Other conditions required as below:

During construction of A1 unit and residential properties.

1. Noise intrusive construction/ground works along with all deliveries to the site shall be limited to the following hours: Monday to Friday between 08:00 hrs and 18:00 hrs Saturday between 08:00 hrs and 13:00 hrs. No noise intrusive work to be undertaken on a Sunday, Bank, or Public Holiday.

Reason – To minimise detriment to nearby existing residential amenity.

2. No materials produced as a result of the site development or clearance shall be burned on site. All reasonable steps, including damping down site roads, shall be taken to minimise dust and litter emissions from the site whilst works of construction and site clearance are in progress. All bulk carrying vehicles accessing the site shall be suitably sheeted to prevent nuisance from dust in transit.

Reason – To minimise detriment to nearby residential amenity.

3. Any external lighting associated with the development shall be kept to the minimum necessary for the purposes of security and site safety and shall prevent upward and outward light radiation.

Reason – To minimise detriment to nearby residential amenity

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: Peter Chisnall
Sent: 30 December 2019 15:03
To: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>
Subject: DC/19/05741

Dear Vincent,

Proposal: Outline Planning Application (all matters reserved) - Erection of shop (Class A1) and residential development (up to 21 dwellings including affordable and self-build housing), construction of access road, driveways, parking areas and footpaths with related drainage and landscaping.

Location: Land Off Stradbroke Road , Street Farm, Fressingfield, IP21 5PR

Many thanks for your request to comment on the sustainability aspects of this application.

It is acknowledged that the application is for outline permission but considering the size of the development some consideration of this topic area is expected. 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.

Should the planning department consider setting conditions to ensure the development meets its environmental obligations the following is suggested.

Prior to the commencement of development a scheme for the provision and implementation of water, energy and resource efficiency measures, during the construction and operational phases of the development shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include a clear timetable for the implementation of the measures in relation to the construction and occupancy of the development. The scheme shall be constructed and the measures provided and made available for use in accordance with such timetable as may be agreed.

The Sustainability & Energy Strategy must be provided detailing how the development will minimise the environmental impact during construction and occupation (as per policy CS3 and NPPF) including details on environmentally friendly materials, construction techniques minimisation of carbon emissions and running costs and reduced use of potable water (suggested maximum of 105ltr per person per day). Details as to the provision for electric vehicles should also be included.

The document should clearly set out the unqualified commitments the applicant is willing to undertake on the topics of energy and water conservation, CO2 reduction, resource conservation, use of sustainable materials and provision for electric vehicles.

Clear commitments and minimum standards should be declared and phrases such as 'where possible, subject to, where feasible' must not be used.

Evidence should be included where appropriate demonstrating the applicants previous good work and standards achieved in areas such as site waste management, eg what recycling rate has the applicant achieved in recent projects to show that their % recycling rate commitment is likely.

Reason – To enhance the sustainability of the development through better use of water, energy and resources. This condition is required to be agreed prior to the commencement of any development as any construction process, including site preparation, has the potential to include energy and resource efficiency measures that may improve or reduce harm to the environment and result in wider public benefit in accordance with the NPPF.

Guidance can be found at the following locations:

<https://www.midsuffolk.gov.uk/environment/environmental-management/planning-requirements/>

<https://www.babergh.gov.uk/environment/environmental-management/planning-requirements/>

Regards,

Peter

Peter Chisnall, CEnv, MIEMA, CEnvH, MCIEH

Environmental Management Officer

Babergh and Mid Suffolk District Council - Working Together

BABERGH/MID SUFFOLK DISTRICT COUNCIL

MEMORANDUM

TO: Chief Planning Control Officer For the attention of: DM

FROM: Nathan Pittam, Environmental Protection Team DATE 2.1.20

YOUR REF: DC/19/05741.

SUBJECT: Erection of shop (Class A1) and residential development (up to 21 dwellings including affordable and self-build housing), construction of access, etc

Address: Land Off, Stradbroke Road, Fressingfield, EYE, Suffolk.

Please find below my comments regarding contaminated land matters only.

The Environmental Protection Team has no objection to the proposed development, but would recommend that the following Planning Condition be attached to any planning permission:

Proposed Condition: Standard Contaminated Land Condition (CL01)

No development shall take place until:

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

Reason: To identify the extent and mitigate risk to the public, the wider environment and buildings arising from land contamination.

It is important that the following advisory comments are included in any notes accompanying the Decision Notice:

“There is a suspicion that the site may be contaminated or affected by ground gases. You should be aware that the responsibility for the safe development and secure occupancy of the site rests with the developer.

Unless agreed with the Local Planning Authority, you must not carry out any development work (including demolition or site preparation) until the requirements of the condition have been met, or without the prior approval of the Local Planning Authority.

The developer shall ensure that any reports relating to site investigations and subsequent remediation strategies shall be forwarded for comment to the following bodies:

- *Local Planning Authority*
- *Environmental Services*
- *Building Inspector*
- *Environment Agency*

Any site investigations and remediation strategies in respect of site contamination (including ground gases, where appropriate) shall be carried out in accordance with current approved standards and codes of practice.

The applicant/developer is advised, in connection with the above condition(s) requiring the submission of a strategy to establish the presence of land contaminants and any necessary investigation and remediation measures, to contact the Council's Environmental Protection Team.”

Nathan Pittam
Senior Environmental Management Officer

From: Nathan Pittam <Nathan.Pittam@babberghmidsuffolk.gov.uk>

Sent: 02 January 2020 09:18

To: Vincent Pearce <Vincent.Pearce@babberghmidsuffolk.gov.uk>

Cc: BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>

Subject: DC/19/05741. Air Quality

Dear Vincent

EP Reference : 270275

DC/19/05741. Air Quality

Land Off, Stradbroke Road, Fressingfield, EYE, Suffolk.

Outline Planning Application (all matters reserved) - Erection of shop (Class A1) and residential development (up to 21 dwellings including affordable and self-build housing), construction of access road, etc

Many thanks for your request for comments in relation to the above application. Having reviewed the application I can confirm that the scale of development is unlikely to compromise the existing good air quality at the development site and surrounding area.

Kind regards

Nathan

Nathan Pittam BSc. (Hons.) PhD

Senior Environmental Management Officer


Babergh and Mid Suffolk District Councils – Working Together

Email: Nathan.pittam@babberghmidsuffolk.gov.uk

Work: 07769 566988 / 01449 724715

websites: www.babergh.gov.uk www.midsuffolk.gov.uk

Consultation Response Pro forma

1	Application Number	DC/19/05741	
2	Date of Response	31/12/2019	
3	Responding Officer	Name:	Hannah Bridges
		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>  <p>OLYMPUS - 8x4MS Wide - Euro 6 - Smo</p> <p>The road surface and construction must be suitable for an RCV to drive on.</p> <p>All residential bins to be presented at edge of curtilage on map for approval.</p> <p>Location of the bin store surface to be of level threshold with suitable access to the collection point and a dropped curb if required.</p>	
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.

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: 154789/1/0075150

Local Planning Authority: Mid Suffolk District

Site: Land Off Stradbroke Road Street Farm
Fressingfield IP21 5PR

Proposal: Outline Planning Application (all matters reserved) - Erection of shop (Class A1) and residential development (up to 21 dwellings including affordable and self-build housing), construction of access road, driveways, parking areas and footpaths with r

Planning application: DC/19/05741

Prepared by: Pre-Development Team

Date: 16 January 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 Weybread Water Recycling Centre that will have available capacity for these flows

Section 3 - Used Water Network

This response has been based on the following submitted documents: Flood risk assessment. The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection. (1) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. (2) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. (3) INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water. (4) INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087. (5) INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented.

10 January 2020

Mr Vincent Pearce
Senior Planning Officer
Mid Suffolk District Council
Endeavour House, 8 Russell Rd,
Ipswich, IP1 2BX

Dear Mr Pearce,

Planning application ref: DC/19/05741 Outline Planning Application (all matters reserved) - Erection of shop (Class A1) and residential development (up to 21 dwellings including affordable and self-build housing), construction of access road, driveways, parking areas and footpaths with related drainage and landscaping.

Land off Stradbroke Road Street Farm Fressingfield IP21 5PR

I am writing on behalf of the Suffolk Preservation Society (SPS) to object the above outline planning application for the erection of up to 21 dwellings on a greenfield site on the southern edge of the village. This is a revised application DC/17/01449 for 85 dwellings with associated infrastructure which was refused in November 2018. SPS objected to the previous application due to the unsustainable location and the disproportionate scale of the development, taken together with other large scale housing schemes. The SPS welcomes the substantial reduction in the scale of development from 85 to 21 dwellings. We note the shift in the type and tenure of dwellings including no.7 affordables, no.3 low cost, no.2 self builds, provision/relocation of a shop and the road and drainage improvements to address identified constraints.

Notwithstanding the applicant's positive response to the numerous and compelling objections held by many to the previous scheme, the SPS continues to object on the following grounds.

The emerging Joint Local Plan downgrades Fressingfield from a Primary to a Hinterland Village which requires a lesser quantum of development, recognising that it is fundamentally a less sustainable location with fewer services and facilities than a Primary Village. Accordingly the evolving policy position in the emerging Local Plan shows a minimum housing requirement of 56 dwellings over the plan period.

Mid Suffolk, as of 3.09.19 (Mid Suffolk District Council Housing Land Supply Position Statement 2019/20 – 2023/24) asserts that the council can demonstrate a 5 year housing land supply. Therefore, the "tilted balance" presumption in favour of sustainable development does not apply and applications should be determined according to the development plan.

The Fressingfield Neighbourhood Plan (FNP) is at an advanced stage, having been through Examination and is about to go to Referendum in the coming weeks (January 2020). The FNP policy FNP1 allows for 60 dwellings across the plan period, 51 of which have already been consented. Furthermore, the FNP does not allocate this site for development. The Examiner in her report, at paragraph 53 having considered the proposed site allocations stated that *"I do not consider it necessary for inclusion of additional sites"*. In summary, the Neighbourhood Plan has been carefully considered and independently assessed. The views of the parish have been clearly made. Therefore, the policies within the plan must be given considerable weight in the consideration of this case.

Conclusion

Notwithstanding the material reduction in the scale of the revised proposals and the more appropriate mix of type and tenure of dwellings which more closely reflects the local housing need, the fact remains that the site has not been identified for development through the emerging Local Plan or Neighbourhood Plan and remains disproportionate, relative to the level of growth allocated and planned for in the emerging Neighbourhood Plan. To permit this application would prejudice the policy making process by undermining the plan-led approach. Secondly, granting planning permission would undermine community confidence in the plan making process after successful Examination but in advance of a Referendum on that Plan.

The community, through the neighbourhood plan process, has clearly rejected this site for development whilst setting out alternative sites that are capable of contributing towards the housing need in the district. SPS acknowledges that the revised scheme has positively responded to the reasons for the previous refusal and it is a matter of planning judgement whether the public benefits of this scheme outweigh the concerns expressed through the emerging Neighbourhood Plan. However, on balance SPS considers that to approve this application would seriously undermine the neighbourhood planning process and we therefore urge that the proposals are yet again refused.

We trust that you will find these comments helpful in the consideration of this application.

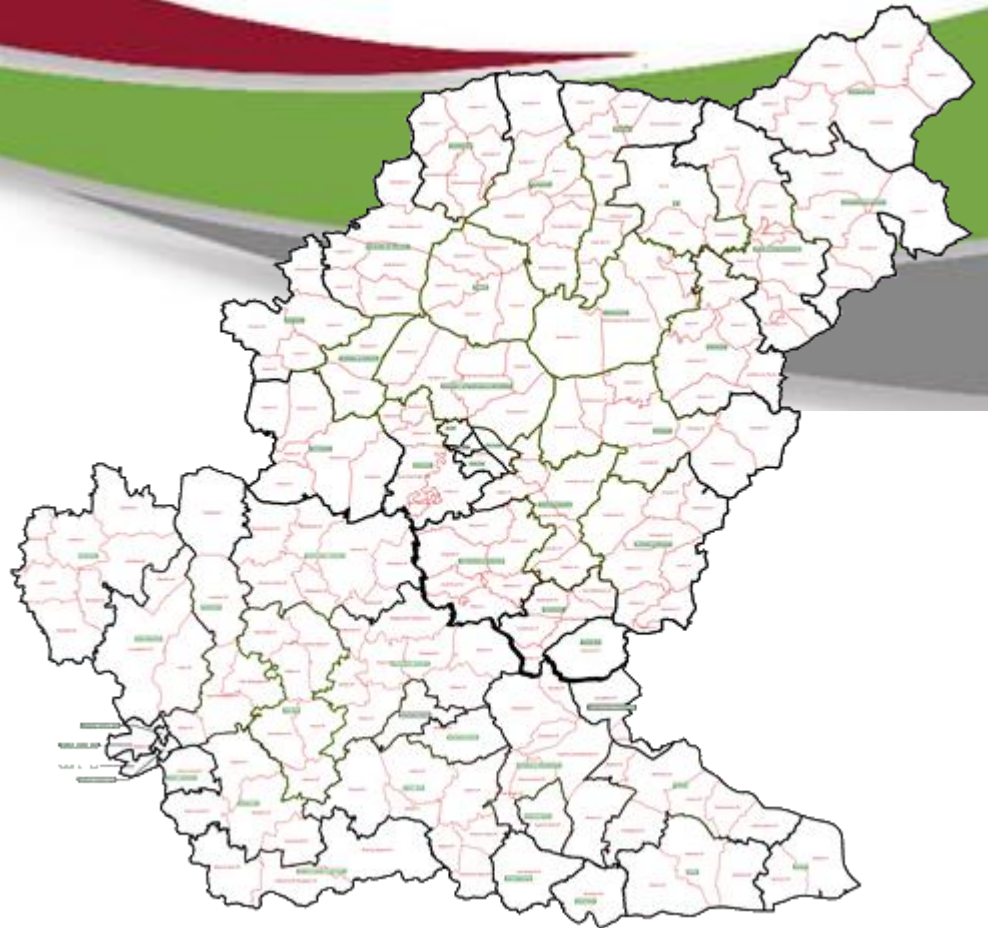
Yours sincerely,

Fiona Cairns RTPI IHBC
Director

Cc: Fressingfield Parish Council
Phil Butler, SPS Mid Suffolk District
David Burn, Portfolio Holder, Planning
John Castro, Chair SAFE

Application No:
DC/19/05741

Address:
Land Off Stradbroke Road
Street Farm
Fressingfield

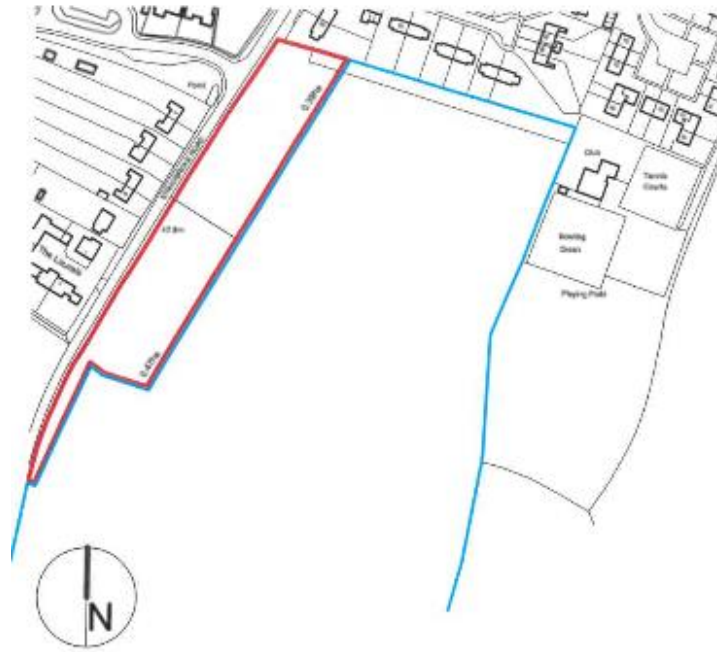






Site Location Plan

Slide 4



0 100m
SCALE - 1:2500 @ A4

LOCATION PLAN - Drawing 3383-15

Land at Stradbroke Road
Fressingfield

A4 - Scale 1:2500

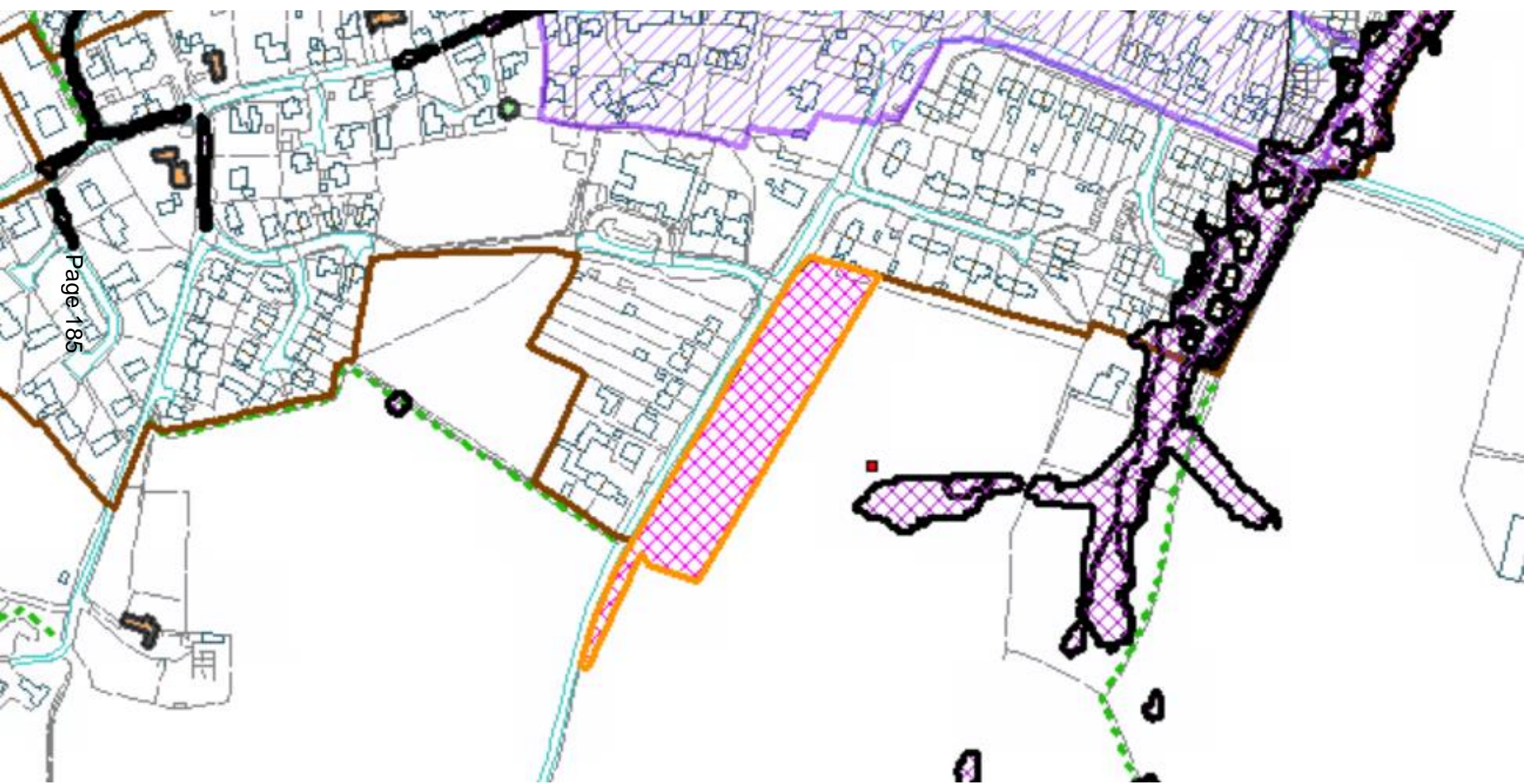
October 2019

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Constraints Map

Slide 5

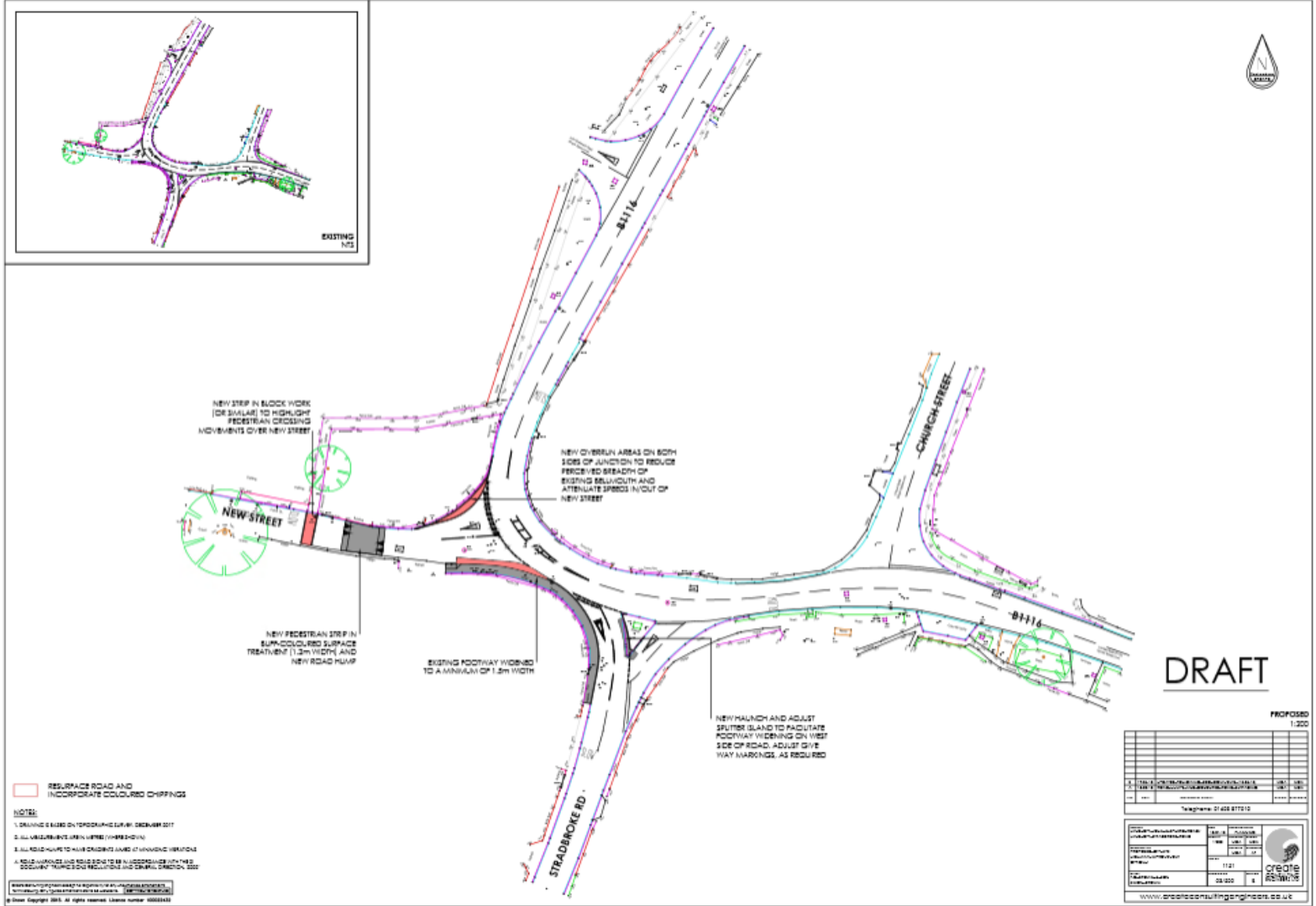
- Grade II
- Conservation Area
- Footpath
- Built Up Area Boundaries
- EA 1 in 30 Predicted Risk of Surface Water Flooding
- TPO - Individual TPOs/trees/T1



Page 185



Page 187



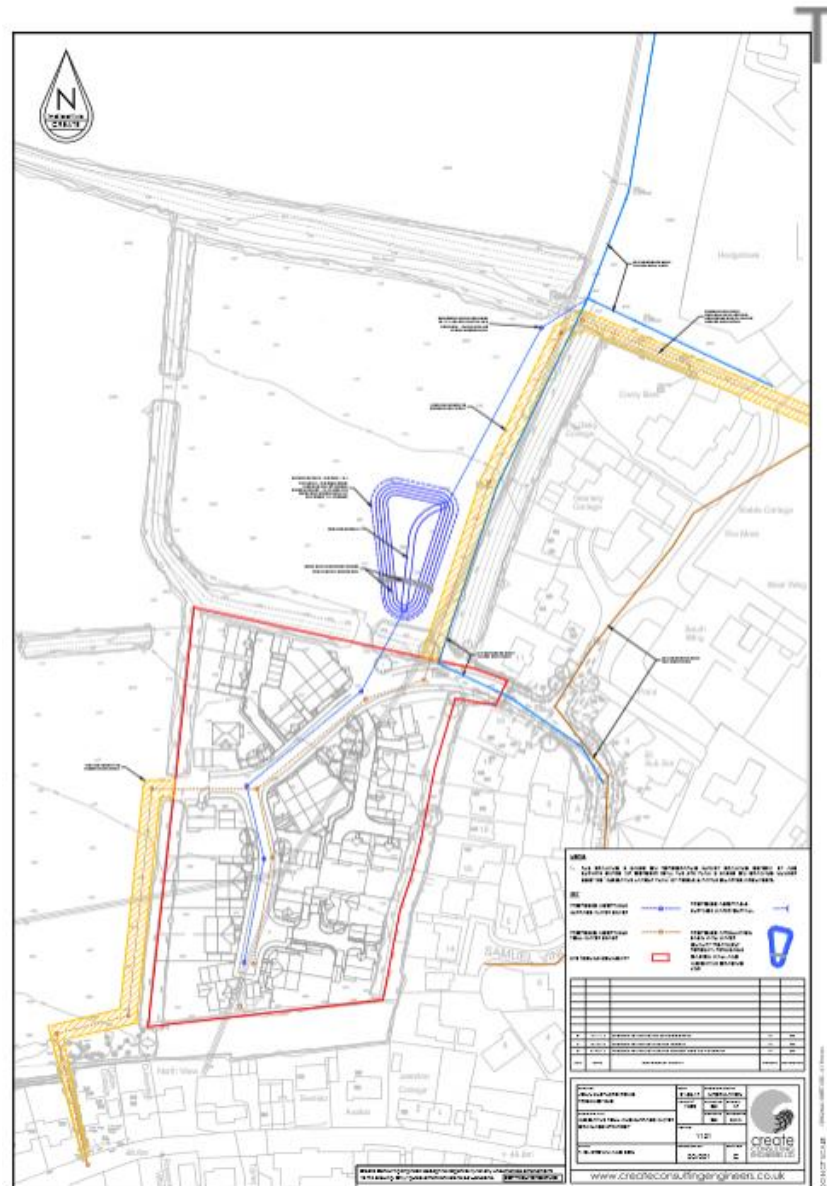
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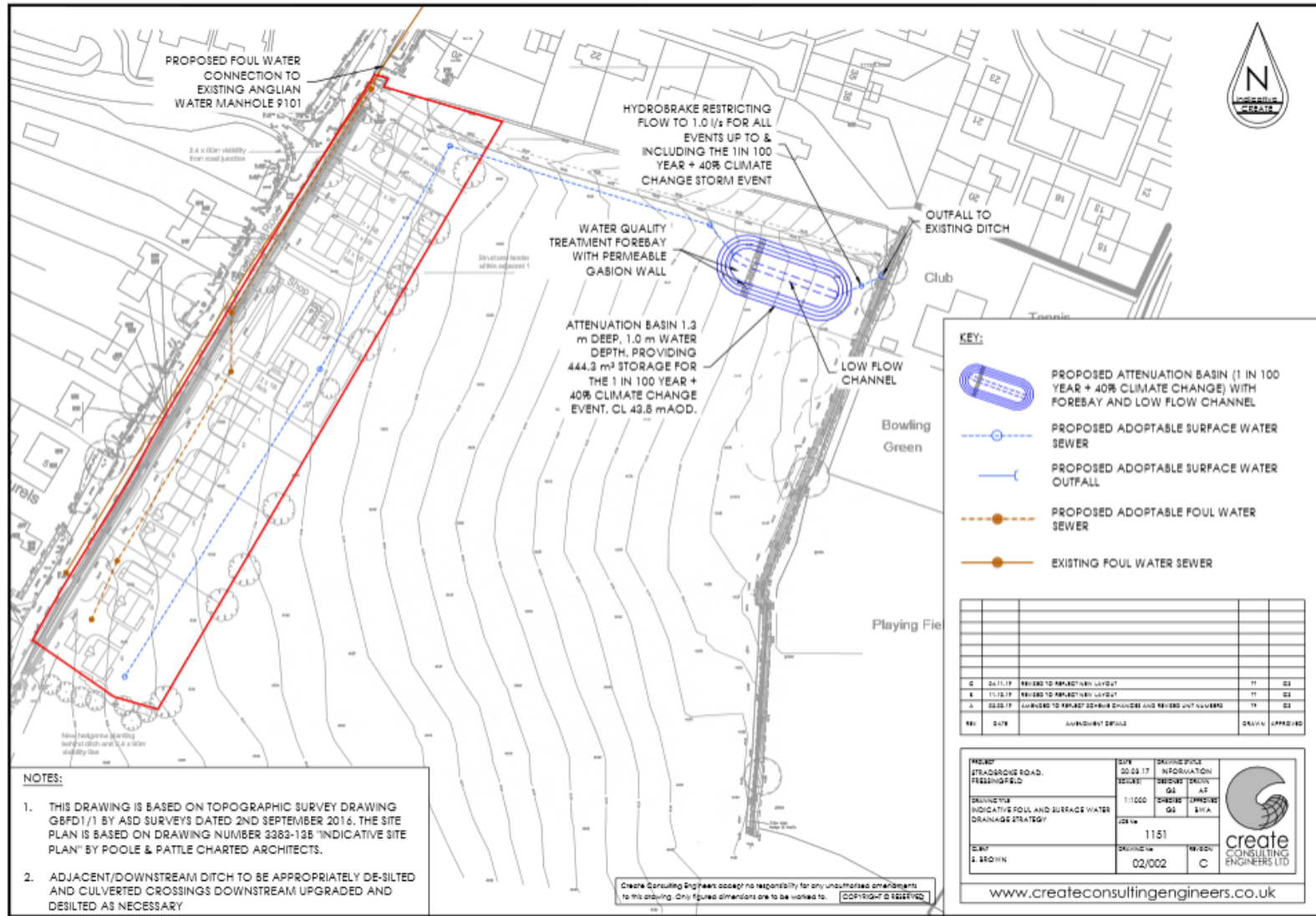
Foul and Surface Water Drainage

Slide 9

Page 189



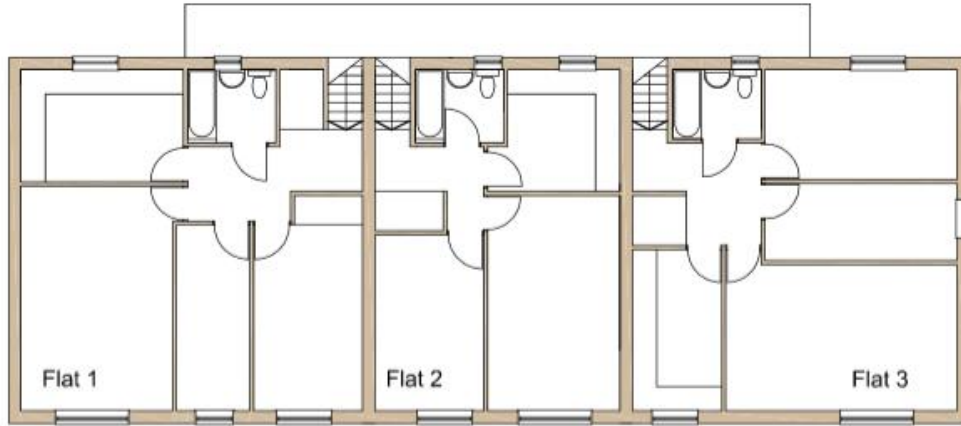
Page 190



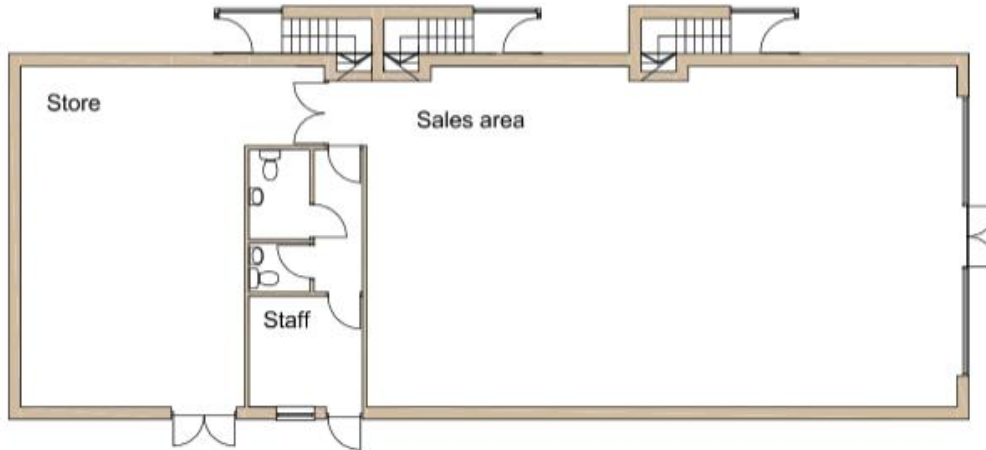
DO NOT SCALE

Shop Sketch Plans

T



First floor



Ground floor

Page 191

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Agenda Item 7c

Committee Report

Item 7C

Reference: DC/21/01682

Case Officer: Michael Booker

Ward: Stow Thorney.

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

RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS

Description of Development

Full Planning Application - Retention of a Marquee for events.

Location

Cedars Park Community Centre, Pintail Road, Stowmarket, Suffolk IP14 5FP

Expiry Date: 01/07/2021

Application Type: FUL - Full Planning Application

Development Type: Minor All Other

Applicant: Mr Peter Worthington

Agent:

Parish: Stowmarket

Site Area: 0.01 hectares

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

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

Has the application been subject to Pre-Application Advice: No

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason: Cedars Park Community Centre is owned by Mid Suffolk Council.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

FC01 - Presumption In Favour Of Sustainable Development

FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development

CS01 - Settlement Hierarchy

CS05 - Mid Suffolk's Environment

H15 - Development to reflect local characteristics

H16 - Protecting existing residential amenity
CL08 - Protecting wildlife habitats
RT01 - Sports and recreation facilities for local communities
T09 - Parking Standards
T10 - Highway Considerations in Development
NPPF - National Planning Policy Framework
NPPG-National Planning Policy Guidance

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

SCC - Highways Comments Received – 08/06/2021

SCC Highway Authority raised no objection to the proposal.

Environmental Health - Land Contamination Comments Received - 14/05/2021

The Council's Environmental Health Team raised no objection to the proposal, subject to the following conditions which have been summarised below:

- *No music or amplified sound to be played within the marquee.*
- *No use of the marquee permitted beyond 21:00 Monday – Sunday.*

Stowmarket Town Council Comments Received - 24/05/2021

Stowmarket Town Council raised no objection to the proposal.

B: Representations

At the time of writing this report at least two letters of representation have been received. It is the officer opinion that this represents one objection and one note of support. A verbal update shall be provided as necessary.

One objection is summarised as follows:

- Fear of crime
- Anti-social behaviour
- Noise

The existing marquee is currently in use serving Cedars Park Community Centre. An additional fear of crime or increase in anti-social behaviour would not be created due to the retention of this marquee under this application as it is already existing. Whilst the marquee provides opportunity for better use of land and therefore does represent a potential intensification of use, this intensification may happen without the retention of this marquee if the site were to have an increase of users for other reasons.

The letter of support was submitted by CPRA but gave no specific reasons for support.

(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: 4063/15	Store extension	DECISION: GTD 19.02.2016
REF: 3028/14	Non-material amendment sought following grant of planning permission 0027/11 (Mixed use development comprising 209 no. one, two, three and four bedroom houses and flats, 3 no. commercial units within the village centre (Use Classes A1, A2, B1 and D1), community hall and changing rooms, football pitch, new access to Cedars Park Primary School, public open space and improvement works to the existing balancing pond, plus associated infrastructure and ancillary works including roads, paths, car parking and landscaping) to permit revisions to the Community Centre drawings.	DECISION: GTD 03.10.2014
REF: 0730/14	Use of land for the siting of 3no. storage containers and erection of fencing	DECISION: GTD 22.05.2014
REF: 0022/12	Non-material amendment sought following grant of planning permission 0027/11 (mixed use development comprising 209 no. one, two, three and four bedroom houses and flats, 3 no. commercial units within the village centre (Use Classes A1, A2, B1 and D1), community hall and changing rooms, football pitch, new access to Cedars Park Primary School, public open space and improvement works to the existing balancing pond, plus associated infrastructure and ancillary works including roads, paths, car parking and landscaping): Revisions to the approved layout (Phase 4D), including re-positioning of the estate road and change to the mix of accommodation, including a reduction in the number of dwellings.	DECISION: GTD 10.02.2012
REF: 0027/11	Mixed used development comprising 209 no. one, two, three and four bedroom houses and flats, 3 no. commercial units within the village centre (Use Classes A1, A2, B1 and D1),	DECISION: GTD 22.12.2011

community hall and changing rooms, football pitch, new access to Cedars Park Primary School, public open space and improvement works to the existing balancing pond, plus associated infrastructure and ancillary works including roads, paths, car parking and landscaping.

REF: 2810/10	Request for a screening opinion for mixed use development comprising 209 no. one, two, three and four bedroom houses and flats, 3 no. commercial units within the Village Centre (Use Classes A1, A2, A3, A4, A5, B1 and D1), community hall and changing rooms, football pitch, new access to Cedars Park Primary School, public open space and improvement works to the existing balancing pond, plus associated infrastructure and ancillary works including roads, paths, car parking and landscaping.	DECISION: EAN 16.09.2010
REF: 0398/89/OL	RESIDENTIAL DEVELOPMENT, CONSTRUCTION OF NEW VEHICULAR ACCESSES AND ROUNDABOUTS AND A BALANCING POND FOR SURFACE WATER DRAINAGE.	DECISION: WDN 12.07.1991
REF: 0229/90/OL	RESIDENTIAL DEVELOPMENT OF 151.5 ACRES OF LAND, INCLUDING EMPLOYMENT USES, PROVISION OF OPEN SPACE, COMMUNITY FACILITIES, HIGHWAYS AND ASSOCIATED DEVELOPMENT (INCLUDING CONSTRUCTION OF BALANCING POND FOR SURFACE WATER DRAINAGE)	DECISION: WDN 14.11.2006
REF: 0228/90/OL	RESIDENTIAL DEVELOPMENT OF 151.5 ACRES OF LAND, INCLUDING EMPLOYMENT USES, PROVISION OF OPEN SPACE, COMMUNITY FACILITIES, HIGHWAYS AND ASSOCIATED DEVELOPMENT (INCLUDING CONSTRUCTION OF BALANCING POND FOR SURFACE WATER DRAINAGE)	DECISION: WDN 14.11.2006
REF: 0399/89/OL	Residential development, construction of new vehicular accesses and roundabouts and a balancing pond for surface water drainage.	DECISION: WDN 12.07.1991

PART THREE – ASSESSMENT OF APPLICATION

1. **The Site and Surroundings**

- 1.1. The site is a small parcel of land located adjacent to the south west of Cedars Park Community Centre. The proposal site is an existing paved area approximately 0.01 hectares in area. A football pitch lies to the south of the community centre.
- 1.2. Cedars Park Primary School lies 26m to the west, with a mix of dwelling types approximately 90 metres to the north, 68 metres to the east and 128 metres to the south. The site lies within the Stowmarket Built-Up Area Boundary, with the A14 to the east. The site lies in Flood Zone 1 and is not at risk from surface water flooding. The nearest listed building is the Grade II listed Walnut Tree Cottage 163m south of the site and the does not lie on any designated land such as a Conservation Area or Special Landscape Area.

2. **The Proposal**

- 2.1. The proposal is for the retention of an existing marquee for events at Cedars Park Community Centre, as part of temporary Covid Permitted Development Rights.
- 2.2. The proposal would utilise the existing access and 73-space car park located at the north entrance to the Community Centre.
- 2.3. The marquee is constructed of a steel frame with plastic covering at all sides, reflective of a typical marquee.
- 2.4. The site area of the proposed marquee is 0.01 hectares.

3. **The Principle Of Development**

- 3.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, then that determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 3.2. Schedule 2, Part 4 Class B and BA of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) allows the provision/use of land for any purpose for 28 days in a calendar year. This 28-day allowance was extended to a total of 56 days between 1st July 2020 and 31st December 2020, later extended until 31st December 2021, under The Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020.
- 3.3. The proposal is for the permanent use of land for siting of this marquee for events, additional outdoor hospitality particularly in light of the Covid-19 restrictions and providing suitable cover from the weather during football matches. While a moveable structure, the marquee is to be permanently sited on the side of the building.
- 3.4. The proposal for the retention of a marquee is therefore assessed under the development plan Policies RT1, GP1, H16 and T10 and the provisions of the NPPF. The principle for the retention of a marquee is acceptable in accordance with these policies subject to material considerations as explored below.

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

- 4.1. Cedar's Park Community Centre is served by a 73-space car park located to the north east of the building.
- 4.2. SCC Highway raised no objection to the proposal as the proposal is not considered to result in a significant intensification of use that would be detrimental impact to the highway network in this location. The vehicular access to the site from Pintail Road will remain unaltered and no areas of the car park will be displaced. The marquee will not intrude in areas required for safe highway visibility.
- 4.3. The proposal is considered to comply with Policy T09 and T10 of the Local Plan and Paragraphs 108 and 109 of the NPPF and so there are no impacts on highway safety sufficient to warrant refusal.

5. **Design and Layout**

- 5.1. The marquee is located towards the south west of the existing Community Centre building and measures approximately 6 metres in width, 10 metres in depth. It is a steel-framed structure that is not affixed the ground in a way that required any groundworks to the existing paved area. The external materials consist of white plastic sheeting on all sides that is typical of a marquee structure, with five sections of clear plastic to create a window effect.
- 5.2. The layout, design and scale are considered to be reflective of the marquee's use and would not have a detrimental impact on the character of the area.
- 5.3. Overall, the scheme is considered to be of an appropriate siting, design and scale for its location within the Stowmarket settlement boundary and respects the character of its surroundings. The proposal is therefore considered compliant with the Local Plan, Core Strategy and the NPPF.

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

- 6.1. The site does not lie in a Conservation Area and there are no protected trees nearby.
- 6.2. Based on the site's location and the existing use as a community centre, there is no requirement for the submission of an ecology report as it is not considered there would be any detrimental impact on protected species and priority habitats. The marquee is to be sited on an existing paved area at the rear elevation of the community centre. The proposed marquee is not considered to impact on priority and protected species. The proposal is therefore in accordance with Policy CL08 and Paragraph 170 of the NPPF.

7. **Land Contamination, Flood Risk, Drainage and Waste**

- 7.1. The site lies entirely within Flood Zone 1 and is considered to be at very low risk of surface water flooding.
- 7.2. The proposal is not considered to have any detrimental impact on land quality. This is confirmed by the Environmental Health team, who did not object to the proposal.

8. **Heritage Issues**

8.1. The nearest listed building is Walnut Tree Cottage, approximately 163m south of Cedars Park Community Centre. The marquee and use is not considered to result in any impact to the setting of this listed building given the distance and location.

9. **Impact on Residential Amenity**

9.1. The proposal lies approximately 90m away from the dwellings to the north, 68m from dwellings to the east and 128m from dwellings to the south. These distances are considered to be sufficient enough to mitigate noise and light pollution to nearby residents. The proposed marquee is of an appropriate scale that would not be overbearing, result in a loss of light or loss of privacy.

9.2. The Council's Environmental Health did not object to the proposal but recommended conditions ensuring no music is to be played within the marquee, and no use of the marquee after 9pm. The site is already in use as a community centre, with the Council's Licensing Team confirming the site holds an existing licence to permit outdoor music, live or recorded, until midnight. While the physical marquee will potentially allow further opportunities for outdoor use, the conditions recommended by the Council's Environmental Health Officer on timing and music are not considered to be reasonable or necessary given the existing use and operation.

PART FOUR – CONCLUSION

10. **Planning Balance and Conclusion**

10.1. The proposed retention of a marquee at Cedars Park Community Centre is considered to be of an appropriate appearance, design, layout and scale that reflect its use as an additional hospitality area. The design is sympathetic to the area, reflective of its use and would adequately blend within the existing site with minimal impact on the character of the area. The proposal is not considered to result in impacts to the existing landscape or have a detrimental impact on the highway network. The single-storey form, the existing use and separation distances would not have significant impacts on residential amenity.

10.2. The application complies with the Development Plan viewed as a whole. There are no material considerations which indicate a decision should be taken other than in accordance with the plan.

10.3. The recommendation is, therefore for approval, subject to conditions.

RECOMMENDATION

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

- Approved plans / size constraints
- Marquee to be retained in good condition
- Marquee to be removed when no longer needed

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Application No: DC/21/01682

Location: Cedars Park Community Centre, Pintail Road, Stowmarket, Suffolk, IP14 5FP

Page No.

Appendix 1: Call In Request	<i>N/a</i>	
Appendix 2: Details of Previous Decision	<i>0027/11</i>	
Appendix 3: Town/Parish Council/s	<i>Stowmarket Town Council</i>	
Appendix 4: National Consultee Responses	<i>N/a</i>	
Appendix 5: County Council Responses	<i>Suffolk County Council Highways</i>	
Appendix 6: Internal Consultee Responses	<i>Environmental Health - Noise, Odour and Nuisance</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

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Ref. No.	Details	Site and Applicant	Resolution
DC/21/01682	Erection of a Marquee for events	Cedars Park Community Centre, Pintail Road for Mr P Worthington	There is no objection from the Town Council to the grant of planning consent.

Your Ref:DC/21/01682
Our Ref: SCC/CON/2371/21
Date: 8 June 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: Michael Booker

Dear Michael,

TOWN AND COUNTRY PLANNING ACT 1990

CONSULTATION RETURN: DC/21/01682

PROPOSAL: Full Planning Application - Erection of a Marquee for events

LOCATION: Cedars Park Community Centre, Pintail Road, Stowmarket, Suffolk IP14 5FP

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/21/01682 under highway safety grounds.

Yours sincerely,

Kyle Porter
Development Management Technician
Growth, Highways and Infrastructure

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

Sent: 14 May 2021 10:59:07

To:

Cc:

Subject: FW: DC/21/01682

Attachments:

From: Andy Rutson-Edwards <Andy.Rutson-Edwards@baberghmidsuffolk.gov.uk>

Sent: 14 May 2021 10:44

To: Michael Booker <Michael.Booker@baberghmidsuffolk.gov.uk>; BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>; BMSDC Planning Mailbox <planning@baberghmidsuffolk.gov.uk>

Subject: DC/21/01682

Environmental Health -
Noise/Odour/Light/Smoke

APPLICATION FOR PLANNING PERMISSION - DC/21/01682

Proposal: Full Planning Application - Erection of a Marquee for events.

Location: Cedars Park Community Centre, Pintail Road, Stowmarket, Suffolk IP14 5FP

Thank you for consulting me on this application.

I have no objections in principle. However, the application is for outdoor events. There is potential for outdoor events to cause noise nuisance. I would recommend controlling this by way of condition and suggest the following:

- No music (where amplified or not) or amplified sound shall be played within the marquee.
- There shall be no use of the marquee permitted beyond 21:00 Monday-Sunday.

Andy

Andy Rutson-Edwards, MCIEH AMIOA

Senior Environmental Protection Officer

Babergh and Mid Suffolk District Council - Working Together

Tel: 01449 724727

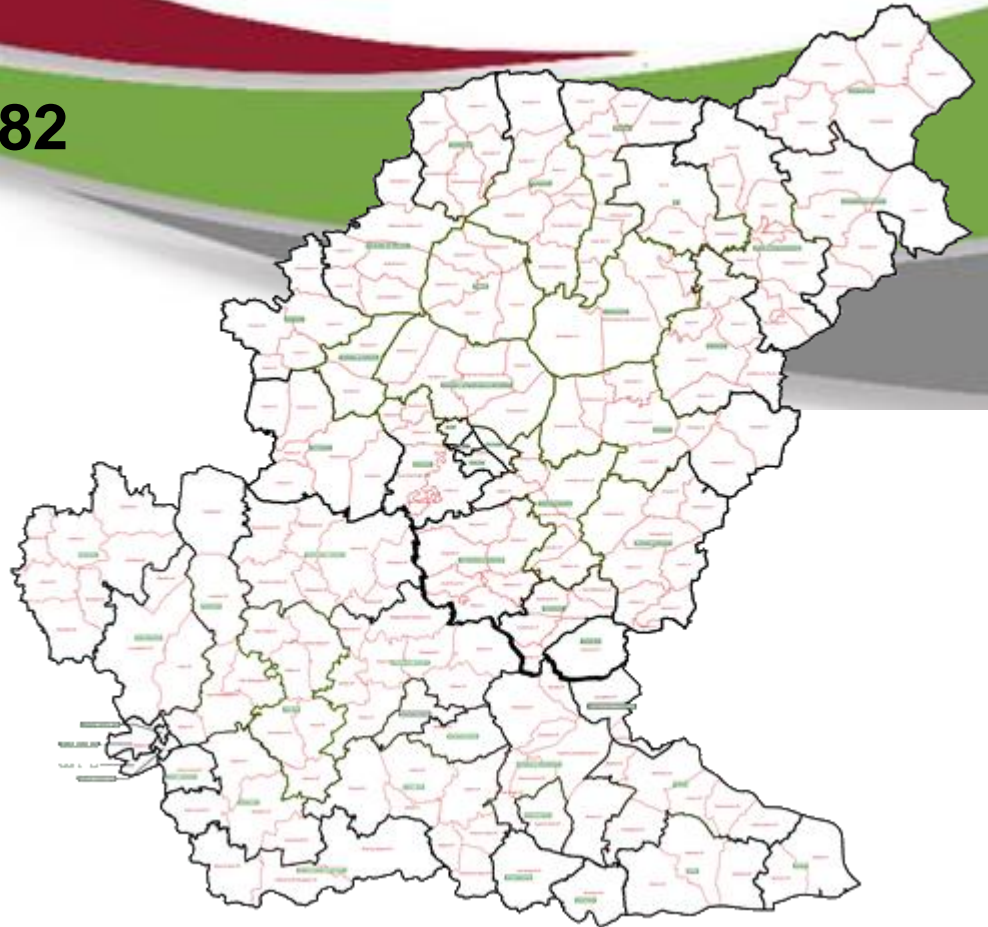
Email andy.rutson-edwards@baberghmidsuffolk.gov.uk

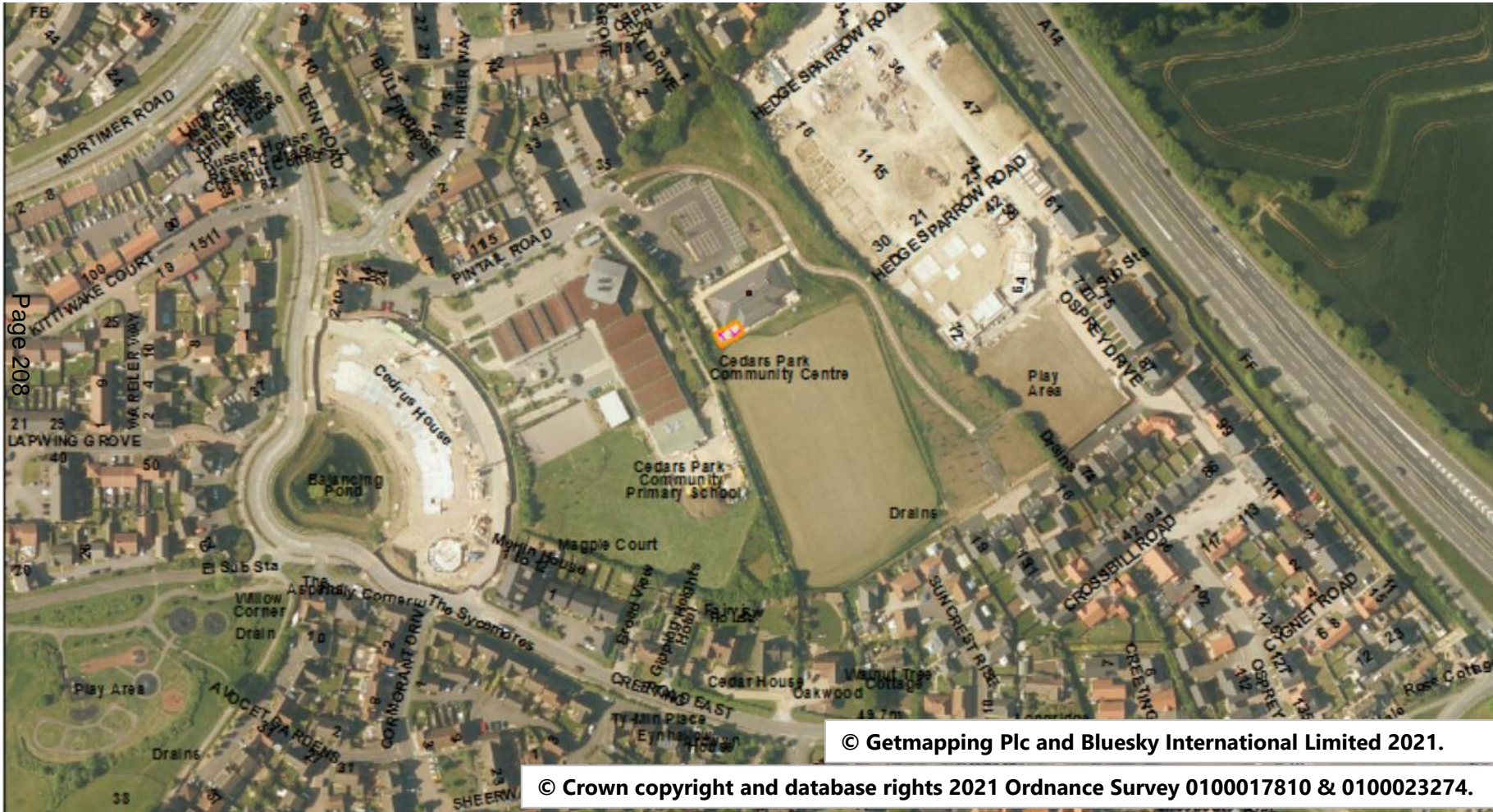
www.babergh.gov.uk www.midsuffolk.gov.uk

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Application No: DC/21/01682

**Address: Cedars Park
Community Centre, Pintail
Road, Stowmarket**





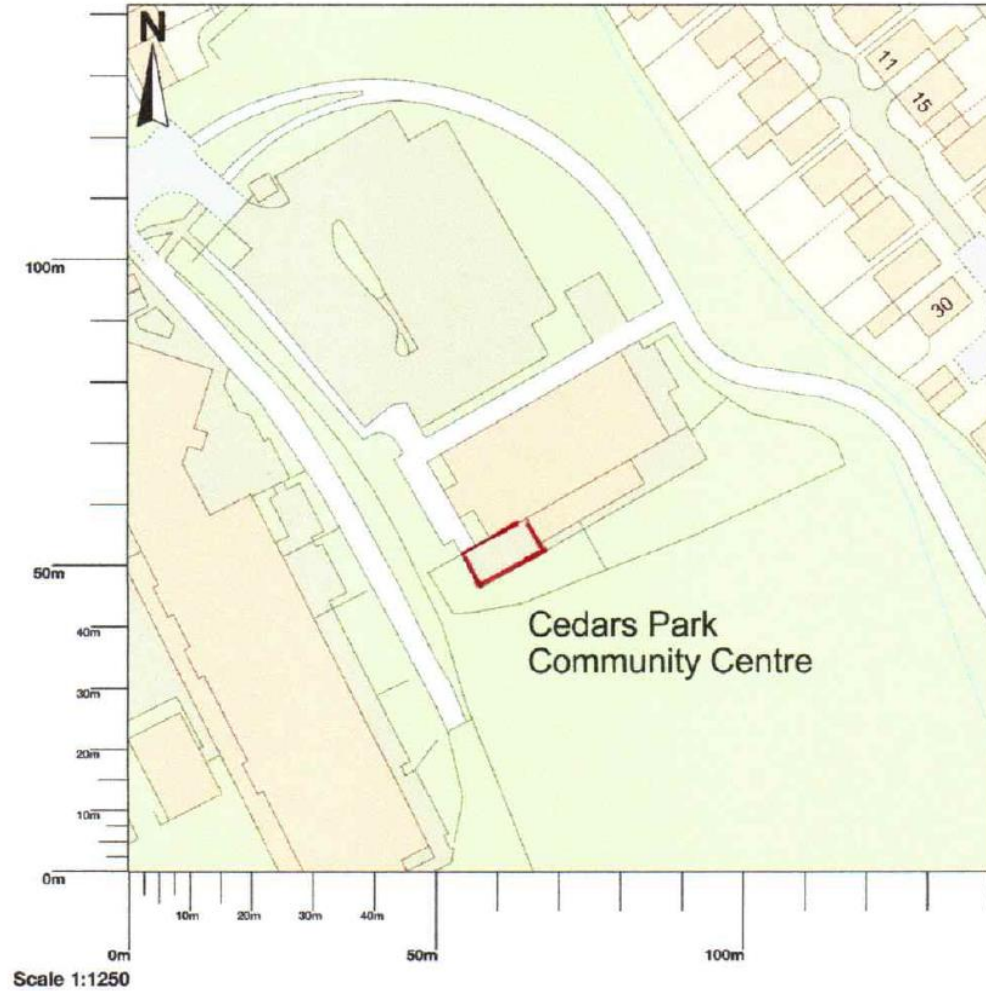
Aerial Map – wider view

Slide 3



Site Location Plan

Slide 4



Constraints Map

Public Rights of Way

..... Footpath

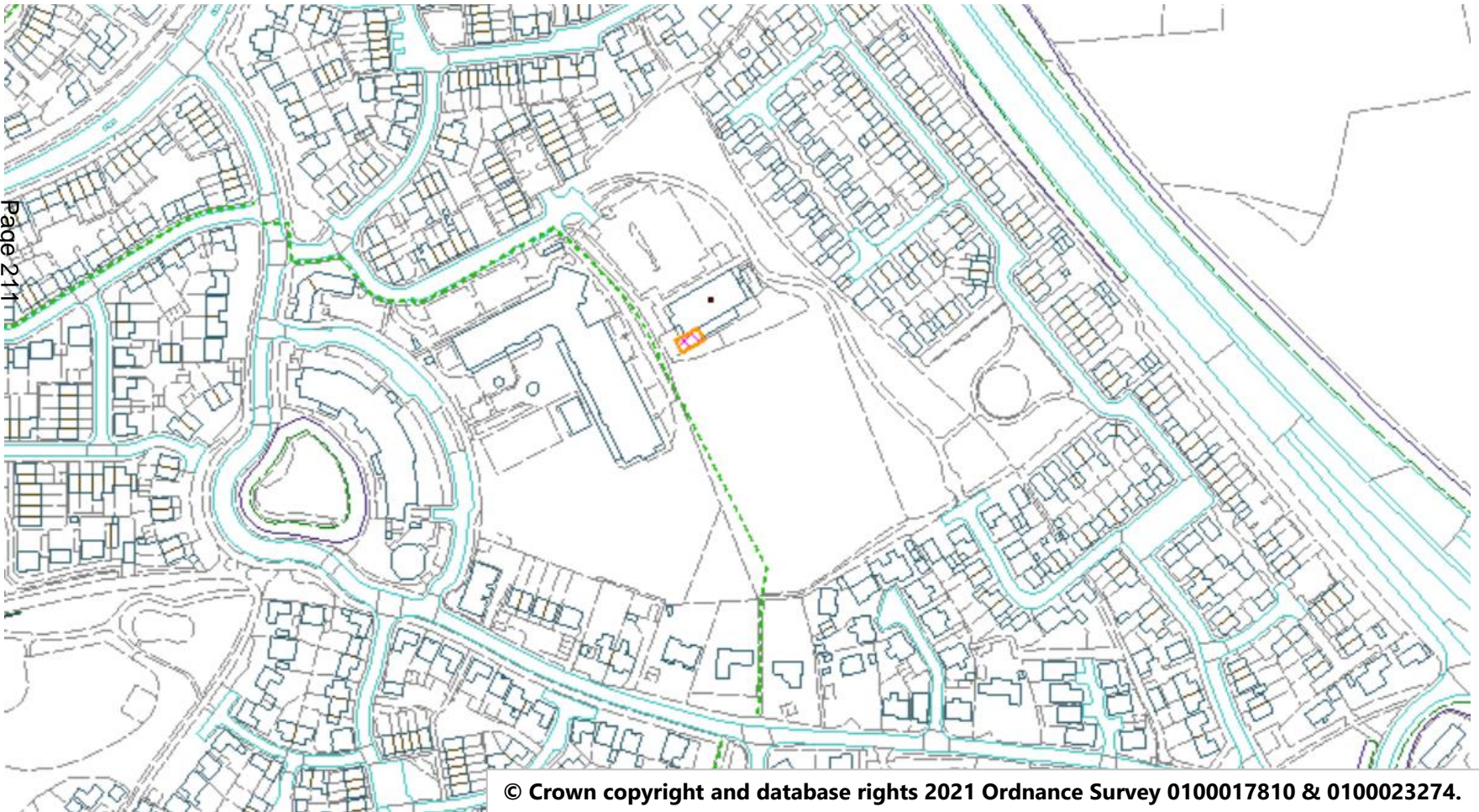


Photo of Marquee

Slide 6





Photographs

Slide 7



Photographs

Slide 8

Agenda Item 7d

Committee Report

Item 7D

Reference: DC/20/05516

Case Officer: Daniel Cameron

Ward: Stradbroke & Laxfield.

Ward Member/s: Cllr Julie Flatman.

RECOMMENDATION – REFUSE PLANNING PERMISSION

Description of Development

Full Planning Application - Change of use of Public House (Sui Generis) to 1no. Dwelling (C3)

Location

The Ivy House, Wilby Road, Stradbroke, Eye Suffolk IP21 5JN

Expiry Date: 01/02/2021

Application Type: FUL - Full Planning Application

Development Type: Minor Dwellings

Applicant: Mr & Mrs J Steneth

Agent: Hollins Architects Surveyors and Planning Consultants

Parish: Stradbroke

Site Area: 0.14 ha

Density of Development: 7.14 dwellings per hectare

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

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

Has the application been subject to Pre-Application Advice: Yes (DC/20/00820). Pre-application advice noted the sensitive balancing exercise that would need to be undertaken should an application to convert the public house to a dwelling come forward. The public house is a valued local asset and the contribution towards the Council's housing need from one dwelling is slight. Any application would need to be supported by rigorous evidence to assess the viability of the business in order to justify its loss in planning terms.

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reasons:

Conversion of the property from public house to dwelling would remove a valued community facility from the area. It is not clear from the submitted documents that the provisions of the 'Retention of Shops, Post Offices and Public Houses in Villages' SPG is being followed. Moreover, the application would result in a

loss of employment within the village contrary to policies of the Local Plan. No plan to market the business has been agreed with Economic Development Officers.

Para 83 of the NPPF states that planning decisions should enable the retention and development of accessible local services and community facilities, including public houses.

There is significant local interest in retaining the public house as a functioning business. Consequently, there is strong local opposition to the scheme. The Parish Council are looking to register the business as an Asset of Community Value and whether it could be run as a community public house.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

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
CS01 - Settlement Hierarchy
CS05 - Mid Suffolk's Environment
HB01 - Protection of historic buildings
HB03 - Conversion and alterations to historic buildings
HB05 - Preserving historic buildings through alternative uses
HB08 - Safeguarding the character of conservation areas
H16 - Protecting existing residential amenity
E06 - Retention of use within existing industrial/commercial areas
T09 - Parking standards
T10 - Highway considerations in development

Neighbourhood Plan Status

This application site is within a Neighbourhood Plan Area.

The Neighbourhood Plan is currently at:-

Stage 7: Adoption by LPA

Accordingly, the Neighbourhood Plan has significant weight, and is a part of the adopted Development Plan.

The following policies of the Neighbourhood Plan are considered to be particularly relevant:

STRAD14 – Retail Provision

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)

Stradbroke Parish Council

The Councillors note a number of objections from residents in response to this application.

Councillors voted to OBJECT to this application as it is contrary to Policy STRAD14, which seeks to protect retail premises within or adjacent to the existing settlement boundary.

Stradbroke Parish Council will be seeking to register The Ivy House as an Asset of Community Value as per the community actions laid out in the made Neighbourhood Plan.

Councillors requested that Cllr Flatman call-in the application to be determined by MSDC Planning Committee members.

N.B It is understood that the Ivy House is now registered as an Asset of Community Value.

National Consultee (Appendix 4)

N/A

County Council Responses (Appendix 5)

Highways

The Highway Authority raise no objection to the application provided a condition to secure the parking shown on the submitted plans is provided.

Internal Consultee Responses (Appendix 6)

Economic Development Team

The Economic Development team would not support this application. The public house is well located and could still has potential to be an asset to the village.

The importance of the public house to the sustainability of our local communities is significant. In addition to offering essential social amenity for the village, surrounding area and visitors alike, they also offer locally accessible, and flexible employment in rural communities where opportunities for work are frequently limited, for example by access to transport or by caring responsibility.

Environmental Health – Land Contamination

No objection to the change of use of a public house to a residential dwelling.

Heritage Team

The proposal in this application is for change of use of the building from Public House to Dwellinghouse.

The building is listed and stands in the Stradbroke Conservation Area.

The normal approach to change of use in listed buildings is to prefer the use for which they were built. The list entry suggests that the building has remnants of medieval date, but it is difficult to be clear how long it has functioned as a public house or even whether it was ever simply a dwelling. It is recorded on 1880s OS sheets as 'Ivy House (PH)', indicating that it has been a public house for a significant period, but it also seems fairly likely that it was originally a house.

The Heritage Team would also have concerns that the proposal might affect the economic vitality of the Stradbroke Conservation Area, but it is recommended that advice from our Economic Development Team is given on this point.

In our view any harm to the listed building from the change of use is likely to be very low, and the question whether it is justified would depend on economic factors. Similarly, there is some potential for impact on the character of the Conservation Area, but the nature and degree of harm is best described in economic terms.

The applicant should be advised that any alterations to the building that are associated with the change of use are likely to require an application for listed building consent. This would include any works arising from requirements under the Building Regulations. Heritage officers will be happy to offer advice on whether works need listed building consent and whether they would be supported by officers. Because of the building's listed status, alterations to or erection of walls, fences and gates would continue to need planning permission, as would any alterations to or erection of outbuildings.

B: Representations

At the time of writing this report at least 24 letters/emails/online comments have been received. It is the officer opinion that this represents 22 objections and 2 support comments. A verbal update shall be provided as necessary.

Views are summarised below:

Objections:

- Public house is valuable asset to the village.
- Offers to keep the business operational have been made.
- Price listed for the building is too high.
- Opening hours for the business were artificially reduced.
- Additional development within Stradbroke will create additional demand.
- Stradbroke has already lost two public houses.
- Building is listed and stands within the conservation area.

Support:

- Number of personal comments on the owners of the building are uncalled for.
- Closure of other public houses within the village show that viability issues have been an issue previously.
- Objectors are not viability experts.
- Value of commercial property has not kept pace with residential and if the applicants are seeking to retire away from the public house, they require capital in order to invest in another property.

(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/20/05516

Full Planning Application - Change of use of Public House (Sui Generis) to 1no. Dwelling (C3)

DECISION: PCO

REF: 3455/12	Replace window to front ground floor left of front door.	DECISION: REC
REF: 3082/12	Replacement freestanding hanging pub sign	DECISION: REC
REF: 0440/12	Alterations to fenestration pattern to windows to existing extension.	DECISION: REF 30.04.2012
REF: 3750/08	Rendering of existing face brickwork to front elevation facing Wilby Road.	DECISION: GTD 12.12.2008
REF: 3745/08	Internal alterations as detailed on the attached schedule of works, generally comprising removal of existing bars, provision of new, opening up of studwork, plastering cement/sand rendered walls and rendering of facing brickwork part fronting Wilby Road.	DECISION: GTD 16.12.2008
REF: 0783/06	Repaint pub in dulux buttermilk weathershield matt paint.	DECISION: GTD 01.05.2007
REF: 0282/06	Placing of recycling banks.	DECISION: WDN 10.05.2006
REF: 0360/05/	Alteration of car park.	DECISION: REF 12.05.2005
REF: 0859/04/	CHANGE OF USE FROM PUBLIC HOUSE TO PRIVATE HOUSE	DECISION: REF 03.12.2004
REF: 0019/98/OL	SEVERANCE OF LAND FOR ERECTION OF DWELLING AND GARAGE USING EXISTING VEHICULAR ACCESS (PREVIOUSLY PERMITTED UNDER OUTLINE PLANNING PERMISSION REFERENCE OL/7/93).	DECISION: GTD 01.06.1998
REF: 0007/93/OL	SEVERANCE OF LAND FOR ERECTION OF DWELLING AND GARAGE USING EXISTING VEHICULAR ACCESS.	DECISION: GTD 12.03.1993
REF: 0979/83	Retention of prefabricated garage (previously permitted under 344/78)	DECISION: GTD 28.02.1984
REF: 0344/78	Erection of a prefabricated garage.	DECISION: GTD 14.11.1978

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1 The application site is the Ivy House public house located on the eastern side of Wilby Road (B1118), close to its junction with New Street (B1117) within the centre of Stradbroke. Ivy House is presented fronting onto Wilby Road with parking to the front and side of the property. A pedestrian footpath runs north to south along the property frontage.
- 1.2 The Ivy House is listed at Grade II with the following list description provided by Historic England: *Public house. Medieval origins with early C17 alteration; further substantial alterations and additions of C19 and C20. Timber framed and plastered, ashlar-lined at the front. Thatched roof. 1½ storeys with small attic to left. 2 windows, C20 small-paned casements with hoodmoulds. C20 door and flat-roofed open porch on chamfered timber posts, the lower section balustraded. 2 gabled dormers with wavy bargeboards and spike finials. Small gable stacks. Early C19 2-storey wing set back to left: plastered, with a glazed black pantiled roof. Lean-to addition set forward with mid C20 brick face. Interior much altered. Early C17 ceiling in bar area with ovolo- moulded floorbeams and chamfered joists.*
- 1.3 The Ivy House is also located within the Stradbroke conservation area, notable for a number Grade II listed buildings, many being timber framed, and the Grade II* medieval church of All Saints. The surrounding area is strongly residential in character, although some commercial uses are notable along New Street.
- 1.4 The current layout of the public house allows for bar sales and food preparation on the ground floor with landlord accommodation at first floor level. Externally, there is a traditional lawned pub garden with seating.

2. The Proposal

- 2.1 The application proposes the change of use of the building from its current use as a public house (sui generis) to a residential use (Class C3). No alteration of the listed building is proposed at this point and would require planning permission and listed building consent in any case. Any internal change to the building would require approval of listed building consent. Therefore, the only matter to consider is the use of the building.
- 2.2 No permitted development rights exist that would allow the change of use of the building without planning permission.
- 2.3 Supporting information supplied with the application notes that the business use of the site has ceased following a decline in trade that preceded Covid-19. The business does not provide a significant level of employment, generating only one part-time employee and the listed status of the build prevents the ability of the business to be altered to provide additional revenue streams. On this basis, the applicants seek the change of use in order to allow the building to be sold as a dwelling, which may attract a greater degree of interest from the housing market.

3. The Principle of Development

- 3.1 The starting point for any planning decision is the development plan, as identified in Section 38(6) of the Planning and Compulsory Purchase Act 2004. Determination of any application must be made in accordance with the plan unless material considerations indicate otherwise. A key material consideration regarding the principle of development is the National Planning Policy Framework (NPPF) 2019.
- 3.2 For the purposes of the application at hand, the following documents are considered to form the adopted Development Plan:
- Mid Suffolk Core Strategy Focussed Review (2012)
 - Mid Suffolk Core Strategy (2008)
 - Mid Suffolk Local Plan (1998)
 - Stradbroke Neighbourhood Plan (2019)
- 3.3 Mid Suffolk benefits from a five-year housing supply. As such there is 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.
- 3.4 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.
- 3.5 Attention is also given to the Council's Supplementary Planning Guidance (SPG) document for Retention of Shops, Post Offices and Public Houses in Villages (2004). The document is not a formal planning document and does not form part of the development plan, however, it is an approved document and aids the decision taking process and is therefore afforded weight as a material planning consideration. Moreover, it is consistent with the NPPF, particularly paragraph 83 which states that planning decisions should enable 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.
- 3.6 With the above in mind, it is considered that the most important points in this regard are whether the business in can be considered to be a significant employer for the purposes of saved local plan policy E06, whether the loss of the public house can be justified under the provisions of the SPG and whether the neighbourhood plan policies would be offended by the change of use. To a lesser degree it is also considered necessary to consider the policy position of the emergent Joint Local Plan as well as the designation of the business as an Asset of Community Value.

Employment

- 3.7 As noted above, the business, when last in use, only generated one part-time employee. For the purposes of saved local plan policy E06 there is protection given to employment generating businesses unless significant public benefits would arise from its change to a non-employment generating use. In this regard, the limited nature of the number of jobs created through the business is of note.

- 3.8 Even if the business were operating under more favourable circumstances, it is not considered that the business would be able to generate a significant number of jobs. In this regard, this policy is not considered to be especially pertinent to the application at hand. Similar conclusions were reached at appeal in the nearby village of Brundish (APP/W3520/W/18/3209602) in that the public house at the centre of that appeal was not considered by the Inspector to be a significant employer within the village and that the relevance of the policy was a limited weight. There is no reason why a greater degree of weight should be attributed to this policy in this instance.

SPG – Retention of Shops, Post Offices and Public Houses

- 3.9 The SPG indicates that change of use of a village pub to an alternative use will not be permitted unless it can be demonstrated that at least one other public house exists within the settlement boundary or within easy walking distance to it, all reasonable efforts have been made to sell or let the property as a public house and that the running of the business from the site is not economically viable and, there is no evidence of significant support from the community for the retention of the public house.
- 3.10 With regards to the application site, The White Hart public house is noted to lie around 250m away from the site. Were this application to be approved it would be the only public house within the village. The change of use proposed within this application would therefore not offend the SPG in this regard. It is further noted that change of use may also lead to increased viability for the remaining public house in the village.
- 3.11 With regards to the second point raised by the SPG, submitted documents show that in over four years of marketing the property for sale through a specialist agency, only eight viewings of the business occurred. Objection comments note the high price set for the property; however, assessment of current market prices indicate that this might not be the case.
- 3.12 In terms of the viability of the business, submitted information shows a marginal level of net profit achieved across the last five financial years, with significant drop off in 2019/20 and 2020/21 as expected. Gross profit has also seen a downturn, reducing by nearly 30% in the same time period.
- 3.13 The listed status of the building is also noted as being particularly restrictive to attempts to diversify the business or transition it to a business model that might allow a greater level of profit to be generated. This is simply stated within the submitted document. No applications are noted within the planning history for the site and no pre-application enquiries are noted as being received seeking to alter or diversify the business to better deliver a sustainable level of profit for the operators.
- 3.14 The level of public objection to the application is notable in regards to the third point raised by the SPG. There is clearly a strong desire to see the Ivy House retained as a public house. Moreover, the site has now been designated as an Asset of Community Value. While this is not a planning consideration in and of itself, it is significant in demonstrating the community interest in retaining the business for the use of the village and strengthens this point within the planning balance.

Stradbroke Neighbourhood Plan – STRAD14

- 3.15 Neighbourhood plan policy STRAD14 deals with the retention of retail services (Class A1) within or adjacent to the settlement boundary of the village. It strongly encourages development proposals which would enable the retention of existing retail properties. Therefore, it is not strictly linked to the application at hand given it deals with a public house in sui generis use and also the policy does

not directly oppose the loss of such facilities, stating only that the retention of these facilities is encouraged. Supporting text for the policy notes that consolidation of facilities including public houses may be appropriate during the plan period and the wording of the policy is sufficiently flexible to allow this to happen. With this in mind, it is not considered that the policy as written is offended by the application at hand.

Joint Local Plan Policies

- 3.16 With regards to the emergent Joint Local Plan, points 2 and 3 of policy LP13 are particularly relevant to the application at hand. It states that the Council would be resistant to the loss of existing employment and commercial businesses. Proposals leading to the full or partial loss of these sites would need to demonstrate that the possibility of the re-use or redevelopment for other commercial, employment, business or community uses had been explored for a period of six months and the proposal would not give rise to amenity conflicts with neighbouring uses. Overriding environmental or community benefits would also be required to be demonstrated.
- 3.17 The submitted marketing information that supports this application does not indicate that it would be wholly contrary to the provisions of policy LP13, however, the assessment of alternative uses is notably lacking and community benefits to the change of use are not apparent. With a view to the part of the emergent policy noting amenity conflicts, assessment in this regard is made in section 10 of this report.

Conclusions

- 3.18 It is not considered that the proposed development would offend saved local plan policy E06 or policy STRAD14 of the Stradbroke Neighbourhood Plan. The emergent policies of the Joint Local Plan indicate that the present application would be able to show some compliance, however, would be lacking in being able to demonstrate community benefits to be brought by the change of use. The delivery of one new residential unit within the village would contribute towards the Council's housing delivery tests, however, the overall contribution would be low.
- 3.19 With regards the SPG the picture is similarly muddied. Another public house exists within the village, such that the village would not be robbed of this amenity entirely. Viability exercises show the business has not given sufficient return to the operators for some time. They are both noted to be experienced publicans, such that they would normally be considered to have the requisite experience to run such a business in an appropriate manner. However, objection comments note that this is not the experience of members of the village. Indeed, objection comments note that the pub is a valued local asset and its designation as an Asset of Community Value cements this.
- 3.20 The application is therefore considered to be partially in alignment with, partially in conflict with the SPG, particularly the final point which speaks to whether the local community is supportive of the loss of the facility.

4. Nearby Services and Connections Assessment of Proposal

- 4.1 Policy CS1 of the Core Strategy 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. Stradbroke is identified as a Key Service Centre. The emergent Joint Local Plan identifies Stradbroke as a Core Village and the adopted Neighbourhood Plan allocates land to provide a minimum of 219 dwellings by 2036.

- 4.2 Stradbroke's position as a centre for a number of smaller villages that surround it means it offers access to a wide range of services and facilities including a primary and high school, two public houses (one of which is the subject of this application), several shops and cafes. A public library, community centre and swimming pool and gym are also noted alongside a playing field.
- 4.3 The location of the application site is well spatially related to many of these facilities and access to them could be made on foot along made footways. It is considered that the application site lies in a sustainable position such that the residential use proposed would not be overly reliant on private car travel to meet their day-to-day needs.

5. Site Access, Parking and Highway Safety Considerations

- 5.1 Policy T10 of the Local Plan requires the Local Planning Authority to consider a number of highway matters when determining planning applications, including; the provision of safe access, the safe and free flow of traffic and pedestrian safety, safe capacity of the road network and the provision of adequate parking and turning for vehicles. Policy T10 is a general transport policy which is generally consistent with Section 9 of the NPPF on promoting sustainable transport, and therefore is afforded considerable weight.
- 5.2 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.
- 5.3 Consultation with the Highway Authority offers a not unsurprising result given that the current application relates to change of use only. The site benefits from an existing access to the highway network considered suitable for a more intensive use than the residential use proposed within this application. Moreover, parking on the site is provided in excess of that required for a residential use of the building. Consequently, no objection is offered.

6. Design and Layout

- 6.1 As the application is focussed purely on the change of use of the public house, no external alteration of the building is proposed.

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

- 7.1 Again, no alterations are proposed to the landscaping around the building and works to any trees within the site would require consent given they are located within a conservation area.
- 7.2 The building is currently weather tight and is not considered likely to provide any habitat for Priority or Protected Species within its roofspace

8. Land Contamination, Flood Risk, Drainage and Waste

- 8.1 No objection is noted from Environmental Health with regards to land contamination, while the building is located within Flood Zone 1 and

9. Heritage Issues

- 9.1 Ivy House is listed at Grade II and also sits within the Stradbroke conservation area. Consequently, sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 are relevant.

Section 66 requires that special regard be given to the desirability of the preservation of a listed building while section 72 requires that attention is given to the protection or enhancement of the character of the conservation area.

- 9.2 Similar protection is given within the NPPF as well as saved local plan policies HB01, HB03, HB05 and HB08.
- 9.3 Consultation with the Council's Heritage Team notes that their normal approach to change of use in listed buildings is to prefer the buildings original use. Given the age of the building, it is unclear what this original use was, historic mapping shows the building in use as a public house since 1880, however, it is considered to be fairly likely it was originally constructed as a dwelling.
- 9.4 Any harm arising to the listed building as a result of the change of use is considered to be very low. No fabric of the building would be altered as a result of this application.
- 9.5 With regards to the conservation area, some potential is noted for impact on its character through the loss of the public house, but again, harm is noted only in economic terms as the change of use in and of itself would not alter the character or appearance of the conservation area.
- 9.6 The application is therefore considered to be neutral in terms of its impact on the listed building and conservation area.

10. Impact on Residential Amenity

- 10.1 The building is existing within the streetscene so any impacts arising from its positioning or location of windows is already established. There is no change in these impacts given that the landlord and landlady occupy the building at present.
- 10.2 It is considered that there may be some benefit to the surrounding residential development through the change of use proposed. A residential use is less likely to give rise to noise issues associated with public houses at closing time, however, no such issue is highlighted from consultation with the Councils' Environmental Health Team.

PART FOUR – CONCLUSION

11. Planning Balance and Conclusion

- 11.1 Paragraph 83 of the NPPF states that planning decisions should enable the retention of accessible local services and community facilities, including public houses. The SPG on the Retention of Shops, Post Offices and Public Houses in Villages notes that the change of use will not be permitted unless certain criteria are met.
- 11.2 While the application can show another public house within the village and some effort has gone into showing that the business is no longer operating viably, there is strong local support for the retention of the business. No view has been provided to show whether the premises carry the potential to be utilised as a community run public house. Objections and the Asset of Community Value designation for the building suggest that this is a realistic possibility.
- 11.3 Additionally no alternative uses of the premises appear to have been under consideration. While the listed status of the building is noted, this is not a barrier to an alternative use being brought to

the building the comments of the Council's Heritage Team notwithstanding, particularly when paragraph 196 of the NPPF is considered or the fact that the Council's SPG and emergent policies gives preference to a change of use that retains an element of community use.

RECOMMENDATION

That authority be delegated to the Chief Planning Officer to refuse the change of use of public house (sui generis) to 1no. dwelling (C3) for the following reasons:

1. The application proposes the change of use of a public house (sui generis) to provide one new dwellinghouse. Paragraph 83 of the NPPF seeks the retention of such facilities while the Council's supplementary planning guidance on Retention of Shops, Post Offices and Public Houses in Villages seeks the same end unless certain criteria are met. In this regard, there is evidence of significant support for the community retention of the public house evidenced in the numerous objections to the application, the Parish Council comments and the Asset of Community Value designation since applied to the site.



Application No: DC/20/05516

Location: The Ivy House, Wilby Road,
Stradbroke

		Page No.
Appendix 1: Call In Request	<i>Cllr Flatman</i>	
Appendix 2: Details of Previous Decision	<i>N/A</i>	
Appendix 3: Town/Parish Council/s	<i>Stradbroke Parish Council</i>	
Appendix 4: National Consultee Responses	<i>N/A</i>	
Appendix 5: County Council Responses	<i>Highways</i>	
Appendix 6: Internal Consultee Responses	<i>Economic Development Environmental Health – Land Contamination Heritage</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>	



Babergh and Mid Suffolk District Councils



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



From: Stradbroke Parish Council <StradbrokePC@outlook.com>
Sent: 19 December 2020 16:46
To: Daniel Cameron <Daniel.Cameron@baberghmidsuffolk.gov.uk>; BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>
Subject: DC/20/05516

Ref: DC/20/05516 - full planning application, change of use Public House (sui generis) to 1no. Dwelling (C3) - The Ivy House, Wilby Road IP21 5JN

Stradbroke Parish Council reviewed the application above at the December meeting of the full Council.

Councillors noted the many objections from residents to this proposal.

Councillors voted to OBJECT to this application as it is contra Policy STRAD14, which seeks to protect retail premises within or adjacent to the existing settlement boundary.

Stradbroke Parish Council will be seeking to register The Ivy House as an Asset of Community Value as per the community actions laid out in the made Neighbourhood Plan.

Councillors requested that Cllr Flatman call-in the application to be determined by MSDC Planning Committee members.

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



You have received this email from Stradbroke Parish Council. The content of this email is confidential, may be legally privileged and intended for the recipient specified in the message only. It is strictly forbidden to share any part of this message with any third party, without the written consent of the sender. If you received this message by mistake, please reply to this message and follow with its deletion, so that we can ensure such a mistake does not occur in the future. Stradbroke Parish Council, ensures that email security is a high priority. Therefore, we have put efforts into ensuring that the message is error and virus-free. Unfortunately, full security of the email cannot be ensured as, despite our efforts, the data included in emails can be infected, intercepted, or corrupted. Therefore, the recipient should check the email for threats with proper software, as the sender does not accept liability for any damage inflicted by viewing the content of this email. By contacting Stradbroke Parish Council you agree your contact details may be held and processed for the purpose of corresponding. You may request access to the information we hold on you by emailing:

Your Ref:DC/20/05516
Our Ref: SCC/CON/5025/20
Date: 17 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: Daniel Cameron

Dear Daniel,

TOWN AND COUNTRY PLANNING ACT 1990

CONSULTATION RETURN: DC/20/05516

PROPOSAL: Full Planning Application - Change of use of Public House (Sui Generis) to 1no. Dwelling (C3).

LOCATION: The Ivy House Wilby Road Stradbroke Suffolk IP21 5JN

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

Condition: The use shall not commence until the area(s) within the site shown on Drawing No. 20140 3 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 highway.

Yours sincerely,

Kyle Porter
Development Management Technician
Growth, Highways and Infrastructure

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

From: BMSDC Economic Development <BMSDCEconomicDevelopment@baberghmidsuffolk.gov.uk>

Sent: 09 February 2021 12:11

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

Cc: Daniel Cameron <Daniel.Cameron@baberghmidsuffolk.gov.uk>

Subject: RE: MSDC Planning Consultation Request - DC/20/05516 - 29/12/2020

The Economic Development team would not support this application. The public house is well located and could still has potential to be an asset to the village.

The importance of the public house to the sustainability of our local communities is significant. In addition to offering essential social amenity for the village, surrounding area and visitors alike, they also offer locally accessible, and flexible employment in rural communities where opportunities for work are frequently limited, for example by access to transport or by caring responsibility.

From: Nathan Pittam
Sent: 09 December 2020 11:42
To: Daniel Cameron
Cc: BMSDC Planning Mailbox
Subject: DC/20/05516 Land Contamination

Dear Daniel

EP Reference : 284719
DC/20/05516 Land Contamination
The Ivy House, Wilby Road, Stradbroke, EYE, Suffolk, IP21 5JN.
Change of use of Public House (Sui Generis) to 1no. Dwelling (C3).

Many thanks for your request for comments in relation to the above application. I can confirm that I have no objection to the proposed change of use to a residential end use.

Kind regards

Nathan

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

Babergh and Mid Suffolk District Councils – Working Together

From: Paul Harrison
Sent: 10 December 2020 12:07
To: Daniel Cameron Yellow
Subject: DC 20 05516 Stradbroke

Heritage consultation response

Daniel

The proposal in this application is for change of use of the building from Public House to Dwellinghouse. The building is listed and stands in the Stradbroke Conservation Area.

The normal approach to change of use in listed buildings is to prefer the use for which they were built. The list entry suggests that the building has remnants of medieval date, but it is difficult to be clear how long it has functioned as a PH or even whether it was ever simply a dwelling. It is recorded on 1880s OS sheets as 'Ivy House (PH)', indicating that it has been a PH for a significant period, but it also seems fairly likely that it was originally a house.

I would also have concerns that the proposal might affect the economic vitality of the Stradbroke Conservation Area, but I would recommend that you take advice from our Economic team on this point.

In my view any harm to the listed building from the change of use is likely to be very low, and the question whether it is justified would depend on economic factors. Similarly, there is some potential for impact on the character of the Conservation Area, but the nature and degree of harm is best described in economic terms.

The applicant should be advised that any alterations to the building that are associated with the change of use are likely to require an application for listed building consent. This would include any works arising from requirements under the Building Regulations. Heritage officers will be happy to offer advice on whether works need listed building consent and whether they would be supported by officers. Because of the building's listed status, alterations to or erection of walls, fences and gates would continue to need planning permission, as would any alterations to or erection of outbuildings.

Paul

Paul Harrison
Heritage and Design Officer

MEMBER REFERRAL TO COMMITTEE

See Planning Charter for principles. Paragraph references below link to Planning Charter.

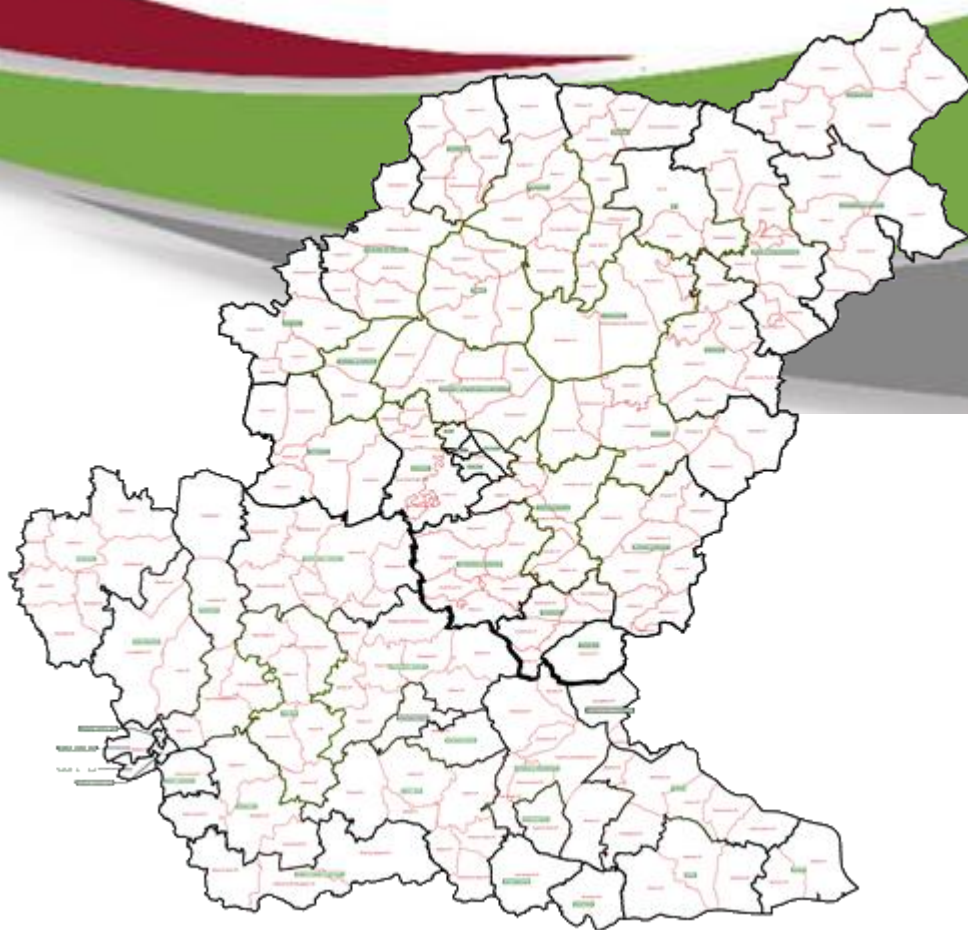
Planning application reference	DC/20/05516 – Change of use from public house (sui generis) to residential dwelling (C3)
Parish	Stradbroke
Member making request	Julie Flatman
13.3 Please describe the significant policy, consistency or material considerations which make a decision on the application of more than local significance	<p>Conversion of the property from public house to dwelling would remove a valued community facility from the area. It is not clear from the submitted documents that the provisions of the ‘Retention of Shops, Post Offices and Public Houses in Villages’ SPG is being followed. Moreover, the application would result in a loss of employment within the village contrary to policies of the Local Plan. No plan to market the business has been agreed with Economic Development Officers.</p> <p>Para 83 of the NPPF states that planning decisions should enable the retention and development of accessible local services and community facilities, including public houses.</p>
13.4 Please detail the clear and substantial planning reasons for requesting a referral	<p>There is significant local interest in retaining the public house as a functioning business. Consequently, there is strong local opposition to the scheme. The Parish Council are looking to register the business as an Asset of Community Value and whether it could be run as a community public house.</p> <p>At the time of writing the SPG 47% of Mid Suffolk villages did not have a public house. These are a dwindling resource and often provide facilities to wider areas within the district, especially where food or other services can be provided.</p>
13.5 Please detail the wider District and public interest in the application	<p>Stradbroke is a core settlement with many amenities including nursery, primary and secondary schools, shops, library and a leisure centre with pool and new gym. There are around 300 new houses in the pipeline either with planning or in the process. Surrounding villages use all the facilities. Therefore, the catchment area is significant and able to support a well-run public house.</p> <p>The community are supportive of the Ivy house so much, so The Parish Council have now through strong community correspondence registered the Ivy House as an Asset of Community value.</p>

13.6 If the application is not in your Ward please describe the very significant impacts upon your Ward which might arise from the development	N/A
13.7 Please confirm what steps you have taken to discuss a referral to committee with the case officer	I have discussed with Daniel Cameron and made him aware of local concerns.

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Application No:
DC/20/05516

Address:
The Ivy House,
Wilby Road,
Stradbroke





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Site Location Plan

T

Page 240



Ordnance Survey, (c) Crown Copyright 2020. All rights reserved. License number 100022432

LOCATION PLAN - RED LINE AREA 1436m²
SCALE 1:1250

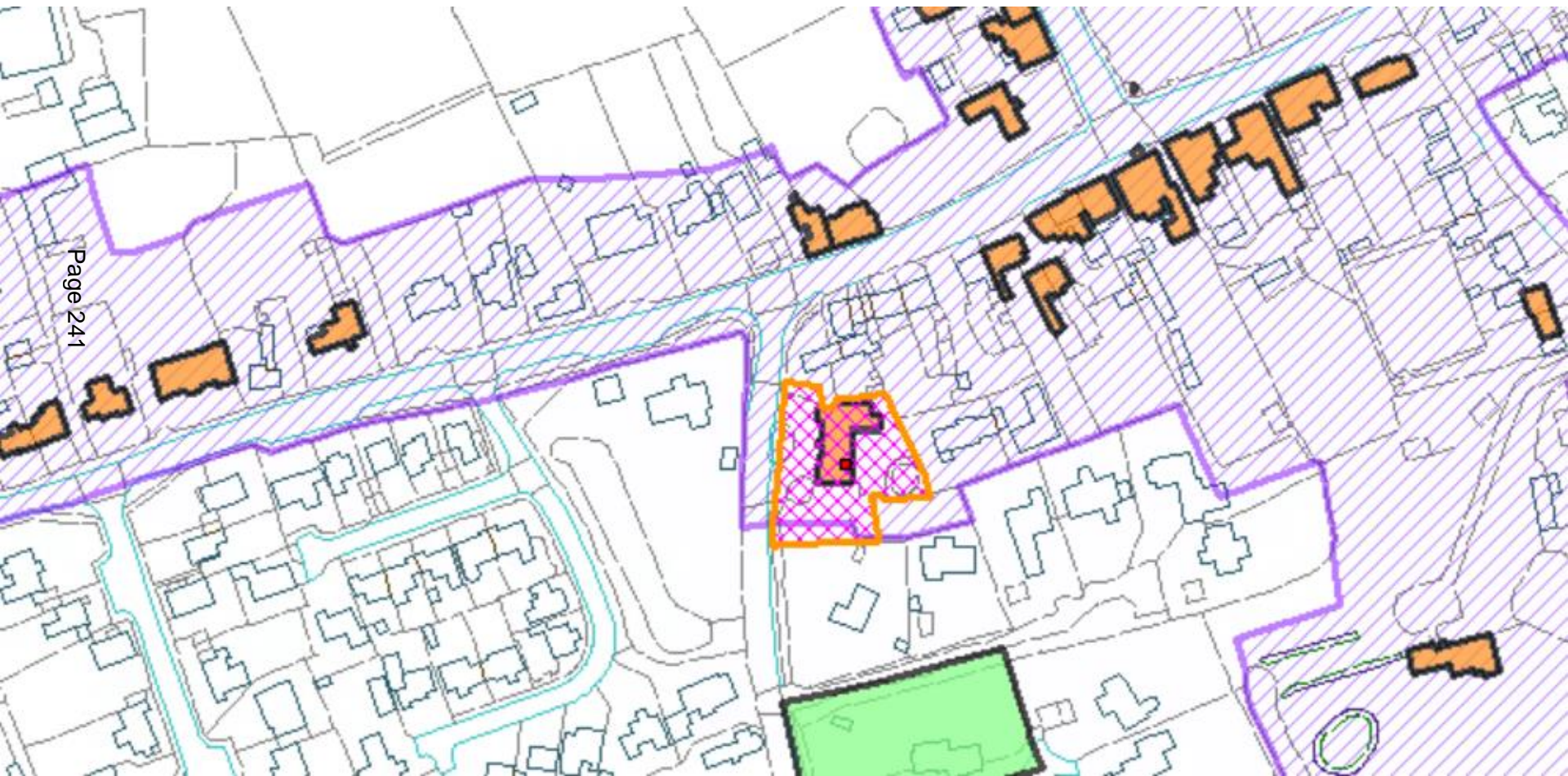


Project PLANNING	Site THE IVY HOUSE, WILBY ROAD, STRADBROKE, IP21 5JN.	HOLLINS Architects, Surveyors & Planning Consultants The Guildhall Market Hill Framlingham Suffolk IP11 2BD Tel: 01754 732222 E: hollins@hollins.co.uk	This drawing is copyright. This drawing may not be copied, reproduced, transmitted, stored in a retrieval system or used in any form or by any means, electronic, mechanical, photocopying, recording, or otherwise, without the prior written permission of Hollins.
Client MIR & MRS STENBETH	Details PLANNING		Scale 1:1250 A4 Date SEPTEMBER 2020 Drawn RJB Drawing No. 20140 1A

Constraints Map

-  Grade II
-  Conservation Area
-  Area of Trees

Slide 5



Site Layout

Slide 6

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GENERAL NOTES

1. See Section
Reviews

HOLLINS
Architect, Surveyors &
Planning Consultants

The Gravelhall
Market Hill
Preston, Lancashire
PR1 2 JSD

Telephone 01773 108819
E-mail: info@hollins.co.uk
Website: www.hollins.co.uk

Client
MR & MRS STENGETH

Site
THE IVY HOUSE,
WILBY ROAD/ STRADBROKE,
IP21 5AN,

Project
PLANNING

Details
BLOCK PLAN

Scale
1:200 @ A2

Date
DECEMBER 2020

Drawn by
RJB

Drawing number
20140 3

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T

Elevations

Slide 7

T

GENERAL NOTES



WEST ELEVATION (VIEW FROM WILEY ROAD)



WEST ELEVATION (VIEW FROM WILEY ROAD)



WEST ELEVATION (VIEW FROM WILEY ROAD)

Page 243



SOUTH ELEVATION



EAST ELEVATION

by Ben Baker
Reviewed

HOLLINS

Architects, Surveyors &
Planning Consultants

The Workhall

Market Hill

Thetford, Norfolk

NG17 1 6BB

Telephone 01753 728877

E-mail enquiries@hollins.co.uk

Website www.hollins.co.uk

Drawn:
MR & MRS STENBETH

Site:
THE IVY HOUSE,
WILEY ROAD, STURCOMBE,
IP21 5JN.

Phase:
PLANNING

Sheet:
ELEVATIONS (PHOTOS)

Scale:
N/A (PH)

Date:
OCTOBER 2020

Drawn by:
R.J.G.

Drawing number:
20140 2

Working drawings are not to be used for construction without the approval of the architect. The architect shall not be responsible for any errors or omissions in the drawings or for any damage to property or persons arising from the use of the drawings without the approval of the architect.

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Agenda Item 8

MID SUFFOLK DISTRICT COUNCIL

DEVELOPMENT CONTROL COMMITTEE A – AM Session 13:00

PLEASE NOTE – this session will not start before 13:00

23 June 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>
8A	DC/21/00248	Land on the South East side of, The Street, Bacton, Suffolk	Cllr Andrew Mellen / Bacton	Daniel Cameron	251-296
8B	DC/21/01188	Land on the South East side of, The Street, Bacton, Suffolk	Cllr Andrew Mellen/ Bacton	Daniel Cameron	297-342

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BMSDC COVID-19 – KING EDMUND COUNCIL CHAMBER ENDEAVOUR HOUSE

Babergh and Mid Suffolk District Councils (BMSDC) have a duty of care to ensure the office and the space used by Members of the Public, Councillors and Staff are COVID-19 Secure and safe. But each person is responsible for their own health and safety and that of those around them.

The BMSDC space within Endeavour House has been assessed and the level of occupancy which is compatible with COVID-19 Secure guidelines reached, having regard to the requirements for social distancing and your health and safety. As a result, you will find the number of available seats available in the Council Chamber and meeting rooms much lower than previously.

You must only use seats marked for use and follow signs and instructions which are on display.

The following specific guidance must be adhered to:

Arrival at Endeavour House (EH) and movement through the building

- On arrival use the main entrance.
- If there are other people inside signing in, wait outside until the space is free.
- Whilst in EH you are now required to wear your face covering (unless you have an exemption) when inside in all parts of the building (including the access routes, communal areas, cloakroom facilities, etc.).
- Use the sanitizer inside the entrance and then sign in.
- Please take care when moving through the building to observe social distancing – remaining a minimum of 2m apart from your colleagues.
- The floor is marked with 2m social distancing stickers and direction arrows. Please follow these to reduce the risk of contact in the walkways.
- Do not stop and have conversations in the walkways.
- There are restrictions in place to limit the occupancy of toilets and lifts to just one person at a time.
- Keep personal possessions and clothing away from other people.
- Do not share equipment including pens, staplers, etc.

- A seat is to be used by only one person per day.
- On arrival at the desk/seat you are going to work at you must use the wipes provided to sanitize the desk, the IT equipment, the arms of the chair before you use them.
- When you finish work repeat this wipe down before you leave.

Cleaning

- The Council Chamber and meeting rooms at Endeavour House has been deep cleaned.
- General office areas including kitchen and toilets will be cleaned daily.

Fire safety and building evacuation

- If the fire alarm sounds, exit the building in the usual way following instructions from the duty Fire Warden who will be the person wearing the appropriate fluorescent jacket
- Two metre distancing should be observed as much as possible but may always not be practical. Assemble and wait at muster points respecting social distancing while you do so.

First Aid

- Reception is currently closed. If you require first aid assistance call 01473 264444

Health and Hygiene

- Wash your hands regularly for at least 20 seconds especially after entering doors, using handrails, hot water dispensers, etc.
- If you cough or sneeze use tissues to catch coughs and sneezes and dispose of safely in the bins outside the floor plate. If you develop a more persistent cough please go home and do not remain in the building.
- If you start to display symptoms you believe may be Covid 19 you must advise your manager, clear up your belongings, go home and follow normal rules of isolation and testing.
- Whilst in EH you are required to wear your face covering when inside (unless you have an exemption) in all parts of the building (including

the access routes, communal areas, cloakroom facilities, etc.). Re-useable face coverings are available from the H&S Team if you require one.

- First Aiders – PPE has been added to first aid kits and should be used when administering any first aid.
- NHS COVID-19 App. You are encouraged to use the NHS C-19 App. To log your location and to monitor your potential contacts should track and trace be necessary.

Agenda Item 8a

Committee Report

Item 8A

Reference: DC/21/00248

Case Officer: Daniel Cameron

Ward: Bacton.

Ward Member/s: Cllr Andrew Mellen.

RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS

Description of Development

Full Planning Application - Erection of 1no. dwelling and associated ancillary accommodation.
Change of use of agricultural land to residential use.

Location

Land on the South East Side of, The Street, Bacton, Suffolk

Expiry Date: 02/04/2021

Application Type: FUL - Full Planning Application

Development Type: Minor Dwellings

Applicant: Mr M MacAusland

Agent: MacAusland Design Ltd

Parish: Bacton

Site Area: 0.48ha

Density of Development: 2 dwellings per hectare

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

This item was called into Planning Committee by Councillor Mellen for the following reasons:

Previous applications for the same site (including DC/19/02745) have been rejected by officers and at appeal, and the current application reflects a version of the previous proposal, now moved closer to existing properties.

Delivery of homes (NPPF 59): Since this last appeal decision Bacton has had a number of large development sites which have received outline or full planning permission, including two “windfall” sites DC/17/05423 81 homes (allowed at appeal) and DC/18/05514 85 homes. The cumulative total of permissions in Bacton and not yet built now exceeds 400 homes. Given that the Joint Local Plan is now at Reg 19 submission stage it must have some weight in consideration of further sites outside the proposed settlement boundary such as this one.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

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
CS01 - Settlement Hierarchy
CS02 - Development in the Countryside & Countryside Villages
CS05 - Mid Suffolk's Environment
GP01 - Design and layout of development
CL08 - Protecting wildlife habitats
H16 - Protecting existing residential amenity
T09 - Parking Standards
T10 - Highway Considerations in Development
HB01 - Protection of historic buildings
CL08 - Protecting wildlife habitats
CL12 - The effects of severance upon existing farms
H07 - Restricting housing development unrelated to needs of countryside

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)

Bacton Parish Clerk

Objection, raising concerns over:

- Highway safety;
- Concur with SCC Floods and Water, adding that the road adjacent to site is already affected by surface water flooding;
- Consider the design may be innovative, not exceptional, it's close proximity to existing dwellings is inappropriate.

National Consultee (Appendix 4)

Natural England

No comments.

County Council Responses (Appendix 5)

SCC - Archaeological Service

Site possesses high potential for the discovery of below-ground assets of archaeological importance. There are no grounds for refusal, however conditions to ensure that no heritage asset is destroyed are recommended.

SCC - Flood & Water Management

Holding objection as the site is located in an area predicted to be at risk of flooding, therefore a site-specific flood risk assessment is required.

SCC - Fire & Rescue

Access to buildings for fire appliances and firefighters must meet Building Regulations requirements. The nearest fire hydrant is over 340m from the proposed site, therefore consideration should be given to the provision of an automatic fire sprinkler system.

SCC - Highways

Visibility splays should be submitted to demonstrate safe and suitable access. This should be provided prior to the grant of any permission.

Internal Consultee Responses (Appendix 6)

Infrastructure Team

Site lies within the high value zone for MSDC CIL Charging.

Heritage Team

No objection, no conditions requested.

Environmental Health - Land Contamination

No objection. Request that the LPA are contacted in the event of unexpected ground conditions being encountered during construction.

Strategic Housing

No further comments. Site area of 0.49 hectare is not subject to affordable housing requirements.

B: Representations

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

Views are summarised below, raising concerns over:-

- Detrimental to the local character
- Landscaping impact
- Lack of engagement with paragraph 79 of the NPPF, whether the site is truly isolated and innovative.
- Loss of agricultural land
- Residential amenity
- Flooding risk
- Outside the village settlement boundary
- Design of proposed dwelling
- Description of the land as 'low ecological value' is misleading
- No significant gain in ecology and biodiversity
- Highway safety

- Harm to setting of listed buildings and character
- Sustainable development

(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/19/02745	Planning Application - Erection of 1no. dwelling and use of land as residential	DECISION: REF 11.09.2019
REF: 1606/16	Erection of 5 bedroom dwelling, change from agricultural to residential use	DECISION: REF 30.06.2016
REF: 0619/13	Construction of a seven bedroom family house, garaging and potting shed with associated grounds including garden and a working estate of livestock and agriculture activities, with alteration of vehicular access and retention of existing agricultural storage building	DECISION: REF 17/07.2013

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1 The application site is a roughly rectangular parcel of land that forms part of a wider landholding within the control of the applicant. Access is taken adjacent to 'Nutwood', the last property located on the south side of The Street. The wider site wraps around the rear gardens of several properties to the east and adjoins paddocks to the northeast and agricultural land to the southwest.
- 1.2 The application site is located outside of the defined settlement boundary of Bacton and would continue to be read outside of the settlement boundary of the purposes of the emergent Joint Local Plan, although it is adjacent to it. Attention is drawn to the outline planning permission given under reference DC/17/04991, located to the immediate west of the site access which granted planning permission for five self-build dwellings and has since achieved approval of reserved matters.
- 1.3 The site is relatively unconstrained. The site is not part of any special landscape designation and no Tree Preservation Orders are noted on the site. No listed buildings are within the site or close to it and the site is not within a conservation area. The site is noted as lying within Flood Zone 1.
- 1.4 The site has an extensive planning history. In 2013 application 0619/13 was refused. It sought planning permission for the erection of a large family home on the site. It was considered that the application lay outside the settlement boundary of Bacton and that design and appearance of the proposed dwelling would not satisfy the requirements of Paragraph 55 as the design was not considered to be architecturally outstanding or innovative.
- 1.5 Application 1606/16 was received in 2016 and was again refused planning permission. Harm was found to stem from conflict with Paragraph 55 of the NPPF in that the design was not considered to be architecturally outstanding or innovative. The location of the property was considered to be

dominant within the landscape and the application was not able to demonstrate that impacts on protected species had been clearly considered. An appeal was brought against the decision of the Council which was dismissed by the Planning Inspectorate. They found that the special circumstances to allow a dwelling in the countryside had not been met. The application was also found to be detrimental to the character and appearance of the area and would be potentially harmful to biodiversity.

- 1.6 Pre-application advice was provided in 2016, 2018 and 2019. They focussed on the design of the building and its footprint and were generally supportive of development on the site and led to a further application in 2019.
- 1.7 Application DC/19/02745 was refused on the grounds that the building was an unsustainable location for development within the countryside and given the likely dependence of future residents on private vehicle trips in order to meet their day-to-day needs. The subsequent appeal was dismissed with the Planning Inspectorate noting that the site would not amount to sustainable development under the requirements of the NPPF.

2. The Proposal

- 2.1 This application follows on from the 2019 appeal on the site and is submitted in tandem with application DC/21/01188. They deal with the same site and offer the same design solution in seeking to create a contemporary interpretation of a traditional country house set within a small estate which provides biodiversity enhancement.
- 2.2 It proposes a six bedroomed dwelling set around a courtyard garden. The façade of the building wraps around this feature and is made up of irregular shapes. The building is two-storey in height; however, the first-floor element is restricted to create a lower lying mass within the landscape.
- 2.3 The dwelling is proposed to be built to lifetime homes standards, with wider corridors and doors fitted with level access provided to all ground floor rooms with level or gently sloping ramped access to the building. Insulation on the building is proposed to be comparable to Passive-Haus standard, with the heating of the property to come from a ground source heat pump. An internal heat exchanger system would regulate the temperature of the building. Photovoltaic panels and solar thermal panels are proposed to the roofscape as is a system of rainwater harvesting to serve the proposed garden.
- 2.4 The rest of the site could be interpreted as a parkland setting; however, in contrast to the traditional parkland associated with a traditional country house, this area is heavily treed. This is proposed to act as screening for the proposed dwelling in views across the landscape.
- 2.5 The property is proposed to be served by an outbuilding which would provide three parking spaces as well as a carport and three separate parking spaces, giving a total of seven parking spaces for the proposed dwelling which would also benefit from a large driveway. The delivery of parking within the site meets with, and exceeds, the requirements of the Council's adopted parking standards, providing double the amount of parking spaces required.
- 2.6 Given the size of the site and the fact that only one dwelling would be provided on site, the density of the development provides two dwellings per hectare.
- 2.7 The surrounding land would provide a very generous garden area for the future occupiers of the site. While additional land around the site falls within their ownership, this is excluded from this application such that only the land within the red line site plan would change to a residential use. A

further planning application for change of use would be required should any of the other land within the applicant's ownership be required to serve as garden land.

- 2.8 The proposed dwelling is located a good distance away from the nearest neighbouring properties. A nature reserve consisting of a wildflower meadow with interspersed tree planting is proposed to lie between the proposed property and the neighbouring properties.
- 2.9 Materials are proposed to be black and dark grey with composite timber cladding and render with some brick slip cladding noted as well. The roof is proposed as a black or dark grey metal.
- 2.10 The total site area is noted as 0.48ha. The total gross internal area of the building is noted as 986.4m².

3. The Principle of Development

- 3.1 The starting point for any planning decision is the development plan, as identified in Section 38(6) of the Planning and Compulsory Purchase Act 2004. Determination of any application must be made in accordance with the plan unless material considerations indicate otherwise. A key material consideration regarding the principle of development is the National Planning Policy Framework (NPPF) 2019.
- 3.2 For the purposes of the application at hand, the following documents are considered to form the adopted Development Plan:
- Mid Suffolk Core Strategy Focussed Review (2012)
 - Mid Suffolk Core Strategy (2008)
 - Mid Suffolk Local Plan (1998)
- 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. It states that:
- "existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."*
- 3.4 Policy CS1 of the Core Strategy 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. The countryside is identified as the areas outside of those categories of settlement referred to above.
- 3.5 Policy CS2 of the Core Strategy restricts development in the countryside to defined categories. This list of allowable development explicitly excludes the creation of market housing such that the proposed development does not fall within any of the listed categories. Saved policy H7 of the Local Plan repeats the strict control put onto development in the countryside set out in CS1 and CS2.

- 3.6 The site is located outside of the settlement boundary of Bacton. Therefore, it is considered to be contrary to the provisions of Core Strategy CS1 which would direct development towards Towns and Key Service Centres. In the immediate context of this application, this would mean Bacton which is a Key Service Centre. Policy CS2 flows from CS1 and restricts development to particular types of development within countryside locations, as does H7. This application would not accord with the criteria set out in CS1, CS2 or H7 and is contrary to these policies.
- 3.7 The exceptional circumstances test at Policy CS2 applies to all land outside the settlement boundary, as does saved Policy H7. This blanket approach is not consistent 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 with regards to this policy has been shown within court judgements to relate to the remoteness of a site from a settlement. Given the functional and physical proximity of the application site to the Key Service Centre of Bacton, with similar considerations noted the recent appeal, the development is not considered to be isolated and paragraph 79 of the NPPF is not engaged.
- 3.8 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. It is noted that this is the same conclusion reached by the Planning Inspectorate within the latest appeal decision on the site which notes at paragraph 20 that policies CS1, CS2 and H7 are considered to be out of date and that the material weight attached to this consideration is lessened.
- 3.9 The presumption in favour of sustainable development and the need for a balanced approach to decision making are key threads to Policy FC01 and FC01_1 of the Core Strategy and are also the most recent elements of the Mid Suffolk development plan, adopted in 2012. Policy FC01_1 however is not considered up to date as it does not allow for the weighing of public benefits against heritage harm, a key tenet of the NPPF.
- 3.10 Given that the policies most important for the determination of this application are not in keeping with the NPPF, they must be considered to attract a lesser material weight in the considerations of planning applications. Therefore, the tilted balance is engaged. This mirrors the conclusion of the Planning Inspectorate in the most recent appeal on the site and is detailed in paragraph 21 of the appeal.
- 3.11 Therefore, it cannot be shown that the policies of the Council carry sufficient weight to be determinative to this application. 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.
- 3.12 *Economic Dimension* – The provision of one dwelling would give rise to some job creation within the construction sector during development while some additional support would be directed towards local businesses within the village of Bacton. The number of dwellings provided within scheme is nominal such that the scale of these benefits would also be limited.

- 3.13 *Social Dimension* – The development would contribute towards the Council's housing land supply position. While a five-year housing land supply can be demonstrated, this cannot be read as a cap on development, particularly where it can be shown to be located in a sustainable location. Considerations with regards to paragraphs 59 and 68 of the NPPF note the contribution that small sites can make to housing supply and could be built out relatively quickly. Again, the scale of the scheme is such that the benefits in this regard would also be limited.
- 3.14 *Environmental Dimension* – The previous appeal on the site noted that the length of the access to the proposed dwelling would oblige the future occupants to walk or cycle some distance towards the street frontage. It was also noted that The Street was without lighting or footways such that walking or cycling to the facilities within Bacton is not considered to be particularly likely to occur. This application reduces the length of the access such that this harm is reduced. The scheme also involves the creation of a significant area of nature reserve along with significant tree planting.
- 3.15 While the site would continue to be read outside of the settlement boundary for Bacton within the emergent Joint Local Plan. At the time of writing, the material weight that can be attached to the provisions of the emergent Plan is limited. While additional weight will accrue to the Plan as it continues to move towards adoption this is dependent on the findings of examination which has yet to begin.

4. Nearby Services and Connections Assessment of Proposal

- 4.1 Bacton is well served by a range of local services and facilities, as expected for a settlement designated as a Key Service Centre. The village facilities include a village hall and primary school as well as public house, shop and post office and a petrol station.
- 4.2 Bus services are available from the village shop along the 320 and 387 routes. Route 320 only operates on Wednesdays and only operates two daytime services between Eye and Bury St. Edmunds. Route 387 operates between Gislingham and Stowmarket and only operates multiple services on Thursdays although the service would allow a return workday connection to Stowmarket Railway Station.

5. Site Access, Parking and Highway Safety Considerations

- 5.1 Policy T10 of the Local Plan requires the Local Planning Authority to consider a number of highway matters when determining planning applications, including the provision of safe access, the safe and free flow of traffic and pedestrian safety, safe capacity of the road network and the provision of adequate parking and turning for vehicles. Policy T10 is a general transport policy which is generally consistent with Section 9 of the NPPF on promoting sustainable transport, and therefore is afforded considerable weight.
- 5.2 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.
- 5.3 The Highway Authority have objected to this application, as they did in 2019. This is not consistent with the planning history of the site as no previous objections from the Highway Authority to the application are noted and there are no apparent changes in underlying policy or guidance since the previous application came forward on the site.
- 5.4 Concerns with regards to the use of the existing track access to the site are noted, however, the application would secure the improvement of the access such that it would no longer be a simple

dirt track that would become boggy during wet weather. Measures to prevent discharge of water from the access to the highway would be implemented such that run-off water from this access would not contribute towards issues of standing water in the highway. Concern regarding visibility splays is also noted, however, the access is currently utilised for access to the land so is already in use and provision of visibility splays could be secured to highway standards prior to any development occurring on site.

6. Design and Layout

- 6.1 Chapter 12 of the NPPF seeks to achieve well-designed places which function well and add to the quality of places by responding to local character but without stifling innovation and change. In particular paragraph 127 of the NPPF requires planning decisions ensure that development:
- 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 surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change;
 - d) Establish or maintain a strong sense of place, using the arrangement of street, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
 - e) Optimises 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.
- 6.2 With regard to the adopted Development Plan Local Plan policy GP1 states that proposals should maintain or enhance the character and appearance of their surroundings.
- 6.3 The design ethos of the application is to provide a modern and contemporary interpretation of the country house, utilising some of the traditional features of such a dwelling such as the tree lined approach and parkland setting, adapting and subverting these to reflect the overall modern design approach.
- 6.4 Comparison is made to the existing housing stock within Bacton, with much of it dating from the 1960's and 1970's exhibiting the simple form and material choices that are associated with those buildings – typically red brick and slate or pantiles. Read in that overall context, the design presented is clearly an alternative to the predominant existing built form within Bacton, however, the architectural approach is not considered to be harmful and would provide an interesting counterpoint to the rest of the area and in particular responds well to the need to consider the needs of the development and its occupiers over its lifetime.

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

- 7.1 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.

- 7.2 Paragraph 170 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.
- 7.3 As noted above, the site is not affected by any special landscape designations and the site is currently an open field which is experienced against a backdrop of the wider countryside. Landscape amenity comes from the openness of the area along with the natural hedge and tree planting within.
- 7.4 The application proposed the planting of the site to define its edges and is considered to create a large amount of potential habitat to improve the biodiversity offer of the site. A range of ecological reports, walkovers and survey information have been provided with the application and note a number of species having potential habitat within the site. It is not considered that the site would give rise to an unacceptable impact in this regard provided conditions were used to secure mitigation and enhancement measures within the site.

8. Land Contamination, Flood Risk, Drainage and Waste

- 8.1 Land contamination has been assessed within the application and considered to not pose a risk to the health of future occupiers of the site. Should unexpected contamination be discovered on the site Building Regulations requires this be dealt with and remediated prior to the occupation of any building. Normal practice would include the Council's Environmental Health team in this process.
- 8.2 The site is located within Flood Zone 1, at the lowest risk of flooding and is below the area threshold which would require the submission of a flood risk assessment. Comments from the Lead Local Flood Authority note that the area is predicted to be at risk of flooding, however, no further information is offered in this regard and the Environment Agency's flood mapping does not indicate this. No such objection from the Lead Local Flood Authority was noted on the 2019 application such that it is not considered to be reasonable to require it here.
- 8.3 The scope of the proposed development requires that surface water drainage be implemented within the scheme in accordance with the requirements of Building Regulations. Information submitted within the application documents note that a combination of SuDS, soakaways, ponds and drainage ditches would be utilised. None of these are noted as being contrary to the requirements of Building Regulations. Rainwater harvesting is also noted such that much of the surface water run off from the building would be stored and re-used within the site at appropriate times.
- 8.4 Treatment of foul water is noted as currently being unknown at the time of application. Connection to the public sewer may be possible, however, would be subject to agreement with Anglian Water and likely would involve the creation of a connection to the system, which may be cost prohibitive for the applicants. A more likely solution would be for a package treatment plant to be provided on site and would be acceptable under Building Regulations. It is not considered that the treatment of foul water needs to be fully known at this point, especially as Building Regulations would be in place to require the provision of an acceptable solution prior to the occupation of the proposed dwelling.

9. Heritage Issues

- 9.1 A number of Grade II listed buildings are noted within Bacton although none are particularly closely tied to the application site. While the site may form part of the surrounding countryside in which these buildings are experienced, however, the distances involved between the application site and the listed buildings as well as the fact that the application site does not predominate in views from these properties leads to a conclusion that the proposed development is not likely to lead to harm to the setting of heritage assets. This view is borne out within the comments submitted by the Council's Heritage Team.
- 9.2 The site lies within an area of high archaeological potential. Comments from Suffolk County Council's Archaeological Service note that conditions would be sufficient to secure the investigation and recording and conditions are suggested in this regard.

10. Impact on Residential Amenity

- 10.1 The positioning of the dwelling means that views of neighbouring properties would be over distance with intervening landscaping present to further soften the impacts of the proposed development. No windows in a position are noted in an elevated position facing towards neighbouring properties such that overlooking views may be taken. While the position of the proposed dwelling relative to its neighbours places it to the south, such that issues around loss of light or overshadowing may occur, it is considered that the intervening distances involved to either eliminate or reduce these impacts to minimal levels.

11. CIL

- 11.1 The application site would not trigger requirements for affordable housing and no other planning obligations are noted that would require the need for a Section 106 Agreement to accompany this application. The application would be subject to CIL and it is noted that it would fall within the higher CIL charge area which sets a rate of £115m².

12. Parish Council Comments

- 12.1 The comments provided by the Parish Council are noted and addressed within the relevant sections of this report.

PART FOUR – CONCLUSION

13. Planning Balance and Conclusion

- 13.1 The application site is located outside of the established settlement boundary of Bacton, falling within the countryside as per the direction of Core Strategy policy CS1. As such, CS2 is applicable. This policy restricts the development of market housing in countryside locations as does Saved Local Plan policy H7. The application is not held to comply with the adopted Development Plan.
- 13.2 However, the policies most important for determining the application; CS1, CS2, H7 and FC1.1, are out-of-date when compared to the provisions of the NPPF. The weight to be attributed to them is therefore reduced in accordance with the direction of paragraph 213 of the NPPF. Irrespective of Council's five-year housing supply position, the default 'tilted balance' position identified in paragraph 11(d) of the NPPF is engaged.

- 13.3 It is acknowledged that Bacton has been the subject of significant developer interest with many residential developments of scale approved in recent years. It is also acknowledged that the site is not part of the proposed site allocations of the emerging Joint Local Plan. This however should not preclude consideration of schemes that can deliver sustainable development and boost housing supply in the short term, particularly in locations such as Key Service Centres, or close to them, where the expectation is to deliver housing growth. While it is noted that the Council can demonstrate a five-year housing land supply, this cannot be read as a cap on sustainable development.
- 13.4 The scheme would bring benefits in terms of the economic and social stands of sustainability and would bring environmental benefits in terms of the sustainable technologies built into the scheme as well as the potential landscaping and planting proposed. The scheme would also position the proposed dwelling closer to The Street than the scheme that was previously considered in 2019. This reduces the distance that future occupiers would have to travel to reach the facilities within Bacton. This being said, future occupiers would still need to traverse a section of The Street without made footways or lighting in order to do so and may lead to a dependence on the use of private motor vehicles in order to meet their daily needs.
- 13.5 In terms of harm, the development site is contrary to the adopted Development Plan. While the material weight applied to these considerations is lessened following the requirements of paragraph 213 of the NPPF, a degree of harm through non-compliance with the provisions of the adopted Development Plan still exists.
- 13.6 It is considered that the planning balance of the scheme is finely tuned. Previous findings of harm associated with the location of the dwelling within the site has been reduced and the benefits of the scheme would remain. The conflict with the adopted policies of the Council is noted however, is not considered to be determinative in this case. The recommendation of Officers is therefore to approve the application subject to the imposition of conditions as set out below:

RECOMMENDATION

That the Chief Planning Officer be authorised to GRANT planning permission subject to the conditions below and those that may be deemed necessary by the Chief Planning Officer:

- Time limit to commence (three years from date of grant of planning permission).
- Development to accord with approved plans.
- Construction method statement to come forward to detail construction access to site, hours of work, timing of deliveries, contractor and delivery parking, and scheme to prevent mud tracking onto the highway.
- Archaeological investigation of site to be secured and undertaken.
- Report into archaeological discoveries to be submitted.
- Ecology mitigation works to be undertaken during development.
- Biodiversity enhancement plan to be supplied.
- Wildlife sensitive lighting scheme for the site.
- Details of access improvements to be agreed and to include visibility splay details and means to prevent surface water discharge to the highway.
- Details of foul water system to be agreed.
- Landscaping to be implemented as shown within submitted plans.
- Details of landscape maintenance to be submitted and agreed.

And the following informative notes as summarised below along with those deemed necessary:

- Proactive working statement as required by the NPPF.

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Application No: DC/21/00248

Location: Land on the South East Side of, The Street, Bacton, Suffolk

		Page No.
Appendix 1: Call In Request	<i>Councillor Mellen</i>	
Appendix 2: Details of Previous Decision	<i>N/a</i>	
Appendix 3: Town/Parish Council/s	<i>Bacton Parish Council</i>	
Appendix 4: National Consultee Responses	<i>Natural England</i>	
Appendix 5: County Council Responses	<i>Archaeology Flood and Water Management Fire and Rescue Highways</i>	
Appendix 6: Internal Consultee Responses	<i>Infrastructure Heritage Land Contamination Strategic Housing</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>	



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.



Comments for Planning Application DC/21/00248

Application Summary

Application Number: DC/21/00248

Address: Land On The South East Side Of The Street Bacton Suffolk

Proposal: Full Planning Application - Erection of 1no. dwelling and associated ancillary accommodation. Change of use of agricultural land to residential use.

Case Officer: John Pateman-Gee

Customer Details

Name: Mrs Tina Newell

Address: 25 Shakespeare Road, Stowmarket, Suffolk IP14 1TU

Comment Details

Commenter Type: Parish Clerk

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: After much discussion RP proposed to object to this application, seconded by JF and supported by all Cllrs in attendance it was agreed to OBJECT to this application with the following comments:

Paragraph 108 of the NPPF requires visibility splays to demonstrate safe and suitable access; local knowledge suggests visibility splays would be almost impossible to achieve a safe access.

SCCs Flood and water engineer has stated the site is in an area predicted to be at risk of flooding however the applicants planning statement states: 'no part of the land is within an area at risk of flooding'. Local knowledge would agree with the engineer and the flood map confirming this section of the road is always the first to be affected by surface water flooding often leaving the road impassable.

This application refers to criterion E paragraph 79 of the NPPF which states: 'Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply' 'the design is of exceptional quality, in that it: - is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area'. Whilst Cllrs considered it may be of innovative style, not exceptional, it's close proximity to existing dwellings is inappropriate.

Tina Newell

Clerk to Bacton Parish Council

9 March 2021

From: SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>
Sent: 11 February 2021 10:11
To: BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>
Subject: Planning consultation DC/21/00248 Natural England response

Dear John Pateman-Gee

Application ref: DC/21/00248
Our ref: 342954

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

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

Tel: 0207 764 4488
Email: consultations@naturalengland.org.uk
www.gov.uk/natural-england

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

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

Enquiries to: Matthew Baker
Direct Line: 01284 741329
Email: Matthew.Baker@suffolk.gov.uk
Web: <http://www.suffolk.gov.uk>

Our Ref: 2021_00248
Date: 19th February 2021

For the Attention of John Pateman-Gee

Dear Mr Isbell

Planning Application DC/21/00248/FUL Land On The South East Side Of The Street Bacton: Archaeology

This site lies in an area of archaeological potential recorded on the County Historic Environment Record, in close proximity a dense scatter of Roman metalwork and pottery (BAC 027) indicating a high status settlement nearby. As a result, there is high potential for the discovery of below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.

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

In this case the following two conditions would be appropriate:

1. No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording
- b. The programme for post investigation assessment

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

2. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 1 and the provision made for analysis, publication and dissemination of results and archive deposition.

REASON:

To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Core Strategy Objective SO 4 of Mid Suffolk District Council Core Strategy Development Plan Document (2008) and the National Planning Policy Framework (2019).

INFORMATIVE:

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

I would be pleased to offer guidance on the archaeological work required and, in our role as advisor to Mid Suffolk District Council, the SCC Archaeological Service will, on request of the applicant, provide a specification for the archaeological 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,

Matthew Baker

Archaeological Officer
Suffolk County Council Archaeological Service

From: GHI Floods Planning <floods.planning@suffolk.gov.uk>
Sent: 15 February 2021 09:43
To: BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>
Cc: John Pateman-Gee <John.pateman-Gee@babberghmidsuffolk.gov.uk>
Subject: 2021-02-15 JS Reply Land On The South East Side Of, The Street, Bacton Ref DC/21/00248

Dear John Pateman-Gee,

Subject: Land On The South East Side Of, The Street, Bacton Ref DC/21/00248

Suffolk County Council, as Lead Local Flood Authority (LLFA), have reviewed application ref DC/21/00248

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

- Location Plan Ref 190917-P-Ex-LP rev A

A holding objection is necessary because the site is located in a area predicted to be at risk of flooding, therefore a site specific flood risk assessment is required to be submitted. National Planning Policy Para 155. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere

The holding objection is a temporary position to allow reasonable time for the applicant and the LLFA to discuss what additional information is required in order to overcome the objection(s). This Holding Objection will remain the LLFA's formal position until the local planning authority (LPA) is advised to the contrary. If the LLFA position remains as a Holding Objection at the point the LPA wishes to determine the application, the LPA should treat the Holding Objection as a Formal Objection and recommendation for Refusal to the proposed development. The LPA should provide at least 2 weeks prior notice of the publication of the committee report so that the LLFA can review matters and provide suggested planning conditions, even if the LLFA position is a Formal Objection.

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

1. Submit a site specific flood risk assessment and demonstrate how the proposed development will remain safe for its lifetime and will not increase flood risk elsewhere.
 - a. <https://www.gov.uk/guidance/flood-risk-assessment-for-planning-applications>

Kind Regards

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

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/F311060
Enquiries to: Water Officer
Direct Line: 01473 260588
E-mail: Fire.BusinessSupport@suffolk.gov.uk

Web Address: <http://www.suffolk.gov.uk>

Date: 12/02/2021

Dear Sirs

Land on the South East side of The Street, Bacton IP14 4LF
Planning Application No: DC/21/00248/FUL

I refer to the above application.

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

Access and Fire Fighting Facilities

Access to buildings for fire appliances and firefighters must meet with the requirements specified in Building Regulations Approved Document B, (Fire Safety), 2019 Edition, 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.

Water Supplies

Suffolk Fire and Rescue Service records show that the nearest fire hydrant in this location is over 340m 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 or appoint Approved Inspector 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: mike@macausland.london
Enc: Sprinkler information

Your Ref:DC/21/00248
Our Ref: SCC/CON/0579/21
Date: 24 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: John Pateman-Gee

Dear John,

TOWN AND COUNTRY PLANNING ACT 1990

CONSULTATION RETURN: DC/21/00248

PROPOSAL: Full Planning Application - Erection of 1no. dwelling and associated ancillary accommodation. Change of use of agricultural land to residential use.

LOCATION: Land On The South East Side Of, The Street Bacton Suffolk

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

Visibility splays should be submitted to demonstrate safe and suitable access (NPPF 108). This information should be provided prior to the grant of permission, in the interest of highway safety.

Yours sincerely,

Kyle Porter

Development Management Technician

Growth, Highways and Infrastructure

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

From: Infrastructure Team (Babergh Mid Suffolk) <Infrastructure@baberghmidsuffolk.gov.uk>
Sent: 09 February 2021 09:19
To: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>
Cc: Infrastructure Team (Babergh Mid Suffolk) <Infrastructure@baberghmidsuffolk.gov.uk>
Subject: MSDC Planning Consultation Request - DC/21/00248

Good Morning,

Re DC/21/00248

This development site lies within the high value zone for MSDC CIL Charging and would, if granted planning permission, be subject to CIL at a rate of £115m² (subject to indexation). The Developer should ensure they understand their duties in relation to compliance with the CIL Regulations 2010 (as amended). Guidance is available as a pre-application service and via information within the CIL webpages.

Kind Regards,

Richard Kendrew
Infrastructure Officer
Babergh District & Mid Suffolk District Council – Working Together
01449 724563
www.babergh.gov.uk & www.midsuffolk.gov.uk

From: Thomas Pinner
Sent: 04 March 2021 10:18
Subject: DC/21/00248 Land on the South East Side of The Street, Bacton

Hi John,

DC/21/00248

I consider that this application would not result in harm to any heritage assets. Beech Tree Cottage (Grade II) is already largely severed from the site by intervening modern development, such that the site makes a very limited contribution to its significance and the proposed dwelling is unlikely to be a concern in terms of dominance over this listed building. The dwelling would fall within the wider setting of Ivy Cottage (Grade II) and The Bull Inn (Grade II), which retain a greater degree of their historic connection to the surrounding rural landscape (particularly Ivy Cottage), which I consider makes some positive contribution to their significance, through the connection with the historic character of their surroundings. However, given the greater distances, and the amount of intervening land that would remain undeveloped, and because the new dwelling would be fairly close to existing dwellings, rather than more conspicuously located within the currently undeveloped space, the resulting impact on the setting and thus significance of these listed buildings would be fairly minor, and would not result in discernible harm to their significance. Therefore, I do not object to the application.

No conditions requested.

Kind Regards,

Thomas Pinner BA(Hons), MA, MA
Heritage and Design Officer
Babergh and Mid Suffolk District Councils

From: Andy Rutson-Edwards <Andy.Rutson-Edwards@baberghmidsuffolk.gov.uk>
Sent: 11 February 2021 14:43
To: John Pateman-Gee <John.pateman-Gee@baberghmidsuffolk.gov.uk>; BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>; BMSDC Planning Mailbox <planning@baberghmidsuffolk.gov.uk>
Subject: DC/21/00248

Environmental Health - Land Contamination

APPLICATION FOR PLANNING PERMISSION - DC/21/00248

Proposal: Full Planning Application - Erection of 1 no. dwelling and associated ancillary accommodation. Change of use of agricultural land to residential use.

Location: Land On The South East Side Of, The Street, Bacton, Suffolk

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

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.*

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

Consultation Response Pro forma

Mid Suffolk

1	Application Number	DC-21-01188 – Land On The South East Side Of, The Street, Bacton, Suffolk.	
2	Date of Response	31.03.2021	
3	Responding Officer	Name:	SACHA TILLER
		Job Title:	HOUSING ENABLING
		Responding on behalf of...	HOUSING STRATEGY
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 further comments on this application for the following reasons. The total no. of dwelling space is less than 0.5 hectares and less than 10 dwellings therefore no affordable contribution is required. Should this change then planning permission should be re-sought.	
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.	Planning application purports to erection of 1 dwelling with a site size of 0.49 hectares as confirmed by planning on 31.03.21.	
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	Should this change then planning permission should be re-sought.	

Please note that this form can be submitted electronically on the Councils website. Comments submitted on the website will not be acknowledged but you can check whether they have been received by reviewing comments on the website under the application reference number. Please note that the completed form will be posted on the Councils website and available to view by the public.

MEMBER REFERRAL TO COMMITTEE

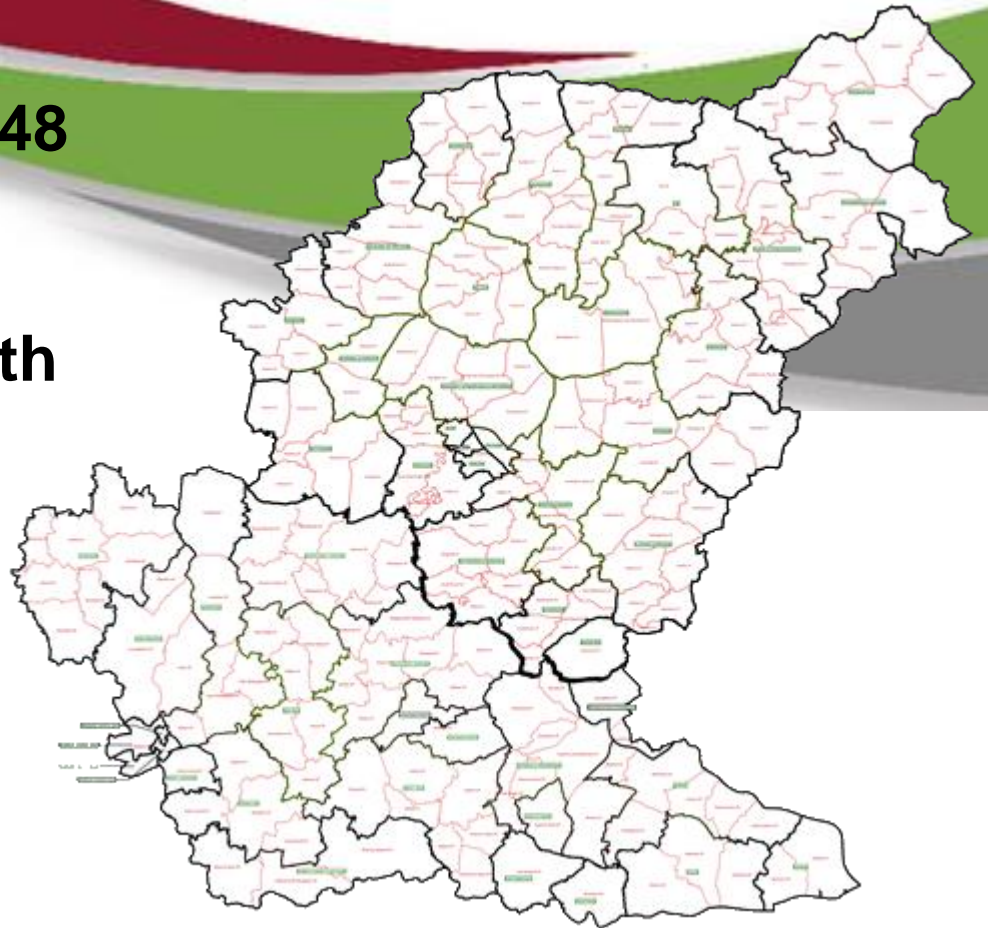
See Planning Charter for principles. Paragraph references below link to Planning Charter.

Planning application references	DC/21/00248 and DC/21/01188
Parish	Bacton
Member making request	Andrew Mellen, member for Bacton ward.
13.3 Please describe the significant policy, consistency or material considerations which make a decision on the application of more than local significance	<p>These two concurrent applications are for a single dwelling on a site outside of the current village settlement boundary. The site is on farmland, requiring a change of use of the land from agricultural to residential.</p> <p>The applicant is seeking to gain support from NPPF paragraph 79 (e) which allows exceptions for isolated homes in the countryside if “the design is of exceptional quality”. However, this site is not isolated as it is immediately adjacent to existing dwellings. Para 79(e) also requires that (the design) “is truly outstanding or innovative . . . would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.” These are both high bars to be reached. Whilst the design of the proposed home is certainly distinctive, is it outstanding enough to meet these criteria?</p> <p>Another consideration is the sustainability of this site as per NPPF paragraphs 7 and 8</p>
13.4 Please detail the clear and substantial planning reasons for requesting a referral	<p>Previous applications for the same site (including DC/19/02745) have been rejected by officers and at appeal, and the current application reflects a version of the previous proposal, now moved closer to existing properties.</p> <p><u>Delivery of homes</u> (NPPF 59): Since this last appeal decision Bacton has had a number of large development sites which have received outline or full planning permission, including two “windfall” sites DC/17/05423 81 homes (allowed at appeal) and DC/18/05514 85 homes. The cumulative total of permissions in Bacton and not yet built now exceeds 400 homes. Given that the Joint Local Plan is now at Reg 19 submission stage it must have some weight in consideration of further sites outside the proposed settlement boundary such as this one</p>
13.5 Please detail the wider District and public interest in the application	<p>The application had prompted a number letters of objection from the residents of neighbouring properties, and has also been discussed at the parish council.</p>
13.6 If the application is not in your Ward please describe the very significant	

impacts upon your Ward which might arise from the development	
13.7 Please confirm what steps you have taken to discuss a referral to committee with the case officer	Discussion with Area Planning Manager John Pateman-Gee

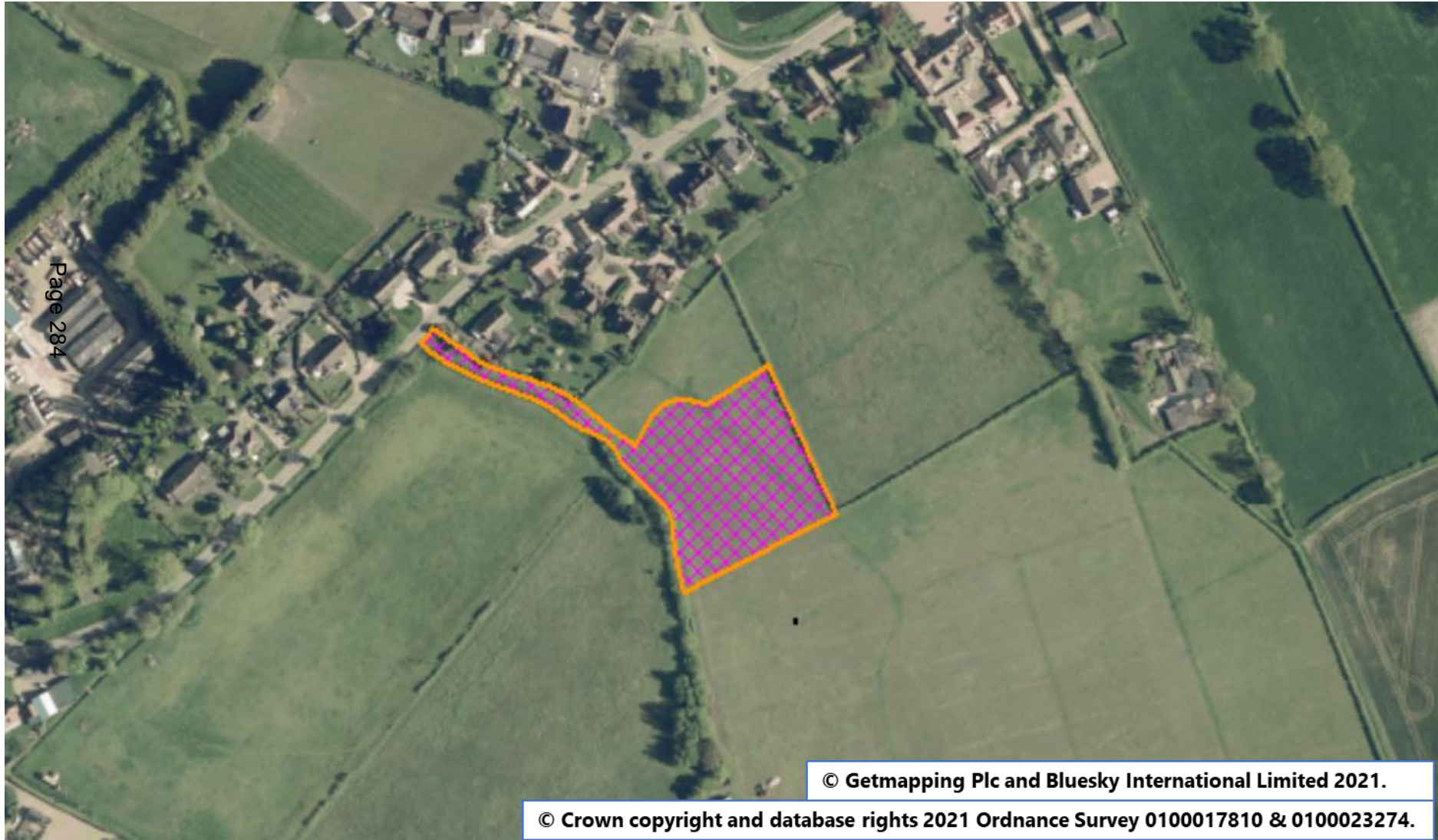
**Application No: DC/21/00248
and DC/21/01188**

**Address: Land on the South
East Side of The Street,
Bacton**



Aerial Map

Slide 2



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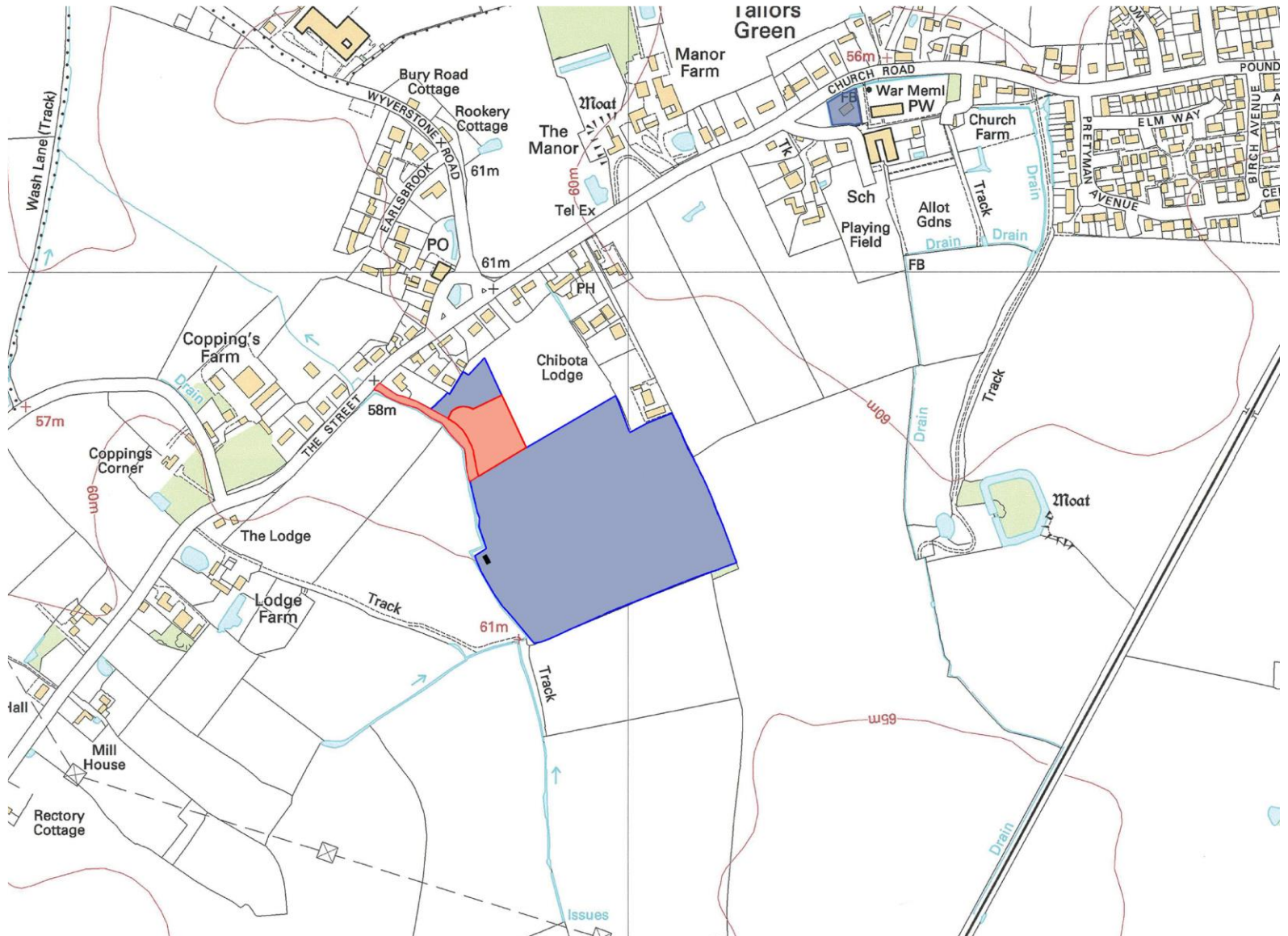
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Aerial Map – wider view

Slide 3



Site Location Plan



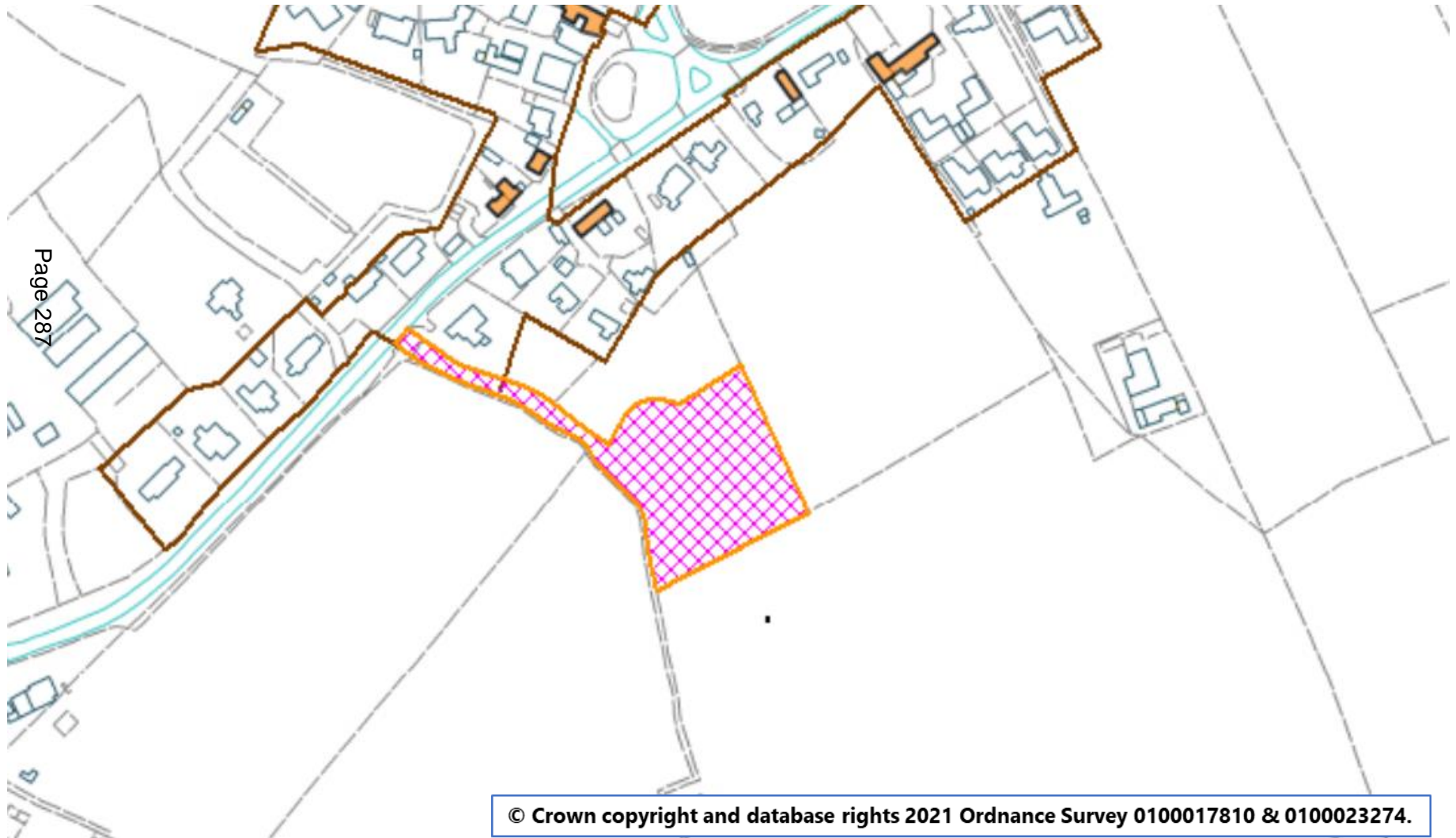
Constraints Map

Slide 5

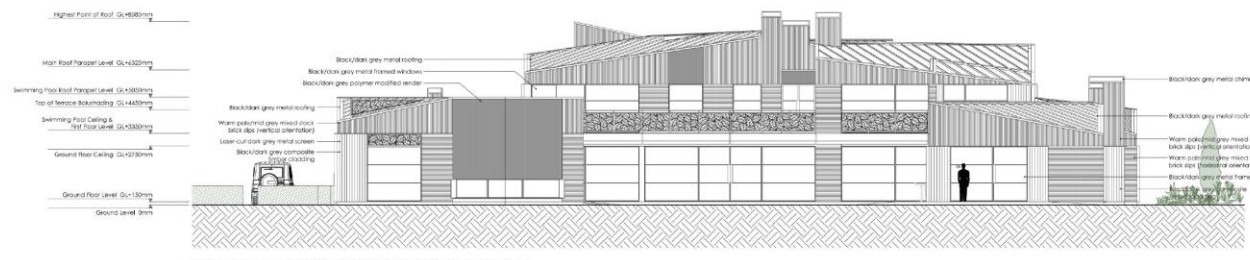
 Built Up Area Boundaries

Listed Buildings

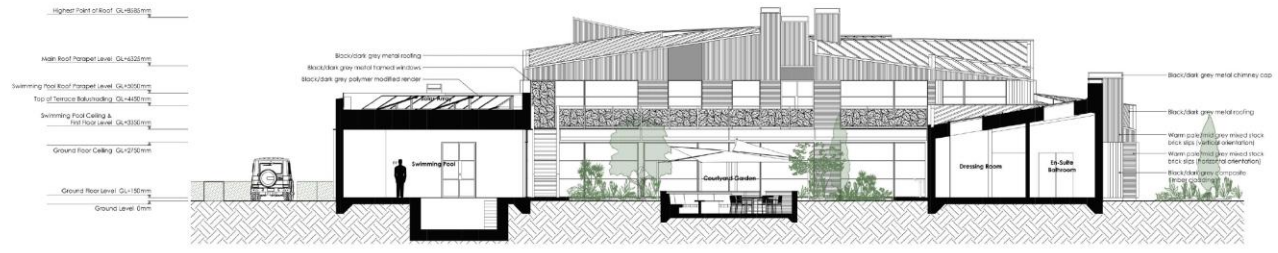
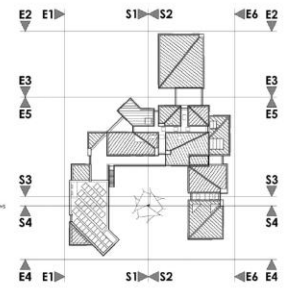
 Grade II



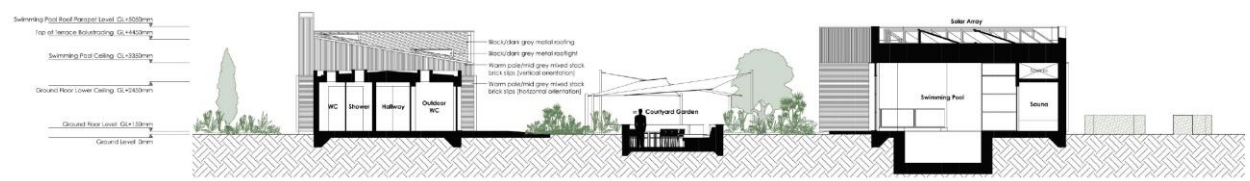
Proposed Elevations and Sections - 1



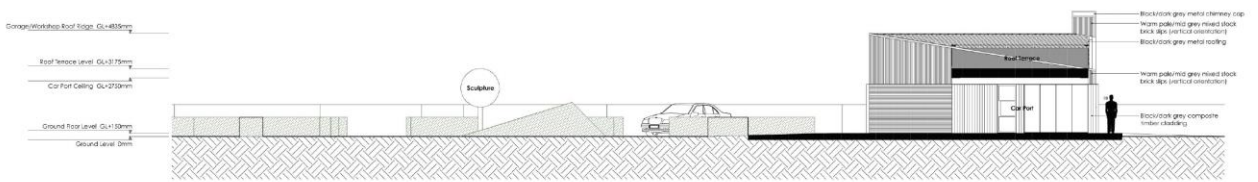
ELEVATION E4 (South-East) Omitting Courtyard Planting & Structures
AS PROPOSED



SECTION S4
AS PROPOSED

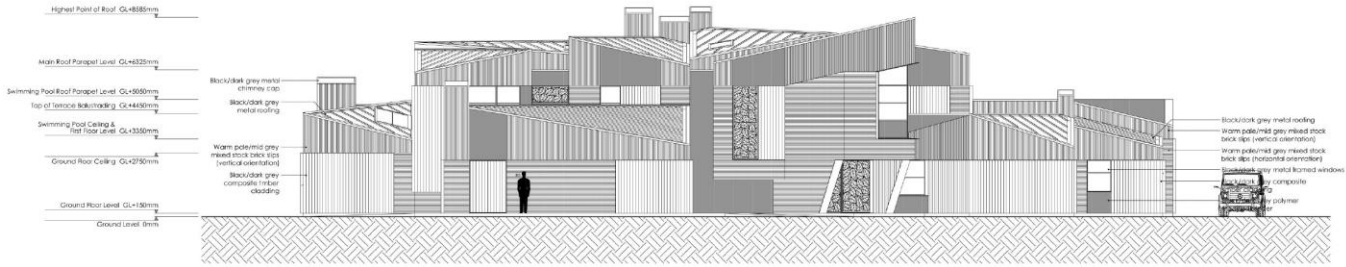


SECTION S3
AS PROPOSED

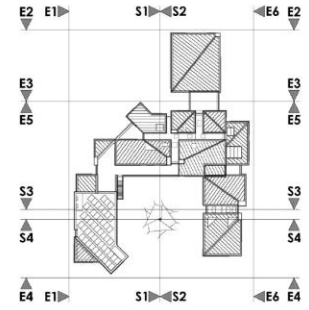


SECTIONAL ELEVATION E5 (North-West)
AS PROPOSED

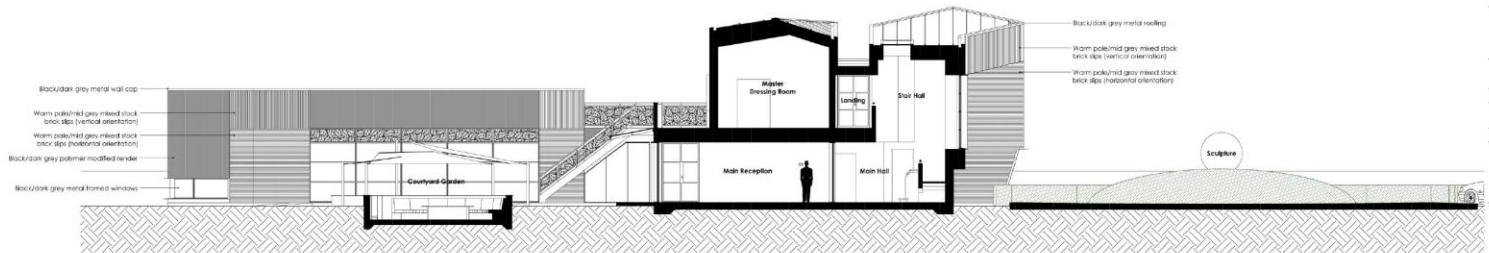
Proposed Elevations and Sections - 2



ELEVATION E2 (North-West)
AS PROPOSED - OMITTING HEDGES & PLANTING



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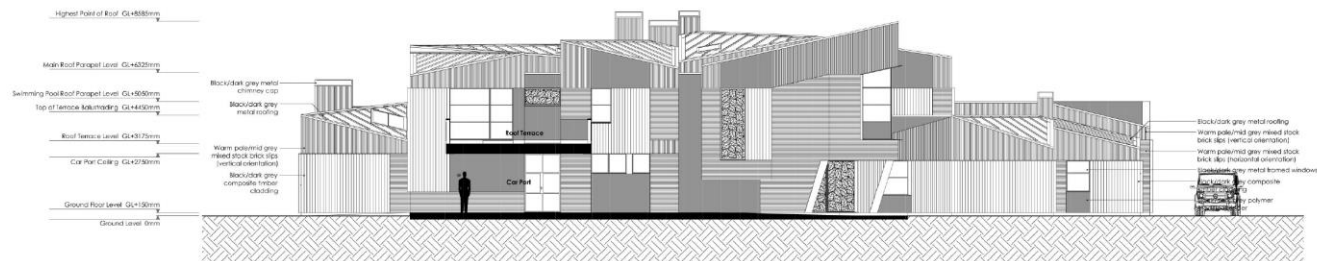


SECTION S2
AS PROPOSED - OMITTING COURTYARD PLANTING

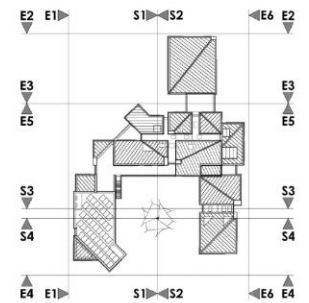


ELEVATION E1
AS PROPOSED

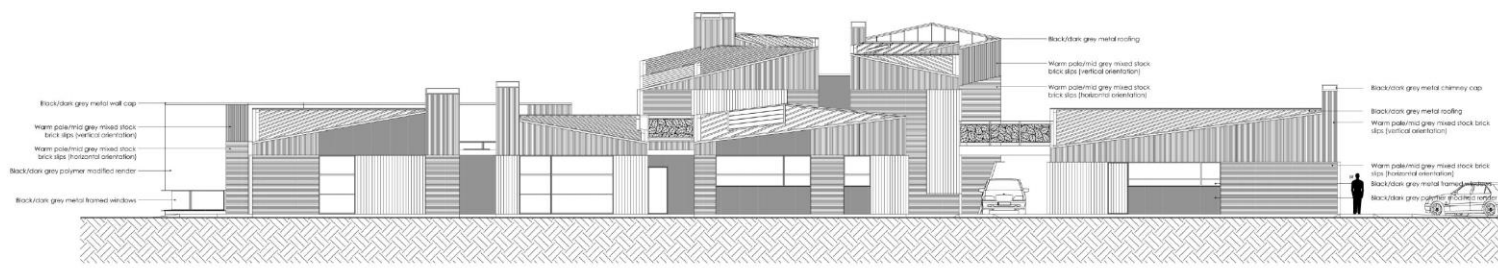
Proposed Elevations and Sections - 3



SECTIONAL ELEVATION E3 (North-West)
AS PROPOSED - OMITTING HEDGES & PLANTING

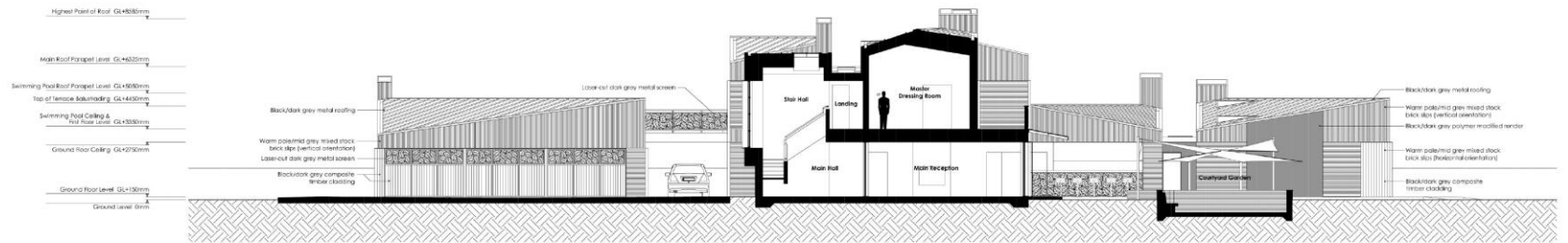


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- GL+8880mm Highest Point of Roof
- GL+4620mm Main Roof Parapet Level
- GL+5000mm Swimming Pool Roof Parapet Level
- GL+4420mm Top of Terrace Balustrading
- GL+3720mm Swimming Pool Ceiling & First Floor Level
- GL+2700mm Ground Floor Ceiling
- GL+1300mm Ground Floor Level

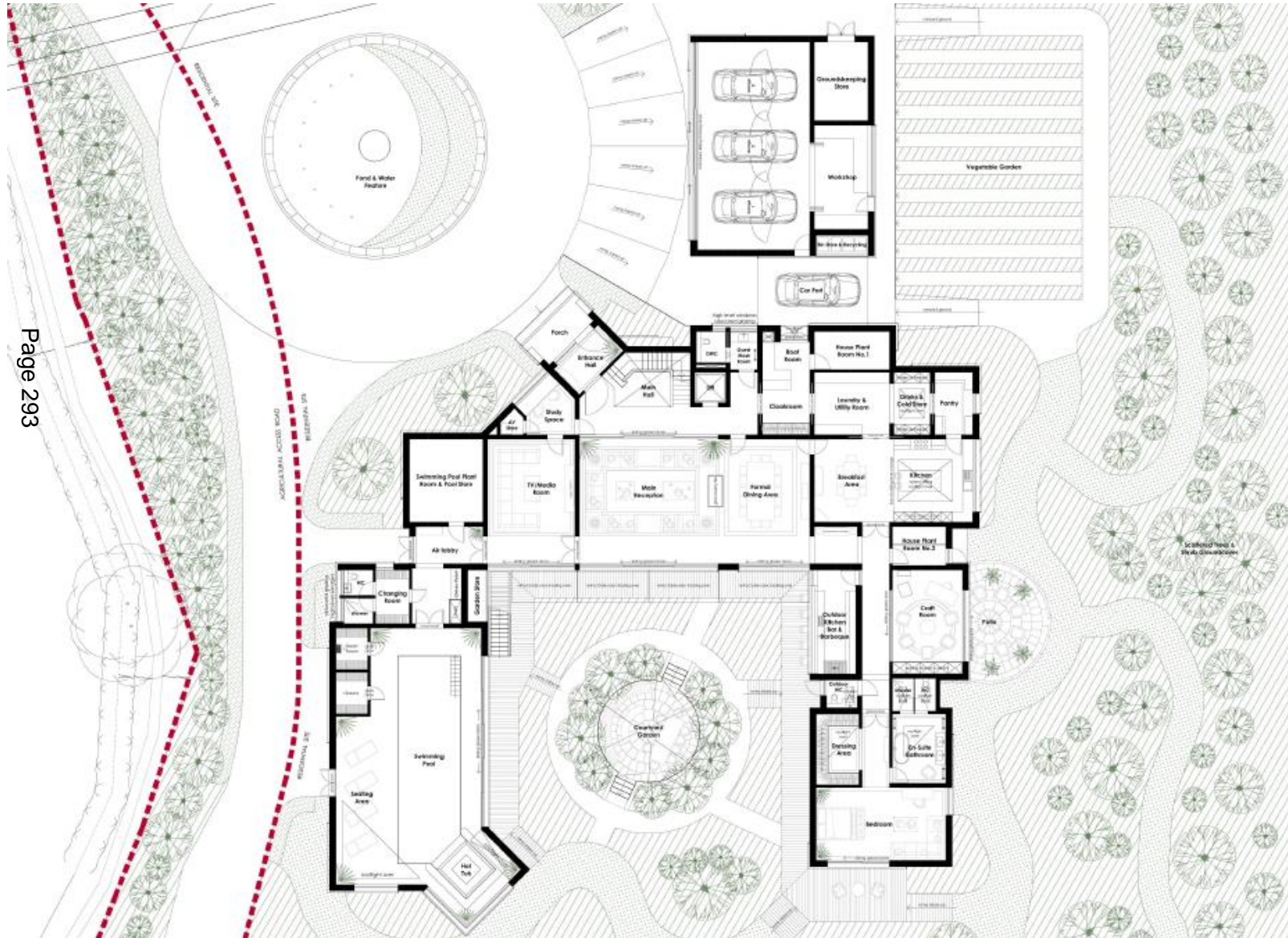
ELEVATION E6 (North-East)
AS PROPOSED - OMITTING HEDGES & PLANTING



SECTION S1
AS PROPOSED - OMITTING COURTYARD PLANTING

Proposed Ground Floor Plan

Slide 11



- KEY TO HATCHING AREAS**
-  Grass area
 -  Area planted with shrubs and other low to mid height plants
 -  Tree planting, such as trees
 -  Hedging
 -  Walkover meadow

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1000
 11/10/2017
 180917-P-Pr-GF
 180917-P-Pr-GF
 180917-P-Pr-GF

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BIRDS EYE VIEW - LOOKING TO THE EAST FROM ABOVE THE STREET & PUBLIC HIGHWAY

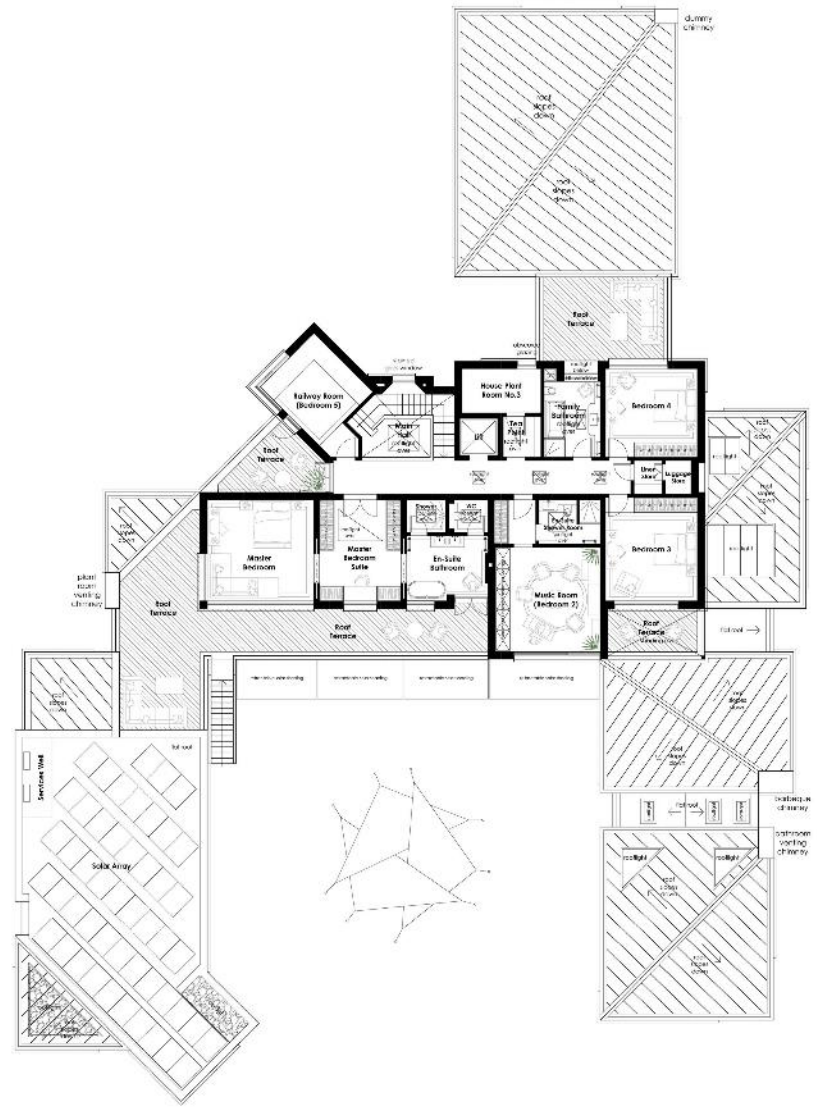


In the foreground the wildflower meadow and nature preserve area dominates the view and provides a valuable refuge for wildlife and a green corridor for wildlife to pass through the area. The nature area also provides a substantial buffer zone between the proposed and existing dwellings, which is essential for successful landscaping design for larger dwellings.

CORRECTED PERSPECTIVE CAMERA VIEW - EAST SIDE LOOKING TO THE SOUTH-EAST



This view along the east side of the building demonstrates the enclosure effect created by the planning strategy. The planning is not just intended to screen the house from view, much of the house is single storey so is barely visible beyond the site anyway. The amenity space quality and experience is enhanced by refracting and framing the views in a deliberate manner.



BIRDS EYE VIEW - LOOKING TO THE WEST TOWARDS THE STREET & PUBLIC HIGHWAY

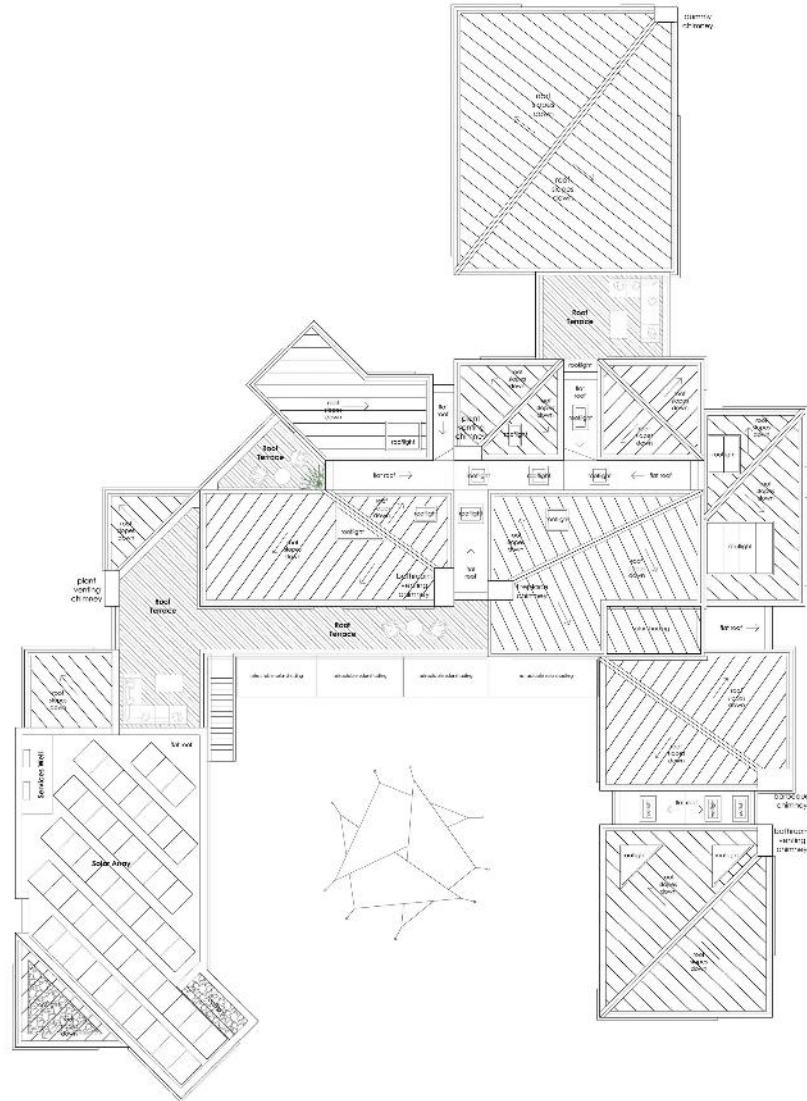


The partial enclosure of the house formed by the landscaping can be appreciated from this view and many of the terraces, created to provide opportunities to enjoy the landscaping and the views beyond, can be understood. The central courtyard creates a sense of privacy and restricts views to provide a greater variety of views so each area has a unique aspect.

CORRECTED PERSPECTIVE CAMERA VIEW - LOOKING TO THE HOUSE'S FRONT ENTRANCE



From this view of the front of the proposed dwelling you can appreciate the low profile of the building and how readily its varied form merges with the landscaping and gives the impression of a collection of smaller buildings grouped together. The track to the agricultural land, as well as being functional, creates a sense of progression of the view and land beyond.



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Agenda Item 8b

Committee Report

Item 8B

Reference: DC/21/01188

Case Officer: Daniel Cameron

Ward: Bacton.

Ward Member/s: Cllr Andrew Mellen.

RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS

Description of Development

Planning Application. Erection of 1 no dwelling and associated ancillary accommodation. Change of use of land from agricultural to residential use.

Location

Land on the South East Side of, The Street, Bacton, Suffolk

Expiry Date: 02/04/2021

Application Type: FUL - Full Planning Application

Development Type: Minor Dwellings

Applicant: Mr M MacAusland

Agent: MacAusland Design Ltd

Parish: Bacton

Site Area: 0.48ha

Density of Development: 2 dwellings per hectare

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

This item was called into Planning Committee by Councillor Mellen for the following reasons:

Previous applications for the same site (including DC/19/02745) have been rejected by officers and at appeal, and the current application reflects a version of the previous proposal, now moved closer to existing properties.

Delivery of homes (NPPF 59): Since this last appeal decision Bacton has had a number of large development sites which have received outline or full planning permission, including two “windfall” sites DC/17/05423 81 homes (allowed at appeal) and DC/18/05514 85 homes. The cumulative total of permissions in Bacton and not yet built now exceeds 400 homes. Given that the Joint Local Plan is now at Reg 19 submission stage it must have some weight in consideration of further sites outside the proposed settlement boundary such as this one.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

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
CS01 - Settlement Hierarchy
CS02 - Development in the Countryside & Countryside Villages
CS05 - Mid Suffolk's Environment
GP01 - Design and layout of development
CL08 - Protecting wildlife habitats
H16 - Protecting existing residential amenity
T09 - Parking Standards
T10 - Highway Considerations in Development
HB01 - Protection of historic buildings
CL08 - Protecting wildlife habitats
CL12 - The effects of severance upon existing farms
H07 - Restricting housing development unrelated to needs of countryside

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)

Bacton Parish Clerk

Objection, raising concerns over:

- Highway safety;
- Concur with SCC Floods and Water, adding that the road adjacent to site is already affected by surface water flooding;
- Consider the design may be innovative, not exceptional, it's close proximity to existing dwellings is inappropriate.

National Consultee (Appendix 4)

Natural England

No comments.

County Council Responses (Appendix 5)

SCC - Archaeological Service

Site possesses high potential for the discovery of below-ground assets of archaeological importance. There are no grounds for refusal, however conditions to ensure that no heritage asset is destroyed are recommended.

SCC - Flood & Water Management

Holding objection as the site is located in an area predicted to be at risk of flooding, therefore a site-specific flood risk assessment is required.

SCC - Fire & Rescue

Access to buildings for fire appliances and firefighters must meet Building Regulations requirements. The nearest fire hydrant is over 340m from the proposed site, therefore consideration should be given to the provision of an automatic fire sprinkler system.

SCC - Highways

Visibility splays should be submitted to demonstrate safe and suitable access. This should be provided prior to the grant of any permission.

Internal Consultee Responses (Appendix 6)

Infrastructure Team

Site lies within the high value zone for MSDC CIL Charging.

Heritage Team

No objection, no conditions requested.

Environmental Health - Land Contamination

No objection. Request that the LPA are contacted in the event of unexpected ground conditions being encountered during construction.

Strategic Housing

No further comments. Site area of 0.49 hectare is not subject to affordable housing requirements.

B: Representations

At the time of writing this report at least 14 letters/emails/online comments have been received. It is the officer opinion that this represents 13 objections and 1 in support. A verbal update shall be provided as necessary.

Views are summarised below, raising concerns over:-

- Detrimental to the local character
- Landscaping impact
- Lack of engagement with paragraph 79 of the NPPF, whether the site is truly isolated and innovative.
- Loss of agricultural land
- Residential amenity
- Flooding risk
- Outside the village settlement boundary
- Design of proposed dwelling

- No significant gain in ecology and biodiversity – left to the current use, the land would support local wildlife
- Highway safety
- Harm to setting of listed buildings and character
- Sustainable development

The comment of support is summarised below:-

- Planting of trees and hedges screens the dwelling and aids future drainage
- Appropriate dwelling for the site
- Precedent set with the approval for five houses on 'The Street'

(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/19/02745	Planning Application - Erection of 1no. dwelling and use of land as residential	DECISION: REF 11.09.2019
REF: 1606/16	Erection of 5 bedroom dwelling, change from agricultural to residential use	DECISION: REF 30.06.2016
REF: 0619/13	Construction of a seven bedroom family house, garaging and potting shed with associated grounds including garden and a working estate of livestock and agriculture activities, with alteration of vehicular access and retention of existing agricultural storage building	DECISION: REF 17/07.2013

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1 The application site is a roughly rectangular parcel of land that forms part of a wider landholding within the control of the applicant. Access is taken adjacent to 'Nutwood', the last property located on the south side of The Street. The wider site wraps around the rear gardens of several properties to the east and adjoins paddocks to the northeast and agricultural land to the southwest.
- 1.2 The application site is located outside of the defined settlement boundary of Bacton and would continue to be read outside of the settlement boundary of the purposes of the emergent Joint Local Plan, although it is adjacent to it. Attention is drawn to the outline planning permission given under reference DC/17/04991, located to the immediate west of the site access which granted planning permission for five self-build dwellings and has since achieved approval of reserved matters.
- 1.3 The site is relatively unconstrained. The site is not part of any special landscape designation and no Tree Preservation Orders are noted on the site. No listed buildings are within the site or close to it and the site is not within a conservation area. The site is noted as lying within Flood Zone 1.

- 1.4 The site has an extensive planning history. In 2013 application 0619/13 was refused. It sought planning permission for the erection of a large family home on the site. It was considered that the application lay outside the settlement boundary of Bacton and that design and appearance of the proposed dwelling would not satisfy the requirements of Paragraph 55 as the design was not considered to be architecturally outstanding or innovative.
- 1.5 Application 1606/16 was received in 2016 and was again refused planning permission. Harm was found to stem from conflict with Paragraph 55 of the NPPF in that the design was not considered to be architecturally outstanding or innovative. The location of the property was considered to be dominant within the landscape and the application was not able to demonstrate that impacts on protected species had been clearly considered. An appeal was brought against the decision of the Council which was dismissed by the Planning Inspectorate. They found that the special circumstances to allow a dwelling in the countryside had not been met. The application was also found to be detrimental to the character and appearance of the area and would be potentially harmful to biodiversity.
- 1.6 Pre-application advice was provided in 2016, 2018 and 2019. They focussed on the design of the building and its footprint and were generally supportive of development on the site and led to a further application in 2019.
- 1.7 Application DC/19/02745 was refused on the grounds that the building was an unsustainable location for development within the countryside and given the likely dependence of future residents on private vehicle trips in order to meet their day-to-day needs. The subsequent appeal was dismissed with the Planning Inspectorate noting that the site would not amount to sustainable development under the requirements of the NPPF.

2. The Proposal

- 2.1 This application follows on from the 2019 appeal on the site and is submitted in tandem with application DC/21/00248. They deal with the same site and offer the same design solution in seeking to create a contemporary interpretation of a traditional country house set within a small estate which provides biodiversity enhancement. This application seeks consideration under paragraph 79 of the NPPF such that the architectural merits of the case are paramount.
- 2.2 It proposes a six bedroomed dwelling set around a courtyard garden. The façade of the building wraps around this feature and is made up of irregular shapes. The building is two-storey in height; however, the first-floor element is restricted to create a lower lying mass within the landscape.
- 2.3 The dwelling is proposed to be built to lifetime homes standards, with wider corridors and doors fitted with level access provided to all ground floor rooms with level or gently sloping ramped access to the building. Insulation on the building is proposed to be comparable to Passive-Haus standard, with the heating of the property to come from a ground source heat pump. An internal heat exchanger system would regulate the temperature of the building. Photovoltaic panels and solar thermal panels are proposed to the roofscape as is a system of rainwater harvesting to serve the proposed garden.
- 2.4 The rest of the site could be interpreted as a parkland setting; however, in contrast to the traditional parkland associated with a traditional country house, this area is heavily treed. This is proposed to act as screening for the proposed dwelling in views across the landscape.
- 2.5 The property is proposed to be served by an outbuilding which would provide three parking spaces as well as a carport and three separate parking spaces, giving a total of seven parking spaces for

the proposed dwelling which would also benefit from a large driveway. The delivery of parking within the site meets with, and exceeds, the requirements of the Council's adopted parking standards, providing double the amount of parking spaces required.

- 2.6 Given the size of the site and the fact that only one dwelling would be provided on site, the density of the development provides two dwellings per hectare.
- 2.7 The surrounding land would provide a very generous garden area for the future occupiers of the site. While additional land around the site falls within their ownership, this is excluded from this application such that only the land within the red line site plan would change to a residential use. A further planning application for change of use would be required should any of the other land within the applicant's ownership be required to serve as garden land.
- 2.8 The proposed dwelling is located a good distance away from the nearest neighbouring properties. A nature reserve consisting of a wildflower meadow with interspersed tree planting is proposed to lie between the proposed property and the neighbouring properties.
- 2.9 Materials are proposed to be black and dark grey with composite timber cladding and render with some brick slip cladding noted as well. The roof is proposed as a black or dark grey metal.
- 2.10 The total site area is noted as 0.48ha. The total gross internal area of the building is noted as 986.4m².

3. The Principle of Development

- 3.1 The starting point for any planning decision is the development plan, as identified in Section 38(6) of the Planning and Compulsory Purchase Act 2004. Determination of any application must be made in accordance with the plan unless material considerations indicate otherwise. A key material consideration regarding the principle of development is the National Planning Policy Framework (NPPF) 2019.
- 3.2 For the purposes of the application at hand, the following documents are considered to form the adopted Development Plan:
 - Mid Suffolk Core Strategy Focussed Review (2012)
 - Mid Suffolk Core Strategy (2008)
 - Mid Suffolk Local Plan (1998)
- 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. It states that:

"existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."
- 3.4 Policy CS1 of the Core Strategy 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. The countryside is identified as the areas outside of those categories of settlement referred to above.

- 3.5 Policy CS2 of the Core Strategy restricts development in the countryside to defined categories. This list of allowable development explicitly excludes the creation of market housing such that the proposed development does not fall within any of the listed categories. Saved policy H7 of the Local Plan repeats the strict control put onto development in the countryside set out in CS1 and CS2.
- 3.6 The site is located outside of the settlement boundary of Bacton. Therefore, it is considered to be contrary to the provisions of Core Strategy CS1 which would direct development towards Towns and Key Service Centres. In the immediate context of this application, this would mean Bacton which is a Key Service Centre. Policy CS2 flows from CS1 and restricts development to particular types of development within countryside locations, as does H7. This application would not accord with the criteria set out in CS1, CS2 or H7 and is contrary to these policies.
- 3.7 The exceptional circumstances test at Policy CS2 applies to all land outside the settlement boundary, as does saved Policy H7. This blanket approach is not consistent 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 with regards to this policy has been shown within court judgements to relate to the remoteness of a site from a settlement. The site footprint of the dwelling is the same as that considered under reference DC/21/00248 such that it is not considered that reaching a different conclusion in this regard would be reasonable. Given the functional and physical proximity of the application site to the Key Service Centre of Bacton, with similar considerations noted the recent appeal, the development is not considered to be isolated and paragraph 79 of the NPPF is not engaged.
- 3.8 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. It is noted that this is the same conclusion reached by the Planning Inspectorate within the latest appeal decision on the site which notes at paragraph 20 that policies CS1, CS2 and H7 are considered to be out of date and that the material weight attached to this consideration is lessened.
- 3.9 The presumption in favour of sustainable development and the need for a balanced approach to decision making are key threads to Policy FC01 and FC01_1 of the Core Strategy and are also the most recent elements of the Mid Suffolk development plan, adopted in 2012. Policy FC01_1 however is not considered up to date as it does not allow for the weighing of public benefits against heritage harm, a key tenet of the NPPF.
- 3.10 Given that the policies most important for the determination of this application are not in keeping with the NPPF, they must be considered to attract a lesser material weight in the considerations of planning applications. Therefore, the tilted balance is engaged. This mirrors the conclusion of the Planning Inspectorate in the most recent appeal on the site and is detailed in paragraph 21 of the appeal.
- 3.11 Therefore, it cannot be shown that the policies of the Council carry sufficient weight to be determinative to this application. 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.

- 3.12 *Economic Dimension* – The provision of one dwelling would give rise to some job creation within the construction sector during development while some additional support would be directed towards local businesses within the village of Bacton. The number of dwellings provided within scheme is nominal such that the scale of these benefits would also be limited.
- 3.13 *Social Dimension* – The development would contribute towards the Council's housing land supply position. While a five-year housing land supply can be demonstrated, this cannot be read as a cap on development, particularly where it can be shown to be located in a sustainable location. Considerations with regards to paragraphs 59 and 68 of the NPPF note the contribution that small sites can make to housing supply and could be built out relatively quickly. Again, the scale of the scheme is such that the benefits in this regard would also be limited.
- 3.14 *Environmental Dimension* – The previous appeal on the site noted that the length of the access to the proposed dwelling would oblige the future occupants to walk or cycle some distance towards the street frontage. It was also noted that The Street was without lighting or footways such that walking or cycling to the facilities within Bacton is not considered to be particularly likely to occur. This application reduces the length of the access such that this harm is reduced. The scheme also involves the creation of a significant area of nature reserve along with significant tree planting.
- 3.15 While the site would continue to be read outside of the settlement boundary for Bacton within the emergent Joint Local Plan. At the time of writing, the material weight that can be attached to the provisions of the emergent Plan is limited. While additional weight will accrue to the Plan as it continues to move towards adoption this is dependent on the findings of examination which has yet to begin.

4. Nearby Services and Connections Assessment of Proposal

- 4.1 Bacton is well served by a range of local services and facilities, as expected for a settlement designated as a Key Service Centre. The village facilities include a village hall and primary school as well as public house, shop and post office and a petrol station.
- 4.2 Bus services are available from the village shop along the 320 and 387 routes. Route 320 only operates on Wednesdays and only operates two daytime services between Eye and Bury St. Edmunds. Route 387 operates between Gislingham and Stowmarket and only operates multiple services on Thursdays although the service would allow a return workday connection to Stowmarket Railway Station.

5. Site Access, Parking and Highway Safety Considerations

- 5.1 Policy T10 of the Local Plan requires the Local Planning Authority to consider a number of highway matters when determining planning applications, including the provision of safe access, the safe and free flow of traffic and pedestrian safety, safe capacity of the road network and the provision of adequate parking and turning for vehicles. Policy T10 is a general transport policy which is generally consistent with Section 9 of the NPPF on promoting sustainable transport, and therefore is afforded considerable weight.

- 5.2 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.
- 5.3 The Highway Authority have objected to this application, as they did in 2019. This is not consistent with the planning history of the site as no previous objections from the Highway Authority to the application are noted and there are no apparent changes in underlying policy or guidance since the previous application came forward on the site.
- 5.4 Concerns with regards to the use of the existing track access to the site are noted, however, the application would secure the improvement of the access such that it would no longer be a simple dirt track that would become boggy during wet weather. Measures to prevent discharge of water from the access to the highway would be implemented such that run-off water from this access would not contribute towards issues of standing water in the highway. Concern regarding visibility splays is also noted, however, the access is currently utilised for access to the land so is already in use and provision of visibility splays could be secured to highway standards prior to any development occurring on site.

6. Design and Layout [Impact On Street Scene]

- 6.1 Chapter 12 of the NPPF seeks to achieve well-designed places which function well and add to the quality of places by responding to local character but without stifling innovation and change. In particular paragraph 127 of the NPPF requires planning decisions ensure that development:
- 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 surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change;
 - d) Establish or maintain a strong sense of place, using the arrangement of street, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
 - e) Optimises 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 or crime, do not undermine the quality of life or community cohesion and resilience.
- 6.2 With regard to the adopted Development Plan Local Plan policy GP1 states that proposals should maintain or enhance the character and appearance of their surroundings.
- 6.3 The design ethos of the application is to provide a modern and contemporary interpretation of the country house, utilising some of the traditional features of such a dwelling such as the tree lined approach and parkland setting, adapting and subverting these to reflect the overall modern design approach.
- 6.4 Comparison is made to the existing housing stock within Bacton, with much of it dating from the 1960's and 1970's exhibiting the simple form and material choices that are associated with those

buildings – typically red brick and slate or pantiles. Read in that overall context, the design presented is clearly an alternative to the predominant existing built form within Bacton, however, the architectural approach is not considered to be harmful and would provide an interesting counterpoint to the rest of the area and in particular responds well to the need to consider the needs of the development and its occupiers over its lifetime.

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

- 7.1 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.
- 7.2 Paragraph 170 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.
- 7.3 As noted above, the site is not affected by any special landscape designations and the site is currently an open field which is experienced against a backdrop of the wider countryside. Landscape amenity comes from the openness of the area along with the natural hedge and tree planting within.
- 7.4 The application proposed the planting of the site to define its edges and is considered to create a large amount of potential habitat to improve the biodiversity offer of the site. A range of ecological reports, walkovers and survey information have been provided with the application and note a number of species having potential habitat within the site. It is not considered that the site would give rise to an unacceptable impact in this regard provided conditions were used to secure mitigation and enhancement measures within the site.

8. Land Contamination, Flood Risk, Drainage and Waste

- 8.1 Land contamination has been assessed within the application and considered to not pose a risk to the health of future occupiers of the site. Should unexpected contamination be discovered on the site Building Regulations requires this be dealt with and remediated prior to the occupation of any building. Normal practice would include the Council's Environmental Health team in this process.
- 8.2 The site is located within Flood Zone 1, at the lowest risk of flooding and is below the area threshold which would require the submission of a flood risk assessment. Comments from the Lead Local Flood Authority note that the area is predicted to be at risk of flooding, however, no further information is offered in this regard and the Environment Agency's flood mapping does not indicate this. No such objection from the Lead Local Flood Authority was noted on the 2019 application such that it is not considered to be reasonable to require it here.
- 8.3 The scope of the proposed development requires that surface water drainage be implemented within the scheme in accordance with the requirements of Building Regulations. Information submitted within the application documents note that a combination of SuDS, soakaways, ponds and drainage ditches would be utilised. None of these are noted as being contrary to the requirements of Building Regulations. Rainwater harvesting is also noted such that much of the surface water run off from the building would be stored and re-used within the site at appropriate times.

- 8.4 Treatment of foul water is noted as currently being unknown at the time of application. Connection to the public sewer may be possible, however, would be subject to agreement with Anglian Water and likely would involve the creation of a connection to the system, which may be cost prohibitive for the applicants. A more likely solution would be for a package treatment plant to be provided on site and would be acceptable under Building Regulations. It is not considered that the treatment of foul water needs to be fully known at this point, especially as Building Regulations would be in place to require the provision of an acceptable solution prior to the occupation of the proposed dwelling.

9. Heritage Issues

- 9.1 A number of Grade II listed buildings are noted within Bacton although none are particularly closely tied to the application site. While the site may form part of the surrounding countryside in which these buildings are experienced, however, the distances involved between the application site and the listed buildings as well as the fact that the application site does not predominate in views from these properties leads to a conclusion that the proposed development is not likely to lead to harm to the setting of heritage assets. This view is borne out within the comments submitted by the Council's Heritage Team.
- 9.2 The site lies within an area of high archaeological potential. Comments from Suffolk County Council's Archaeological Service note that conditions would be sufficient to secure the investigation and recording and conditions are suggested in this regard.

10. Impact on Residential Amenity

- 10.1 The positioning of the dwelling means that views of neighbouring properties would be over distance with intervening landscaping present to further soften the impacts of the proposed development. No windows in a position are noted in an elevated position facing towards neighbouring properties such that overlooking views may be taken. While the position of the proposed dwelling relative to its neighbours places it to the south, such that issues around loss of light or overshadowing may occur, it is considered that the intervening distances involved to either eliminate or reduce these impacts to minimal levels.

11. CIL

- 11.1 The application site would not trigger requirements for affordable housing and no other planning obligations are noted that would require the need for a Section 106 Agreement to accompany this application. The application would be subject to CIL and it is noted that it would fall within the higher CIL charge area which sets a rate of £115m².

12. Parish Council Comments

- 12.1 The comments provided by the Parish Council are noted and addressed within the relevant sections of this report.

PART FOUR – CONCLUSION

13. Planning Balance and Conclusion

- 13.1 The application site is located outside of the established settlement boundary of Bacton, falling within the countryside as per the direction of Core Strategy policy CS1. As such, CS2 is applicable. This policy restricts the development of market housing in countryside locations as does Saved Local Plan policy H7. The application is not held to comply with the adopted Development Plan.
- 13.2 However, the policies most important for determining the application; CS1, CS2, H7 and FC1.1, are out-of-date when compared to the provisions of the NPPF. The weight to be attributed to them is therefore reduced in accordance with the direction of paragraph 213 of the NPPF. Irrespective of Council's five-year housing supply position, the default 'tilted balance' position identified in paragraph 11(d) of the NPPF is engaged.
- 13.3 It is acknowledged that Bacton has been the subject of significant developer interest with many residential developments of scale approved in recent years. It is also acknowledged that the site is not part of the proposed site allocations of the emerging Joint Local Plan. This however should not preclude consideration of schemes that can deliver sustainable development and boost housing supply in the short term, particularly in locations such as Key Service Centres, or close to them, where the expectation is to deliver housing growth. While it is noted that the Council can demonstrate a five-year housing land supply, this cannot be read as a cap on sustainable development.
- 13.4 The submission of the scheme notes that it seeks a determination under the provisions of paragraph 79 of the NPPF such that development within the countryside be allowed subject to the considerations given within the policy. Specifically, considerations around the architectural merits of the scheme. Given the footprint of the scheme is the same as that considered under DC/21/00248 where the provisions of paragraph 79 did not apply, it cannot be held that the same site be considered in a different manner within this application. That being said, the consideration of the scheme is undertaken
- 13.5 The scheme would bring benefits in terms of the economic and social stands of sustainability and would bring environmental benefits in terms of the sustainable technologies built into the scheme as well as the potential landscaping and planting proposed. The scheme would also position the proposed dwelling closer to The Street than the scheme that was previously considered in 2019. This reduces the distance that future occupiers would have to travel to reach the facilities within Bacton. This being said, future occupiers would still need to traverse a section of The Street without made footways or lighting in order to do so and may lead to a dependence on the use of private motor vehicles in order to meet their daily needs.
- 13.6 In terms of harm, the development site is contrary to the adopted Development Plan. While the material weight applied to these considerations is lessened following the requirements of paragraph 213 of the NPPF, a degree of harm through non-compliance with the provisions of the adopted Development Plan still exists.
- 13.7 It is considered that the planning balance of the scheme is finely tuned. Previous findings of harm associated with the location of the dwelling within the site has been reduced and the benefits of the scheme would remain. The conflict with the adopted policies of the Council is noted however, is not considered to be determinative in this case. The recommendation of Officers is therefore to approve the application subject to the imposition of conditions as set out below:

RECOMMENDATION

That the Chief Planning Officer be authorised to GRANT planning permission subject to the conditions below and those that may be deemed necessary by the Chief Planning Officer:

- Time limit to commence (three years from date of grant of planning permission).
- Development to accord with approved plans.
- Construction method statement to come forward to detail construction access to site, hours of work, timing of deliveries, contractor and delivery parking, and scheme to prevent mud tracking onto the highway.
- Archaeological investigation of site to be secured and undertaken.
- Report into archaeological discoveries to be submitted.
- Ecology mitigation works to be undertaken during development.
- Biodiversity enhancement plan to be supplied.
- Wildlife sensitive lighting scheme for the site.
- Details of access improvements to be agreed and to include visibility splay details and means to prevent surface water discharge to the highway.
- Details of foul water system to be agreed.
- Landscaping to be implemented as shown within submitted plans.
- Details of landscape maintenance to be submitted and agreed.

And the following informative notes as summarised below along with those deemed necessary:

- Proactive working statement as required by the NPPF.

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Application No: DC/21/01188

Location: Land on the South East Side of, The Street, Bacton, Suffolk

		Page No.
Appendix 1: Call In Request	<i>Councillor Mellen</i>	
Appendix 2: Details of Previous Decision	<i>N/a</i>	
Appendix 3: Town/Parish Council/s	<i>Bacton Parish Council</i>	
Appendix 4: National Consultee Responses	<i>Natural England</i>	
Appendix 5: County Council Responses	<i>Archaeology Flood and Water Management Fire and Rescue Highways</i>	
Appendix 6: Internal Consultee Responses	<i>Infrastructure Heritage Land Contamination Strategic Housing</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>	



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.



Comments for Planning Application DC/21/00248

Application Summary

Application Number: DC/21/00248

Address: Land On The South East Side Of The Street Bacton Suffolk

Proposal: Full Planning Application - Erection of 1no. dwelling and associated ancillary accommodation. Change of use of agricultural land to residential use.

Case Officer: John Pateman-Gee

Customer Details

Name: Mrs Tina Newell

Address: 25 Shakespeare Road, Stowmarket, Suffolk IP14 1TU

Comment Details

Commenter Type: Parish Clerk

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: After much discussion RP proposed to object to this application, seconded by JF and supported by all Cllrs in attendance it was agreed to OBJECT to this application with the following comments:

Paragraph 108 of the NPPF requires visibility splays to demonstrate safe and suitable access; local knowledge suggests visibility splays would be almost impossible to achieve a safe access.

SCCs Flood and water engineer has stated the site is in an area predicted to be at risk of flooding however the applicants planning statement states: 'no part of the land is within an area at risk of flooding'. Local knowledge would agree with the engineer and the flood map confirming this section of the road is always the first to be affected by surface water flooding often leaving the road impassable.

This application refers to criterion E paragraph 79 of the NPPF which states: 'Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply' 'the design is of exceptional quality, in that it: - is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area'. Whilst Cllrs considered it may be of innovative style, not exceptional, it's close proximity to existing dwellings is inappropriate.

Tina Newell

Clerk to Bacton Parish Council

9 March 2021

From: SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>
Sent: 11 February 2021 10:11
To: BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>
Subject: Planning consultation DC/21/00248 Natural England response

Dear John Pateman-Gee

Application ref: DC/21/00248
Our ref: 342954

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

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

Tel: 0207 764 4488
Email: consultations@naturalengland.org.uk
www.gov.uk/natural-england

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

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

Enquiries to: Matthew Baker
Direct Line: 01284 741329
Email: Matthew.Baker@suffolk.gov.uk
Web: <http://www.suffolk.gov.uk>

Our Ref: 2021_01188
Date: 11th March 2021

For the Attention of John Pateman-Gee

Dear Mr Isbell

Planning Application DC/21/01188/FUL Land On The South East Side Of The Street Bacton: Archaeology

This site lies in an area of archaeological potential recorded on the County Historic Environment Record, in close proximity a dense scatter of Roman metalwork and pottery (BAC 027) indicating a high status settlement nearby. As a result, there is high potential for the discovery of below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.

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

In this case the following two conditions would be appropriate:

1. No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording
- b. The programme for post investigation assessment

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

2. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 1 and the provision made for analysis, publication and dissemination of results and archive deposition.

REASON:

To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Core Strategy Objective SO 4 of Mid Suffolk District Council Core Strategy Development Plan Document (2008) and the National Planning Policy Framework (2019).

INFORMATIVE:

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

I would be pleased to offer guidance on the archaeological work required and, in our role as advisor to Mid Suffolk District Council, the SCC Archaeological Service will, on request of the applicant, provide a specification for the archaeological 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,

Matthew Baker

Archaeological Officer
Suffolk County Council Archaeological Service

From: GHI Floods Planning <floods.planning@suffolk.gov.uk>
Sent: 15 February 2021 09:43
To: BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>
Cc: John Pateman-Gee <John.pateman-Gee@babberghmidsuffolk.gov.uk>
Subject: 2021-02-15 JS Reply Land On The South East Side Of, The Street, Bacton Ref DC/21/00248

Dear John Pateman-Gee,

Subject: Land On The South East Side Of, The Street, Bacton Ref DC/21/00248

Suffolk County Council, as Lead Local Flood Authority (LLFA), have reviewed application ref DC/21/00248

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

- Location Plan Ref 190917-P-Ex-LP rev A

A holding objection is necessary because the site is located in a area predicted to be at risk of flooding, therefore a site specific flood risk assessment is required to be submitted. National Planning Policy Para 155. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere

The holding objection is a temporary position to allow reasonable time for the applicant and the LLFA to discuss what additional information is required in order to overcome the objection(s). This Holding Objection will remain the LLFA's formal position until the local planning authority (LPA) is advised to the contrary. If the LLFA position remains as a Holding Objection at the point the LPA wishes to determine the application, the LPA should treat the Holding Objection as a Formal Objection and recommendation for Refusal to the proposed development. The LPA should provide at least 2 weeks prior notice of the publication of the committee report so that the LLFA can review matters and provide suggested planning conditions, even if the LLFA position is a Formal Objection.

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

1. Submit a site specific flood risk assessment and demonstrate how the proposed development will remain safe for its lifetime and will not increase flood risk elsewhere.
 - a. <https://www.gov.uk/guidance/flood-risk-assessment-for-planning-applications>

Kind Regards

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

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/F311060
Enquiries to: Water Officer
Direct Line: 01473 260588
E-mail: Fire.BusinessSupport@suffolk.gov.uk

Web Address: <http://www.suffolk.gov.uk>

Date: 12/02/2021

Dear Sirs

Land on the South East side of The Street, Bacton IP14 4LF
Planning Application No: DC/21/00248/FUL

I refer to the above application.

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

Access and Fire Fighting Facilities

Access to buildings for fire appliances and firefighters must meet with the requirements specified in Building Regulations Approved Document B, (Fire Safety), 2019 Edition, 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.

Water Supplies

Suffolk Fire and Rescue Service records show that the nearest fire hydrant in this location is over 340m 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

Should you need any further advice or information on access and fire fighting facilities, you are advised to contact your local Building Control or appoint Approved Inspector 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: mike@macausland.london
Enc: Sprinkler information

Your Ref:DC/21/01188
Our Ref: SCC/CON/1028/21
Date: 25 March 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: John Pateman-Gee

Dear John,

TOWN AND COUNTRY PLANNING ACT 1990

CONSULTATION RETURN: DC/21/01188

PROPOSAL: Erection of 1no dwelling and associated ancillary accommodation. Change of use of land from agricultural to residential use.

LOCATION: Land On The South East Side Of, The Street, Bacton, Suffolk

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

No information on visibility splays have been provided to demonstrate safe and suitable access (NPPF 108) to facilitate the intensification of use the development would create.

Visibility splays of x=2.4m by y=90m are required in both directions, to the nearside edge of the carriageway, with no obstruction over the height of 0.6m and must not encroach 3rd party land.

Should the aforementioned not be addressed SCC would be forced to raise an objection to DC/21/01188 under highway safety grounds.

Yours sincerely,

Kyle Porter
Development Management Technician
Growth, Highways and Infrastructure

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

From: Infrastructure Team (Babergh Mid Suffolk) <Infrastructure@baberghmidsuffolk.gov.uk>

Sent: 09 February 2021 09:19

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

Cc: Infrastructure Team (Babergh Mid Suffolk) <Infrastructure@baberghmidsuffolk.gov.uk>

Subject: MSDC Planning Consultation Request - DC/21/00248

Good Morning,

Re DC/21/00248

This development site lies within the high value zone for MSDC CIL Charging and would, if granted planning permission, be subject to CIL at a rate of £115m² (subject to indexation). The Developer should ensure they understand their duties in relation to compliance with the CIL Regulations 2010 (as amended). Guidance is available as a pre-application service and via information within the CIL webpages.

Kind Regards,

Richard Kendrew

Infrastructure Officer

Babergh District & Mid Suffolk District Council – Working Together

01449 724563

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

From: Thomas Pinner
Sent: 04 March 2021 10:18
Subject: DC/21/00248 Land on the South East Side of The Street, Bacton

Hi John,

DC/21/00248

I consider that this application would not result in harm to any heritage assets. Beech Tree Cottage (Grade II) is already largely severed from the site by intervening modern development, such that the site makes a very limited contribution to its significance and the proposed dwelling is unlikely to be a concern in terms of dominance over this listed building. The dwelling would fall within the wider setting of Ivy Cottage (Grade II) and The Bull Inn (Grade II), which retain a greater degree of their historic connection to the surrounding rural landscape (particularly Ivy Cottage), which I consider makes some positive contribution to their significance, through the connection with the historic character of their surroundings. However, given the greater distances, and the amount of intervening land that would remain undeveloped, and because the new dwelling would be fairly close to existing dwellings, rather than more conspicuously located within the currently undeveloped space, the resulting impact on the setting and thus significance of these listed buildings would be fairly minor, and would not result in discernible harm to their significance. Therefore, I do not object to the application.

No conditions requested.

Kind Regards,

Thomas Pinner BA(Hons), MA, MA
Heritage and Design Officer
Babergh and Mid Suffolk District Councils

From: Andy Rutson-Edwards <Andy.Rutson-Edwards@babberghmidsuffolk.gov.uk>
Sent: 05 March 2021 10:03
To: John Pateman-Gee <John.pateman-Gee@babberghmidsuffolk.gov.uk>; BMSDC Planning Validation Team Mailbox <planningvalidation@babberghmidsuffolk.gov.uk>
Subject: DC/21/01188

Environmental Health - Land Contamination

APPLICATION FOR PLANNING PERMISSION - DC/21/01188

Proposal: Planning Application. Erection of 1no dwelling and associated ancillary accommodation. Change of use of land from agricultural to residential use.

Location: Land On The South East Side Of, The Street, Bacton, Suffolk

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

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.*

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

Consultation Response Pro forma

Mid Suffolk

1	Application Number	DC-21-01188 – Land On The South East Side Of, The Street, Bacton, Suffolk.	
2	Date of Response	31.03.2021	
3	Responding Officer	Name:	SACHA TILLER
		Job Title:	HOUSING ENABLING
		Responding on behalf of...	HOUSING STRATEGY
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 further comments on this application for the following reasons. The total no. of dwelling space is less than 0.5 hectares and less than 10 dwellings therefore no affordable contribution is required. Should this change then planning permission should be re-sought.	
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.	Planning application purports to erection of 1 dwelling with a site size of 0.49 hectares as confirmed by planning on 31.03.21.	
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	Should this change then planning permission should be re-sought.	

Please note that this form can be submitted electronically on the Councils website. Comments submitted on the website will not be acknowledged but you can check whether they have been received by reviewing comments on the website under the application reference number. Please note that the completed form will be posted on the Councils website and available to view by the public.

MEMBER REFERRAL TO COMMITTEE

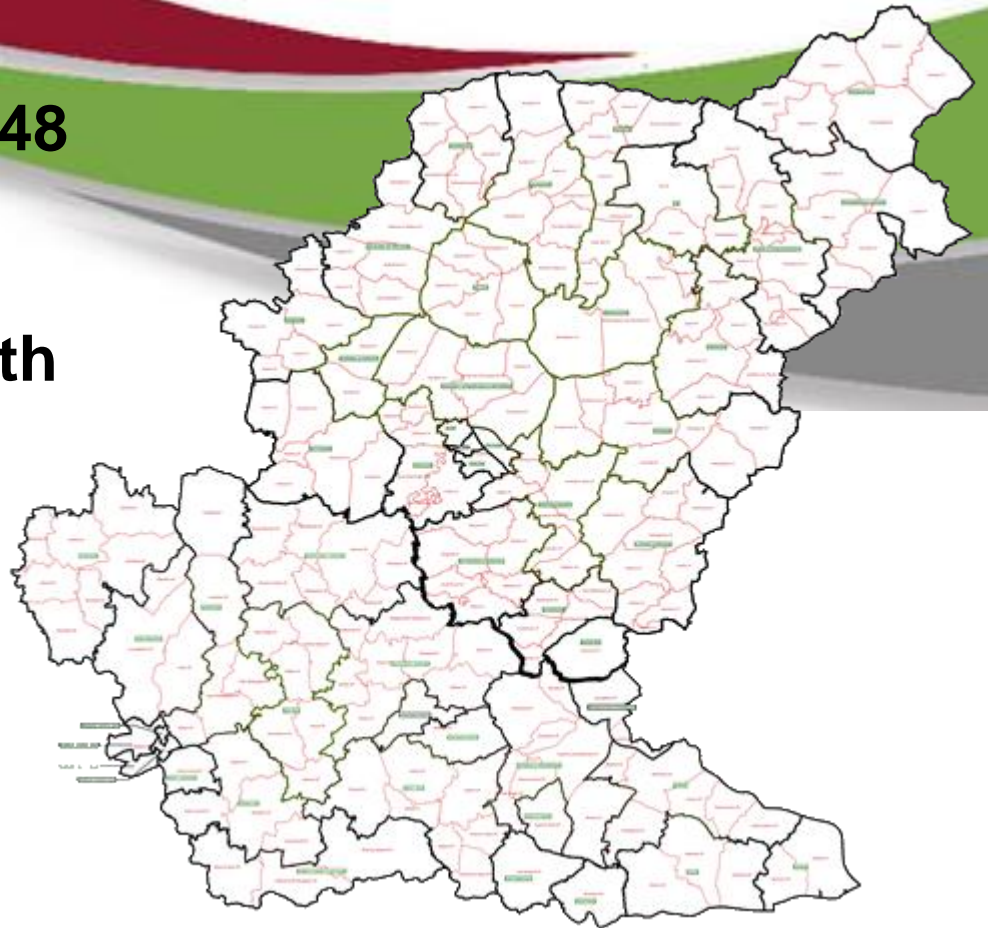
See Planning Charter for principles. Paragraph references below link to Planning Charter.

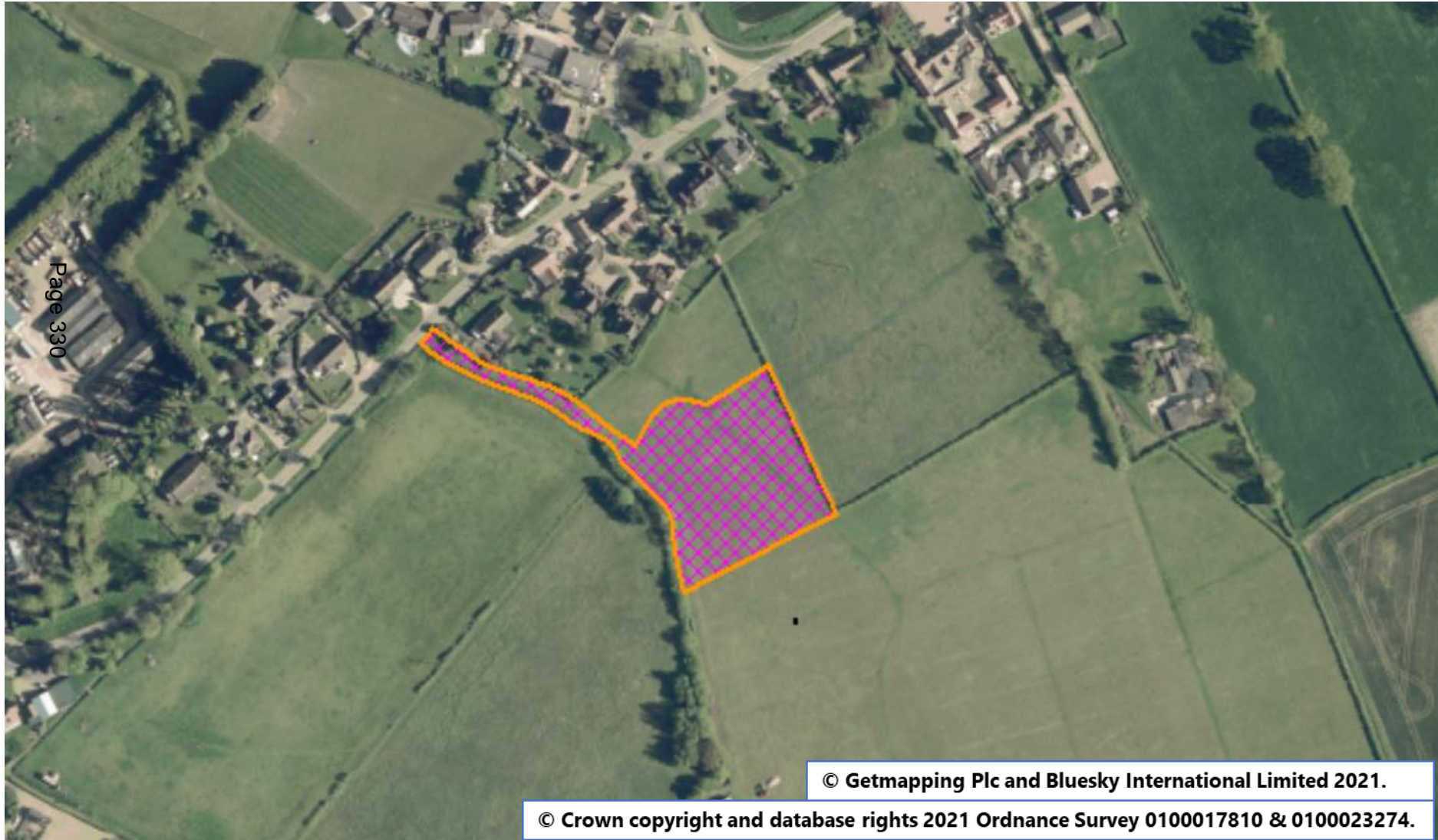
Planning application references	DC/21/00248 and DC/21/01188
Parish	Bacton
Member making request	Andrew Mellen, member for Bacton ward.
13.3 Please describe the significant policy, consistency or material considerations which make a decision on the application of more than local significance	<p>These two concurrent applications are for a single dwelling on a site outside of the current village settlement boundary. The site is on farmland, requiring a change of use of the land from agricultural to residential.</p> <p>The applicant is seeking to gain support from NPPF paragraph 79 (e) which allows exceptions for isolated homes in the countryside if “the design is of exceptional quality”. However, this site is not isolated as it is immediately adjacent to existing dwellings. Para 79(e) also requires that (the design) “is truly outstanding or innovative . . . would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.” These are both high bars to be reached. Whilst the design of the proposed home is certainly distinctive, is it outstanding enough to meet these criteria?</p> <p>Another consideration is the sustainability of this site as per NPPF paragraphs 7 and 8</p>
13.4 Please detail the clear and substantial planning reasons for requesting a referral	<p>Previous applications for the same site (including DC/19/02745) have been rejected by officers and at appeal, and the current application reflects a version of the previous proposal, now moved closer to existing properties.</p> <p><u>Delivery of homes (NPPF 59)</u>: Since this last appeal decision Bacton has had a number of large development sites which have received outline or full planning permission, including two “windfall” sites DC/17/05423 81 homes (allowed at appeal) and DC/18/05514 85 homes. The cumulative total of permissions in Bacton and not yet built now exceeds 400 homes. Given that the Joint Local Plan is now at Reg 19 submission stage it must have some weight in consideration of further sites outside the proposed settlement boundary such as this one</p>
13.5 Please detail the wider District and public interest in the application	<p>The application had prompted a number letters of objection from the residents of neighbouring properties, and has also been discussed at the parish council.</p>
13.6 If the application is not in your Ward please describe the very significant	

impacts upon your Ward which might arise from the development	
13.7 Please confirm what steps you have taken to discuss a referral to committee with the case officer	Discussion with Area Planning Manager John Pateman-Gee

**Application No: DC/21/00248
and DC/21/01188**

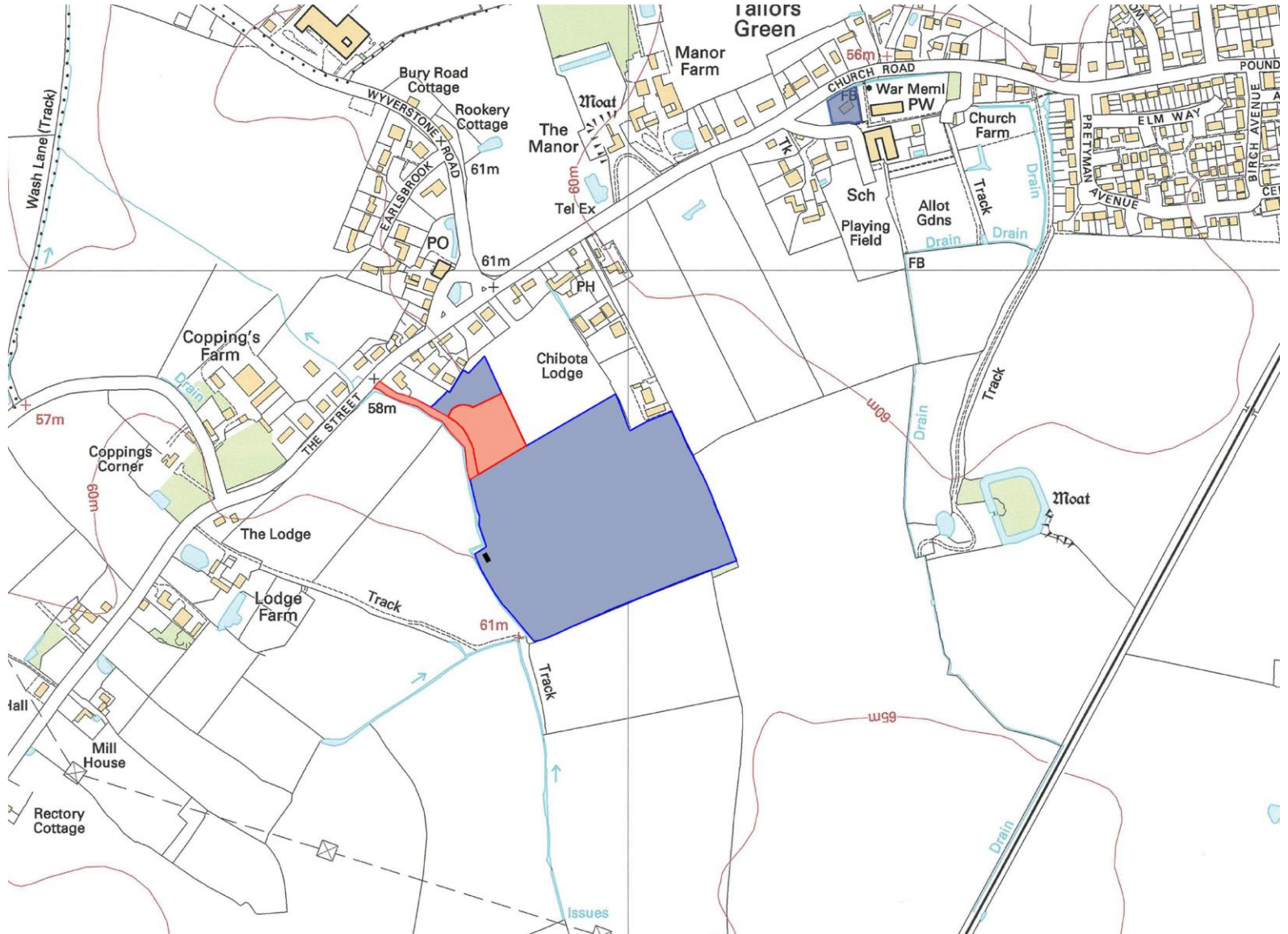
**Address: Land on the South
East Side of The Street,
Bacton**








Site Location Plan



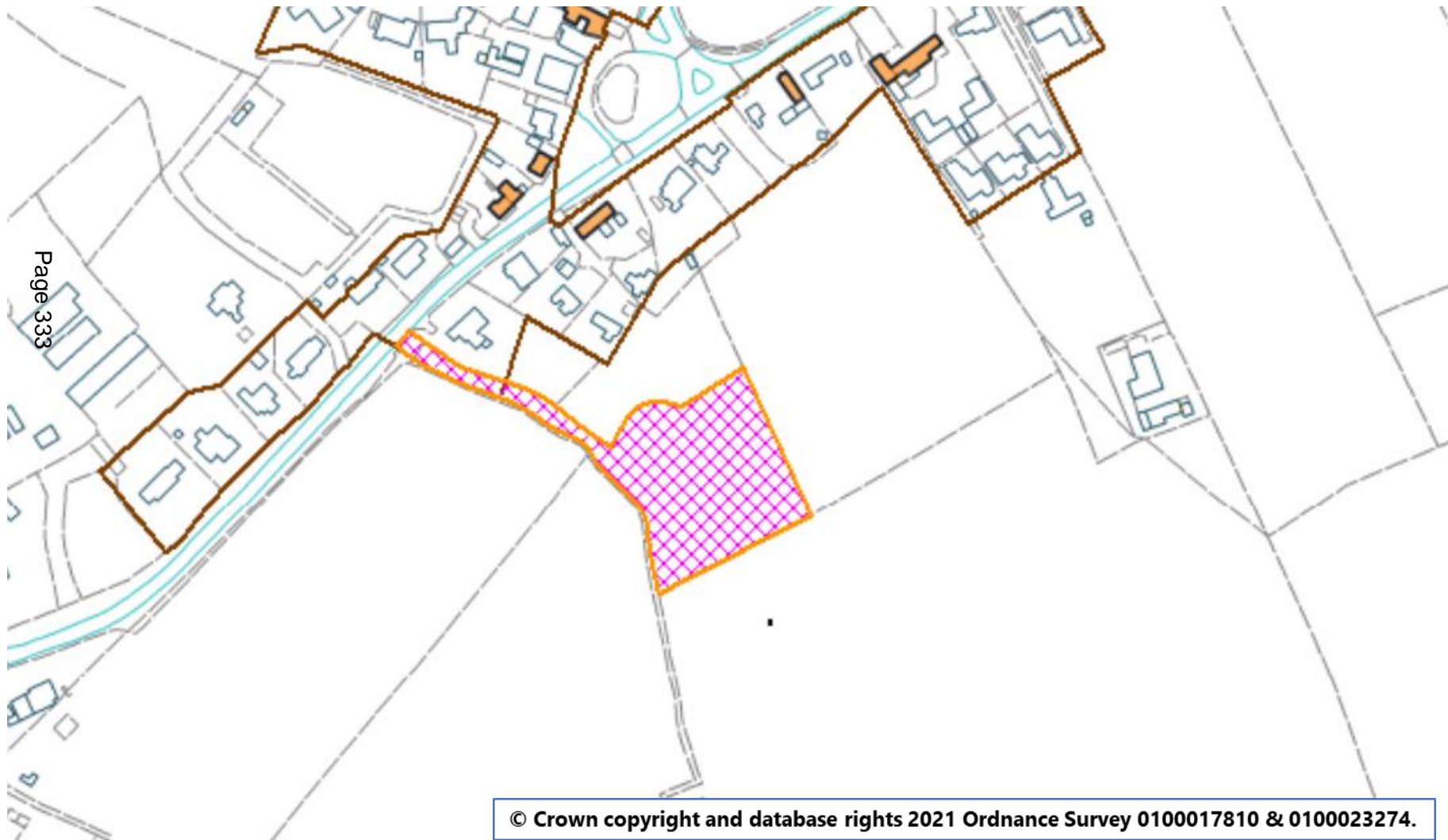
Constraints Map

Slide 5

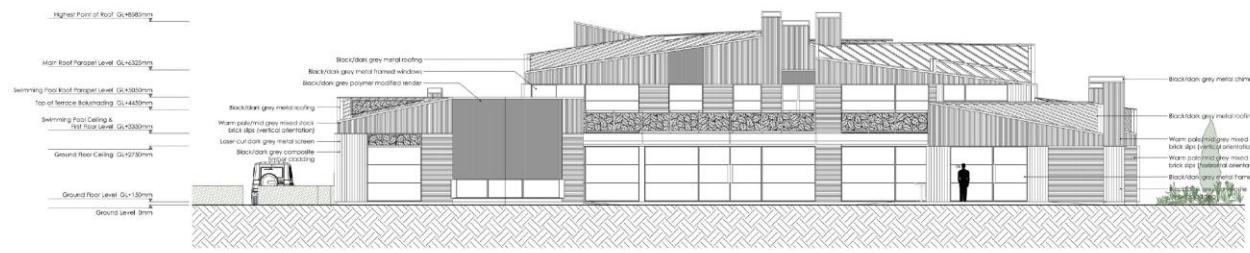
 Built Up Area Boundaries

Listed Buildings

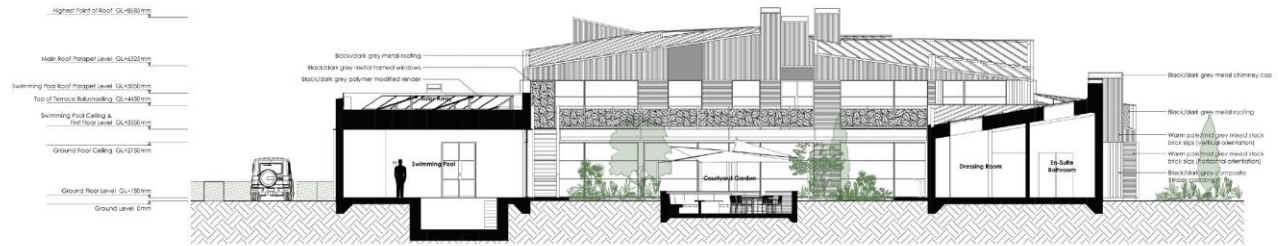
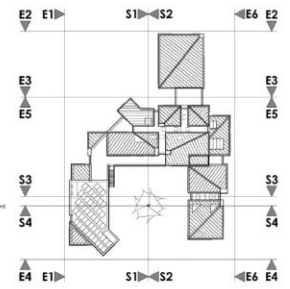
 Grade II



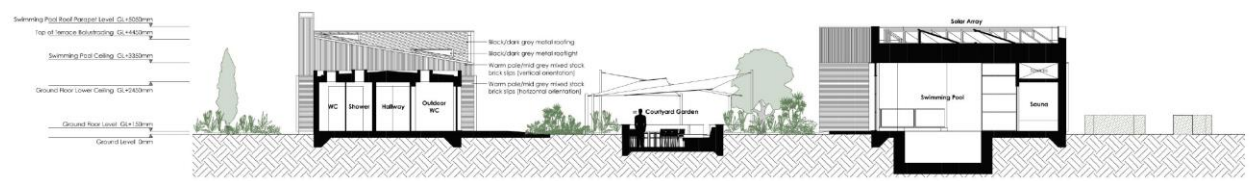
Proposed Elevations and Sections - 1



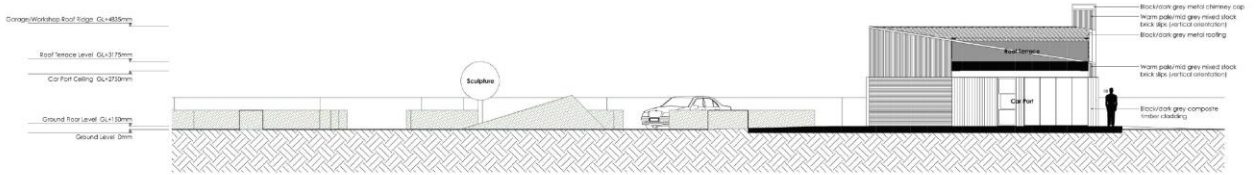
ELEVATION E4 (South-East) Omitting Courtyard Planting & Structures
AS PROPOSED



SECTION S4
AS PROPOSED

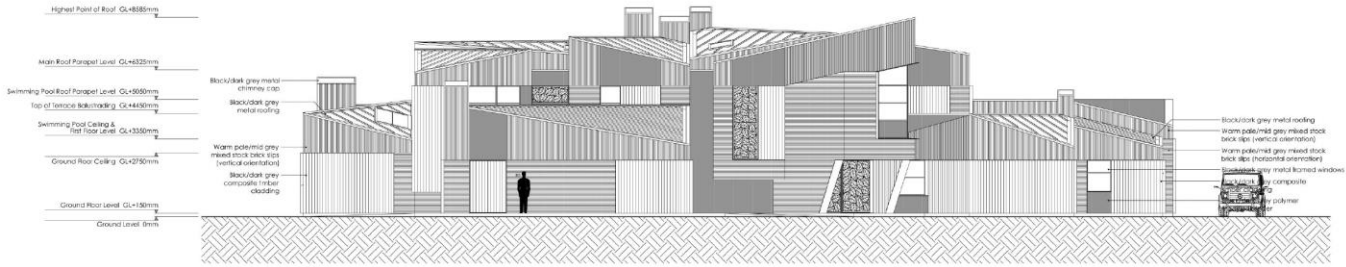


SECTION S3
AS PROPOSED

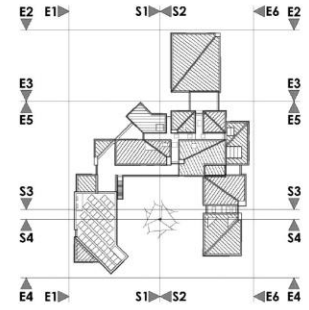


SECTIONAL ELEVATION E5 (North-West)
AS PROPOSED

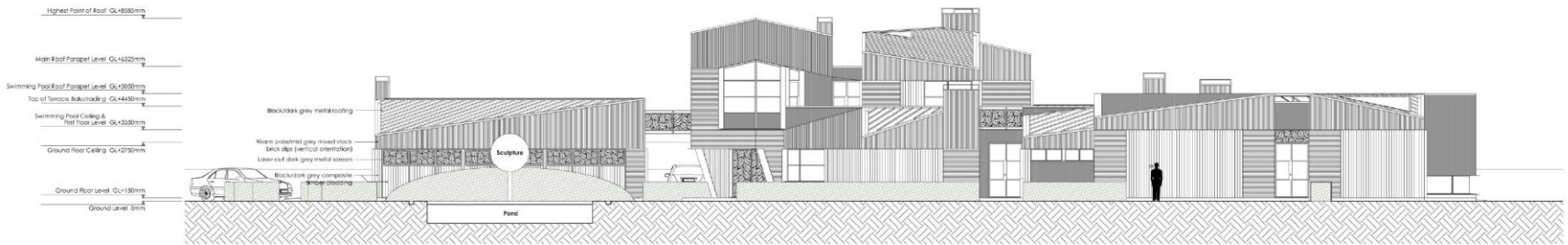
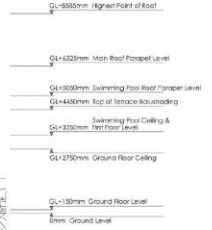
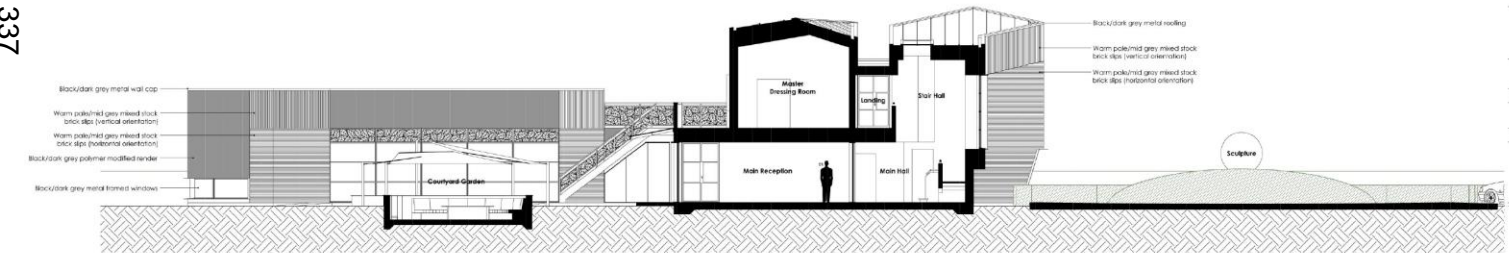
Proposed Elevations and Sections - 2



ELEVATION E2 (North-West)
AS PROPOSED - OMITTING HEDGES & PLANTING

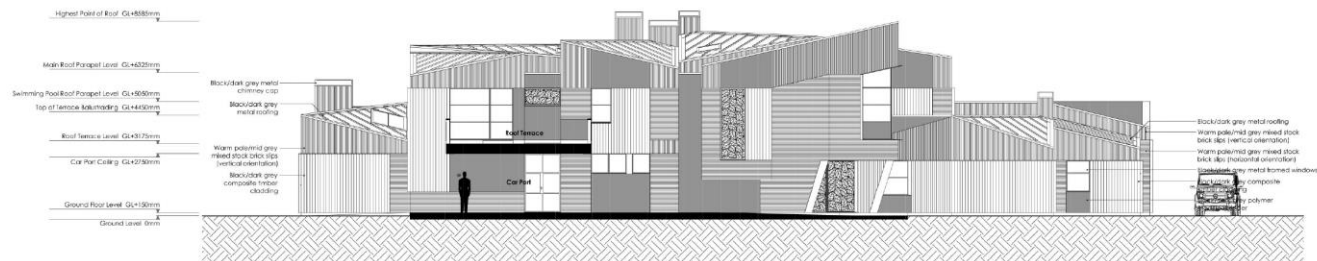


SECTION S2
AS PROPOSED - OMITTING COURTYARD PLANTING

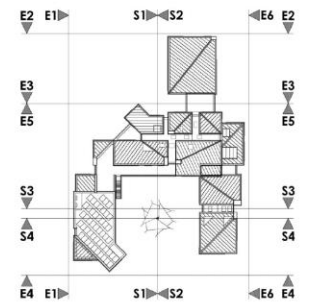


ELEVATION E1
AS PROPOSED

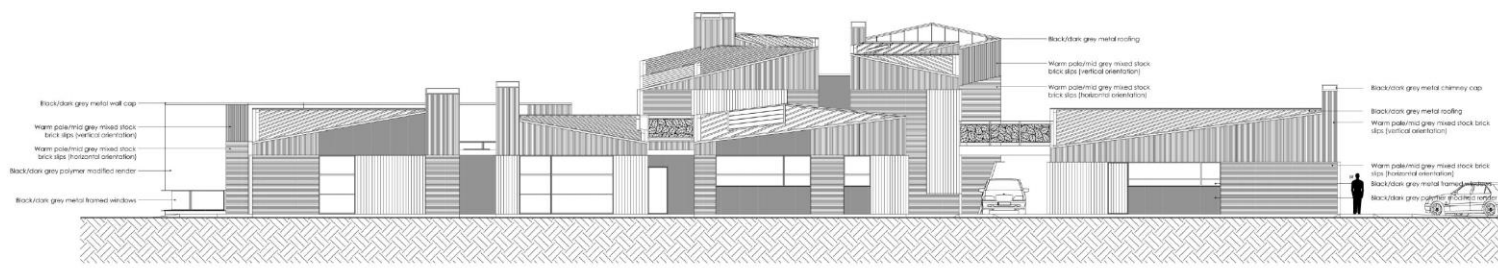
Proposed Elevations and Sections - 3



SECTIONAL ELEVATION E3 (North-West)
AS PROPOSED - OMITTING HEDGES & PLANTING

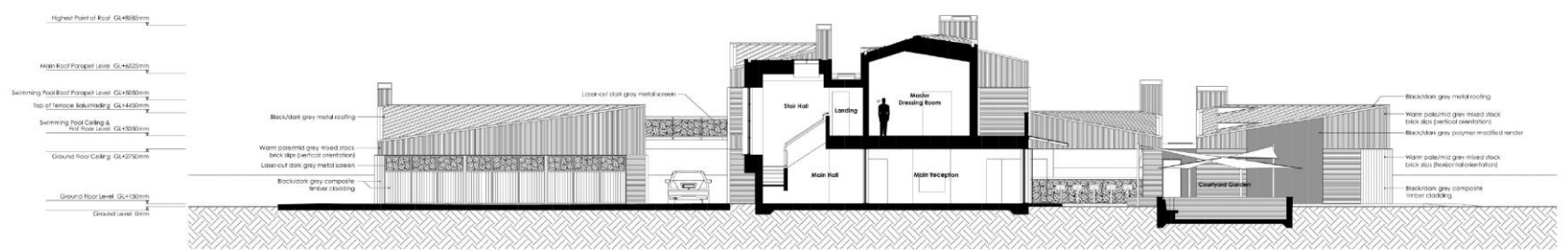


Page 338



- GL+8880mm Highest Point of Roof
- GL+4620mm Main Roof Parapet Level
- GL+5800mm Swimming Pool Roof Parapet Level
- GL+4420mm Top of Terrace Balustrading
- GL+3520mm Swimming Pool Ceiling & Pool Floor Level
- GL+2780mm Ground Floor Ceiling
- GL+190mm Ground Floor Level

ELEVATION E6 (North-East)
AS PROPOSED - OMITTING HEDGES & PLANTING



SECTION S1
AS PROPOSED - OMITTING COURTYARD PLANTING

Proposed Ground Floor Plan



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1000
 11/10/2017
 180917-P17-GF
 180917-P17-GF
 180917-P17-GF

BIRDS EYE VIEW - LOOKING TO THE EAST FROM ABOVE THE STREET & PUBLIC HIGHWAY

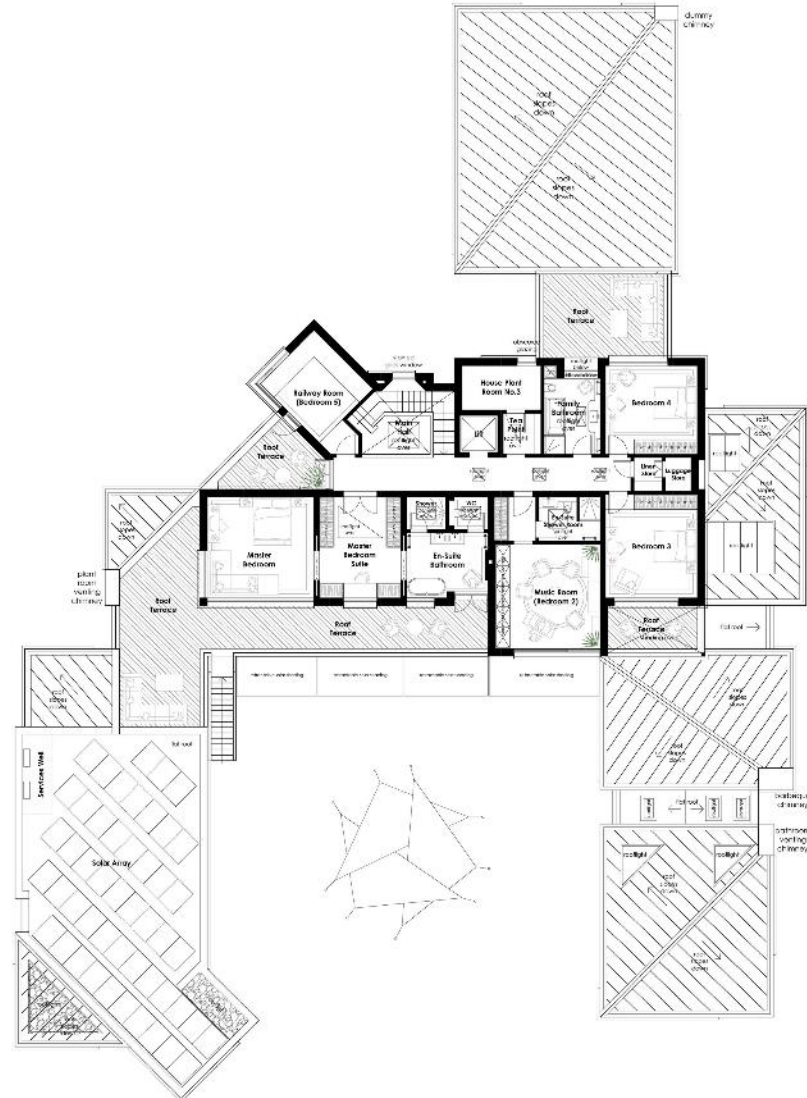


In the foreground the wildflower meadow and nature preserve area dominates the view and provides a valuable refuge for wildlife and a green corridor for wildlife to pass through the area. The nature area also provides a substantial buffer zone between the proposed and existing dwellings, which is essential for successful landscaping design for larger dwellings.

CORRECTED PERSPECTIVE CAMERA VIEW - EAST SIDE LOOKING TO THE SOUTH-EAST



This view along the east side of the building demonstrates the enclosure effect created by the planning strategy. The planning is not just intended to screen the house from view, much of the house is single storey so is barely visible beyond the site anyway. The amenity space quality and experience is enhanced by refracting and framing the views in a deliberate manner.



BIRDS EYE VIEW - LOOKING TO THE WEST TOWARDS THE STREET & PUBLIC HIGHWAY

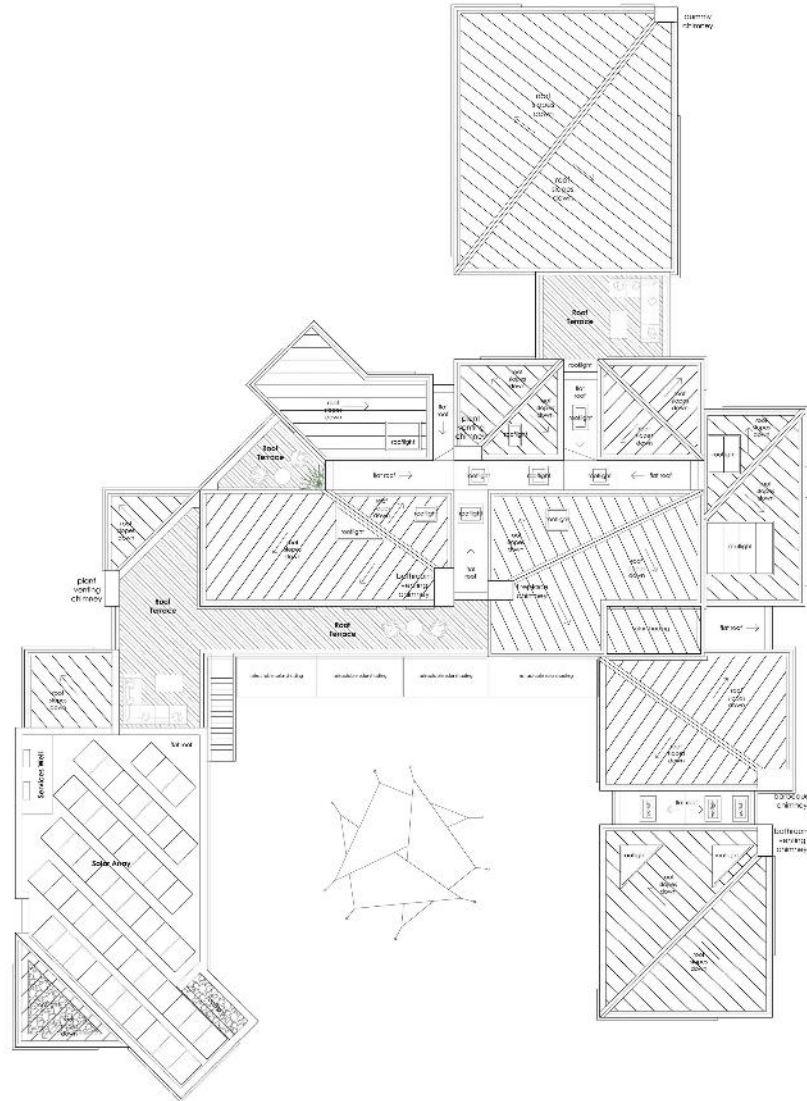


The partial enclosure of the house formed by the landscaping can be appreciated from this view and many of the terraces, created to provide opportunities to enjoy the landscaping and the views beyond, can be understood. The central courtyard creates a sense of privacy and restricts views to provide a greater variety of views so each area has a unique aspect.

CORRECTED PERSPECTIVE CAMERA VIEW - LOOKING TO THE HOUSE'S FRONT ENTRANCE



From this view of the front of the proposed dwelling you can appreciate the low profile of the building and how readily its varied form merges with the landscaping and gives the impression of a collection of smaller buildings grouped together. The track to the agricultural land, as well as being functional, creates a sense of progression of the view and land beyond.



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