

Public Document Pack



DEVELOPMENT CONTROL COMMITTEE A

DATE	Wednesday 11 January 2017
PLACE	Council Chamber, Council Offices, High Street, Needham Market
TIME	9:30 am

Contact: Committee Services
Direct Line: 01449 724673
Fax Number: 01449 724696
E-mail: committees@baberghmidsuffolk.gov.uk

22 December 2016

The Council, members of the public and the press may record/film/photograph or broadcast this meeting when the public and press are not lawfully excluded. Any member of the public who attends a meeting and objects to being filmed should advise the Committee Clerk.

AGENDA

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. Confirmation of the Minutes of the meeting held on 7 December 2016

Report NA/01/17 Pages A to C

6. To receive notification of petitions in accordance with the Council's Petition Scheme.
7. Questions by the public

The Chairman to answer any questions from the public of which notice has been given no later than midday five clear working days before the day of the meeting in accordance with Committee and Sub-Committee Procedure Rule 7.

8. Questions by Councillors

The Chairman to answer any questions on any matter in relation to which the Council has powers or duties which affects the District and which falls within the terms of reference of the Committee, of which due notice has been given no later than midday three clear working days before the day of the meeting in accordance with Committee and Sub-Committee Procedure Rule 8.

9. Schedule of planning applications

Report NA/02/17

Pages 1 to 104

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

10. Site inspections

Note: *Should a site inspection be required for any of the applications this will be held on Wednesday 18 January 2017 (exact time to be given). The Committee will reconvene after the site inspection at 12:00 noon in the Council Chamber.*

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

Notes:

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

<http://www.midsuffolk.gov.uk/assets/UploadsMSDC/Organisation/Democratic-Services/Constitution/Other-Links/Charter-on-Public-Speaking-at-Planning-Committee.pdf>

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.

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

Val Last
Governance Support Officer

Members:

Councillor Matthew Hicks – Chairman – Conservative and Independent Group
Councillor Lesley Mayes – Vice Chairman – Conservative and Independent Group

Conservative and Independent Group

Councillors: Gerard Brewster
David Burn
Lavinia Hadingham
Diana Kearsley
David Whybrow

Liberal Democrat Group

Councillor: John Field

Green Group

Councillor: Anne Killett
Sarah Mansel

Substitutes

Members can select a substitute from any Member of the Council providing they have undertaken the annual planning training.

Ward Members

Ward Members have the right to speak but not to vote on issues within their Wards.

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

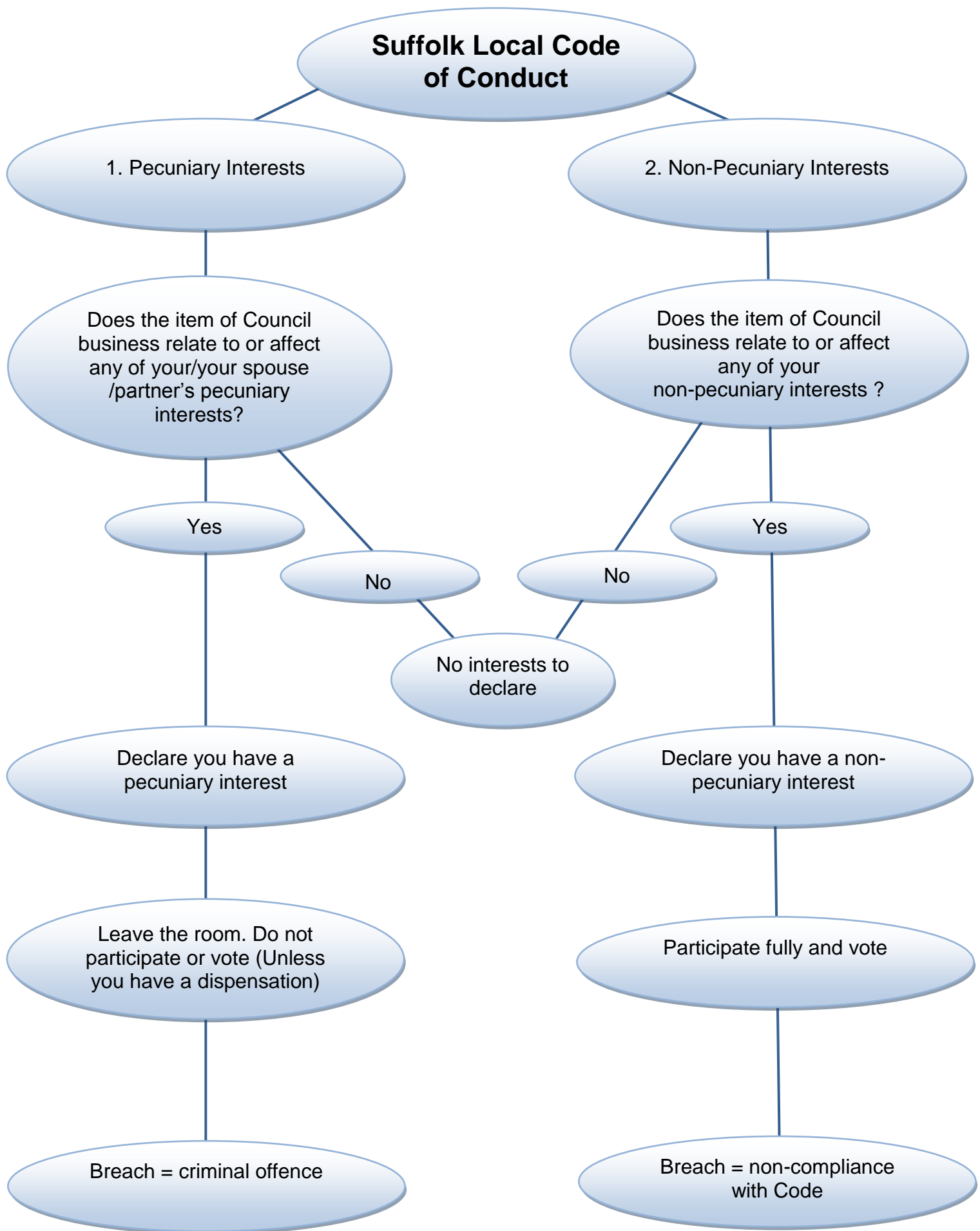
Housing Delivery – More of the right type of homes, of the right tenure in the right place

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')



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Agenda Item 5

NA/01/17

MID SUFFOLK DISTRICT COUNCIL

Minutes of the **DEVELOPMENT CONTROL COMMITTEE 'A'** held at the Council Offices, Needham Market on Wednesday 7 December 2016 at 9:30 am

PRESENT: Councillor: Matthew Hicks (Chairman)
Roy Barker *
Gerard Brewster
John Field
Lavinia Hadingham
Derrick Haley *
Diana Kearsley
Sarah Mansel
Keith Welham *

Denotes substitute *

In Attendance: Senior Development Management Planning Officer (JPG)
Development Management Planning Officer (LW)
Interim Deputy Monitoring Officer - Programme Delivery (PD)
Governance Support Officer (GB)

NA113 APOLOGIES/SUBSTITUTIONS

Apology for absence was received from Councillor David Whybrow.

Councillors Roy Barker, Derrick Haley and Keith Welham were substituting for Councillors Lesley Mayes, David Burn and Anne Killett respectively.

NA114 DECLARATIONS OF INTEREST

There were no declarations of interest.

NA115 DECLARATIONS OF LOBBYING

There were no declarations of lobbying.

NA116 DECLARATIONS OF PERSONAL SITE VISITS

There were no declarations of personal site visits.

NA117 MINUTES OF THE MEETING HELD ON 9 NOVEMBER 2016

Report NA/24/16

The Minutes of the meeting held on 9 November 2016 were confirmed as a correct record.

NA118 PETITIONS

None received.

NA119 QUESTIONS FROM THE PUBLIC

None received.

NA120 QUESTIONS FROM COUNCILLORS

None received.

NA121 SCHEDULE OF PLANNING APPLICATIONS

Report NA/25/16

Item 1

Application Number: **4048/16**
Proposal: Conversion of existing dwelling to form 2 dwellings
Site Location: **HAUGHLEY** – 2-4 St Marys Avenue, IP14 3NZ
Applicant: Mid Suffolk District Council

Prior to the Case Officer presentation on the application, the Senior Development Management Planning Officer reported that since the publication of the Agenda additional correspondence had been received from the Highway Authority who had requested that a car turning area and parking be provided for the newly converted dwelling. Officer recommendation was still that of approval as it was considered that the proposed development was consistent with other dwellings in the vicinity and there was sufficient parking on the road.

Rachel Eburne, Ward Member for Haughley and Wetherden, commented by email that the proposed conversion would create another family home in Haughley and asked the Committee to support the planning application.

Members considered the proposed access and parking provisions for the two new dwellings, wider highways layout and parking provisions in the locality and the need to provide Council housing. A motion to approve the Officer recommendation and include an informative note as follows:

“Request the Housing department to resolve suitable access and provide off-road parking for the newly converted dwelling”

was moved by Councillor Derrick Haley and seconded by Councillor John Field.

By a unanimous vote

Decision – That Full Planning Permission be granted subject to the following conditions:

- Standard time limit
- Approved plans

Informative note: Request the Housing department to resolve suitable access and provide off-road parking for the newly converted dwelling.

The business of the meeting was concluded at 10.02 am.

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Chairman

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Agenda Item 9

MID SUFFOLK DISTRICT COUNCIL

DEVELOPMENT CONTROL COMMITTEE A 11th Jan 2017

SCHEDULE OF APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Item	Ref No.	Location And Proposal	Ward Member	Officer	Page No.
1.	3872/16	<u>Land South West of School Lane, Fressingfield</u> Hybrid application comprising: - application for full detailed Planning Permission for the erection of a new Baptist Chapel, car parking and access & an application for Outline Planning Permission for up to 18 No residential unit (revised scheme to application 0846/15).	Cllr L Hadingham	RB	1-84
2.	3933/16	<u>Street Farm Day Nursery, Station Road, Elmswell</u> Extensions and alterations.	Cllr J Levantis Cllr S Mansel	RUBI	85-98
3.	4297/16	<u>Land between Kingfisher Drive and Chequers Rise, Great Blakenham.</u> Application for the Modification of a Section 106 Planning Obligation of planning permission 0210/15.	Cllr K Welsby Cllr J Field	GW	99-104

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MID SUFFOLK DISTRICT COUNCIL
DEVELOPMENT CONTROL COMMITTEE - 11 January 2017

AGENDA ITEM NO	1
APPLICATION NO	3872/16
PROPOSAL	Hybrid application comprising: - application for full detailed Planning Permission for the erection of a new Baptist Chapel, car parking and access & an application for Outline Planning Permission for up to 18 No residential unit (revised scheme to application 0846/15).
SITE LOCATION	Land south west of, School Lane, Fressingfield IP21 5PZ
SITE AREA (Ha)	1.09
APPLICANT	The Trustees Of Fressingfield Baptist Chapel.
RECEIVED	September 14, 2016
EXPIRY DATE	December 15, 2016

REASONS FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason :

- (1) it is a "Major" application for:-
- a residential land allocation for 15 or over dwellings

PRE-APPLICATION ADVICE

1. This application is a re-submission of application 0846/15. Pre application advice was sought from the Case Officer prior to the submission of this application to discuss how to overcome the refusal reasons of 0846/15.

SITE AND SURROUNDINGS

2. The application site relates to a parcel of land extending to an area of 1.09 hectares of grassland covered with vegetation including mature trees. The site is bounded to the north by the playing fields associated with Fressingfield Church of England Voluntary Controlled Primary School. On the eastern boundary the site abuts the rear gardens of No's 1 to 6 Stradbroke Road and No's 1-5 The Laurels, a cul-de-sac served off Stradbroke Road. To the south is open countryside. To the west the site adjoins side and rear gardens of properties in Sancroft Way and Oatfields. There is a Public Footpath adjacent to the southern boundary of the site which runs between Priory Road and Stradbroke Road.

The site abuts the defined settlement boundary of Fressingfield on the west, north and east boundaries as shown on Mid Suffolk Local Plan Inset Map 36. The site for planning purposes is deemed to be within the countryside.

The majority of the site has been identified by Natural England as Broadleaved woodland, a Priority habitat (under s41 NERC Act).

HISTORY

3. The planning history relevant to the application site is:

1200/00	Residential development (17 dwellings) and construction of new estate road (extending from New Road to North-West).	Refused 31/03/2000
0846/15	Hybrid application comprising: - application for full detailed Planning Permission for the erection of a New Baptist Chapel, car parking and access & an application for Outline Planning Permission for up to 18 No residential units; as amended by drawings received 17 November 2015 altering the design of the chapel and drawing 18975/802 rev A received 11 January 2015 amending the road layout and agent's letter received 11 January 2015.	Refused 07/03/2016

PROPOSAL

4. This is a "hybrid application" which comprises of:

- Full planning permission for the erection of a Baptist chapel, car parking and access.
- Outline planning permission for up to 18 residential units.

Full element:

The application seeks permission for a new access to be created off School Lane which would serve both the proposed Baptist Chapel and the residential development.

The full application relates to the northern part of the site. The Baptist Chapel would be in the northwest corner of the site and would face eastwards over a new car park which provides 50 spaces including 4 disabled and a bicycle storage area.

The Baptist Chapel would have accommodation over two floors with a main meeting room and vestry, hall, kitchen, coffee shop, offices and common rooms on the ground floor. On the first floor which only cover part of the building are further common rooms. It is proposed to provide seating for a congregation of up to 200 people.

The building has an overall width of 36.24 metres and a depth of 27.28 metres (30.02 overall). The overall height of the building would be at 8.29 metres. It would have a ground floor area of 959sqm and first floor area of 173sqm. The building would be constructed with a buff brick plinth, light brown horizontal

boarding above and profiled roof sheeting in dark grey for the roof material.

The layout plan identifies the provision of a new block paved footway which runs from the new access road, along the northern edge of the site within the car park and then links to an existing footpath within the Primary School Grounds which is outside of the application site. The school path runs along the southern edge of the school playingfield providing access to the school from Sancroft Way. This is controlled by a gate which is only available during the beginning and end of school day. The proposal will involve the repositioning of the gate and erection of a fence and hedge to create a new boundary to the playingfield. A section of path would then provide an unrestricted right of way to the application site connecting Sancroft Way to School Lane.

Outline Element:

Outline planning permission is sought for the erection of up to 18 dwellings. All matters are reserved for subsequent approval with the exception of the access. An indicative layout plan has been submitted within the application. This shows that the new access proposed to serve the chapel would also serve the dwellings. 35% (6) of the dwellings will be affordable units.

POLICY

5. **Planning Policy Guidance**

See Appendix below.

CONSULTATIONS

6. This is a summary of the representations received. A copy of the full consultation responses are enclosed within the agenda bundle.

The Parish Council: The parish council recommends approval. In summary:

- Members recognised and appreciated the mitigating woodland that had been proposed and the following of the Arboricultural Implications Assessment and Method Statement was supported by the Council.
- The retention of some trees (for bats to feed) and hedgerows was supported.
- Members were pleased that Highways issues had been addressed satisfactorily.
- The design and layout of the proposal as a whole was fitting for the site.
- The protection of wildlife habitats had been addressed satisfactorily
- The proposal provides facilities that will be available to the community as a whole, not just the congregation of the chapel.
- This development will bring much needed parking space in the vicinity of the primary school that should alleviate the dangers at drop off and collection times and the proposed play area would add to the facilities available to the parents of children at the school before and after lessons
- It is hoped that the reserved matters application for the houses will demonstrate a variety of types to fill various needs that will sit well with the current village vernacular.
- The requirement for affordable housing in Fressingfield is well known

and this proposal appears to promise such properties. The Council wishes to emphasise that the affordable housing promised in this application is absolutely critical to the village.

- Satisfies policies FC1 and FC1.1 of the Focused Review, GP1, CL8, T9, T10, H4 H13, H14, H15, and RT1 of the Mid Suffolk Local Plan.

SCC Highways: Suffolk County Council Highways raise no objection to the proposal subject to conditions agreeing precise details for the estate road and footpaths, construction of footways and road prior to occupation of the chapel and the use shall not commence until the parking areas are provided.

Suffolk County Council Infrastructure: Suffolk County Council Infrastructure team calculate a sum totalling £16,069.00 towards primary school and libraries which will form the basis of a CIL contributions bid by County. They have also requested S106 funding towards improvements to the public footpath 66.

It is also likely County will grant permission for the disposal of land to create the footway link subject to approval by the Secretary of State.

Environmental Health (Land Contamination): The Environmental Health team raise no objection. A Phase I desk study and site walkover has been submitted. This report adequately assesses the former uses of the site and demonstrates that the risks posed at the site are minimal and probably reflect the use of the site for agricultural purposes. They do not object to the proposal and request the inclusion of advisory comments on unexpected ground conditions.

Environment Agency: No response was received from the Environment Agency. The Environment Agency advised in the previous application (ref. 0846/15) that this application falls outside their remit as a statutory planning consultee.

Strategic Housing Service: The Strategic Housing Service raises no objection to the proposal. They advise that six of the proposed dwellings should be affordable housing. These should be provided through a S106 Agreement in the form of: -

Rented: -

2 x 1-bedroom 2-person flats @ 50 sqm

2 x 2-bedroom 4-person bungalows @ 70 sqm

Shared ownership: -

1 x 2 bed 4 person houses @ 79 sqm

1 x 3 bed 5 person house @ 93 sqm

MSDC Tree Officer: MSDC Tree Officer has no objection to the proposal subject to it being undertaken in accordance with the protection measures outlined in the accompanying arboricultural report and retention of the boundary hedgerows. The trees for removal are generally of limited amenity value and/or in poor condition and with the retention of the boundary hedgerows and trees this loss should not have a significant impact upon the visual character of the local area. The Tree Officer advises that classification of part of the site as 'priority woodland habitat' is somewhat difficult to understand and possibly not the result of a detailed assessment.

Landscape Officer: The Landscape Officer is content that the proposal is, as

set out in his letter dated 09/09/15 in respect of the earlier application acceptable in landscape terms subject to the conditions set out at that time.

Suffolk Fire and Rescue: Suffolk Fire and Rescue advise that their comments to the previous application remain relevant. Their previous comments stated the relevant building regulations requirements for fire safety and that if minded to approve this application adequate provision is made for fire hydrants and a suitable planning condition is imposed.

Suffolk County Council Archaeological Service: Suffolk County Council Archaeology raises no objection to the proposal subject to conditions requiring the agreement and completion of archaeological works. This, as County state, is because the proposal lies in an area of archaeological interest, in a topographical location that is favourable for early occupation of all period. Although there are no recorded heritage assets on the Suffolk Historic Environment Record, this area has not been the subject of previous systematic investigation. The scale of the plot is such that there is a high potential for the discovery of hitherto unknown important features and deposits of archaeological interest at this location. Any groundworks associated with the proposed development has the potential to cause significant damage or destruction to any underlying heritage assets.

Natural England: Natural England commented on the previous application proposal in their letter dated 19 August 2015. This letter states that based upon the information provided, the proposal is unlikely to affect any statutorily protected sites or landscapes. Natural England have not assessed this application and associated documents for impacts on protected species and guides the Council to their published Standing Advice on protected species.

Natural England advises that this previous response applies equally to this revised scheme. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Suffolk Wildlife Trust: Suffolk Wildlife Trust provides comments on the proposed development. They state;

It is proposed to provide replacement planting at a site equivalent to that which would be lost as compensation. As required by the National Planning Policy Framework, compensation for biodiversity loss should only be considered when such loss cannot first be avoided or mitigated. The determination of this application must therefore consider whether the identified loss can be avoided. Only if suitable avoidance or mitigation cannot be achieved should compensation be considered.

Any compensation proposed should seek to secure biodiversity gain, such as by being of a greater size than the area to be lost, and its long-term future and beneficial management secured as part of any scheme.

Notwithstanding the above, any loss of existing habitat from the development site would result in a short/medium term net loss to the biodiversity of the area as compensation planting will take time (and appropriate management) to mature.

The great crested newt survey report makes reference to mitigation measures included within a Construction Environmental Management Plan (CEMP), however no such document appears to be included with this application. Suffolk Wildlife Trust query how it is intended to mitigate for any great crested newts which may be present on site. *Case Officer Note- a CEMP has since be received as discussed below.*

Whilst the development proposes to retain the boundary vegetation at the site, the majority of the other vegetation is to be removed. This will reduce the amount of foraging habitat available to bats in this area. There should therefore be suitable demonstration that the number of dwellings proposed can be accommodated without having a detrimental effect on the boundary vegetation.

Suffolk Wildlife Trust recommends that a sensitive lighting strategy is produced in order to demonstrate that any external lighting will not have an adverse impact on such species, no vegetation clearance is undertaken without the implementation of measures to protect such species and that the recommendations made within the ecological survey reports are implemented in full, via a condition of planning consent.

Since Suffolk Wildlife Trusts response a Construction Environmental Management Plan and Supplementary Information In Relation To The Proposed Mitigation For Loss Of 'Priority Woodland'. A further response from Suffolk Wildlife Trust is outstanding and will be reported to Committee as a late paper or verbally on the day.

Place Services- Ecology (Sue Hooton): Place Services, the Council's Ecological Consultants, advise that all significant adverse impacts from the proposed development upon Priority habitats, as well as Protected and Priority species, will be mitigated in line with relevant wildlife legislation and planning policy. The LPA can therefore demonstrate its legal compliance with the Habitats Regulations and Wildlife & Countryside Act, as well as its biodiversity duty under s40 of Natural Environment & Rural Communities Act.

It is agreed that the works will result in impacts on important ecological features including Priority broadleaved woodland habitat and could impact on Protected and Priority species. However with mitigation secured, these impacts will be minimised such that the proposal is acceptable in terms of biodiversity impacts, subject to the conditions based on BS42020:2013. The conditions will secure mitigation, compensation, protection and enhancement measures including a lighting strategy.

Environmental Health (Sustainability): The Environmental Health Team comment that the application does not make reference to policy CS3. and there is no attempt to suggest methods by which the development would reduce water use, make use of sustainable construction techniques and materials and otherwise reduce the environmental impact of the development.

The recommendation is to impose pre-commencement conditions to ensure the buildings are as sustainable as possible and to secure the required 10% energy reduction for the Church building. The conditions would secure a Sustainability & Energy Strategy.

Public Rights of Way: The Public Rights of Way Team raises no objection to

the proposal. Footpath 66 runs adjacent to the application site. As a result of anticipated increased use of the public rights of way in the vicinity of the development, Suffolk County Council may be seeking a contribution for improvements to the network.

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

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is acceptable at a maximum of 5.00l/s. They recommended a condition that no hard standing areas to be constructed until works in the agreed surface water strategy have been implemented.

Environmental Health (Other matter): No objections subject to conditions to mitigate impacts of noise and lighting. Conditions relating to agreeing details of air source heat pump, extraction and ventilation details, that working hours are to restricted to 08:00 to 18:00 Mon to Fri and 08:00 to 13:00 on Sat with no working outside of these hours, and that no external lighting shall be installed without details being submitted and approved by the Local Planning Authority.

Heritage: The Heritage Team has no comments to make on this application

Suffolk County Council Floods: Suffolk County Council, Flood and Water Management can make the following initial comment

- 1) FRA need to be updated to reflect the latest Ciria SuDs manual
- 2) Infiltration test results need to be submitted for the full part of this hybrid application
- 3) FRA and drainage strategy need to be updated to reflect changes to climate change %
- 4) Evidence needs to be provided that the watercourse has a positive outfall
- 5) Design should include for above ground attenuation
- 6) FRA states that the highway drainage system will be offered to Norfolk CC
- 7) Applicant needs to reference and follow SCC's local SuDs guidance

LOCAL AND THIRD PARTY REPRESENTATIONS

7. This is a summary of the representations received.

Petitions

A petition signed by 25 residents objecting to this development was reported to Full Council at the meeting held on 31 October 2016. The petition states the incorrect planning reference number but clearly relates to this proposal. It includes the application proposal description and application site address. The petition states '*Should the above planning application be granted permission. This will create an increase in the amount of traffic using School Lane with the extra hazard and danger this will cause*'. The signatories agree to the statement '*I strongly object to the above planning application near to the Fressingfield*

Primary School. 15 of the signatories are residents of Fressingfield.

Summary of responses with grounds for objections:

- Potential noise and light issues to adjacent neighbours due to the increase in traffic, external equipment (ventilation equipment) and potential events at the new chapel at any time.
- The existing church and the conversion of the existing listed building for alternative use could be a condition of consent as part of the planning obligation of this development.
- The existing chapel should be renovated and kept for the use as a Baptist Chapel. There has been little to substantiate the need for a further chapel of this scale.
- There are more appropriate sites in the centre of the community (e.g. disused petrol station site).
- Will result in congestion, highway safety harm and restricted access to the school and chapel especially at school opening and closing.
- Potential harm to school children's safety given the public access, congestion and additional traffic including construction traffic making dropping off and picking up pupils dangerous.
- Associated traffic, including construction traffic may cause obstructions and parking problems to surrounding roads (Sancroft Way and Oatfields)
- The local doctors surgery and primary school are near or at capacity
- This is a woodland area that supports many species especially great crested newts and could be used as the school's woodland or area to expand the school. It should be retained and protected.
- Loss of only open woodland in Fressingfield which is a Priority Habitat and some of the trees should be protected by a tree preservation order.
- Inconclusive and inaccurate ecological reports which missed out two ponds in the area out lined in red and the bat surveys do not take account of trees along Stradbroke Road
- Loss of views of open countryside
- The development does not accord with local or national policies
- Reduction of school property and restrict future expansion of school.
- This is an application for a church not a multi-use facility
- These churches are not run as community resources and would not benefit the whole community.
- Violation of the human Rights Act section 8 the right to privacy and family life due to the size of the building, rear windows and proximity to the gardens with no boundary trees and subsequent overlooking.
- The new footpath was rejected by the school governors for matters of policing and liability and would make the public footpath redundant
- Building materials and design is not within keeping with the area and the village. It is hideous in design and appears more as a warehouse and will be obtrusive in this area.
- Car park may give rise to anti-social behaviour.
- The sports hall area would only be used by chapel members and seems in direct conflict with the frequent requests for locals to use the existing sports and social facilities at the playing fields, or else they are in danger of closing.
- There are other developments in Fressingfield which are more appropriate.
- This development doesn't stand for what village life is about

Summary of responses with grounds for support

- More road way down past the chapel and car park will give more room for cars

to park rather than over the grass verges, on the main road, blocking views of the road and causing safety issues with school buses and children walking home. This space will relieve the congestion around the area.

- Unlikely to be significantly more traffic as traffic for work is generally outside of school times and the main chapel traffic would be on Sundays and evenings when the school is closed.
- The footway will connect to footways so children will not have to cross road to enter or exit the school.
- The existing building has accessibility problems for mothers with prams, the disabled and the elderly.
- The building is no longer suitable for the needs of the youth group and the congregation. The rooms are not of today's standard and it lacks a kitchen facility. The church is also growing in size.
- Parking is a problem at the existing chapel.
- The existing chapel is a grade 2 listed building and therefore expansion and alterations are limited.
- The Chapel will benefit the young people of Fressingfield where the drama groups and youth can have a place to meet and play games/indoor sports in a safe environment.
- Would be available for the community and for school productions. There are not many facilities that can accommodate lots of people at the moment.
- Excellent idea to join the footpath from the estate behind the school to Sancroft Way as walking down New Street with no pavement is rather dangerous. This would provide access from one side of the village to the other at all times.
- The new houses are needed as is the provision of affordable housing.
- Many facilities have closed in the village and the housing will help keep the village keep moving forward.
- No significant wildlife seen during the surveys that were undertaken and the trees are not extensive; the site is currently overgrown but that does not mean it should be treated as a nature reserve it is unused agricultural land.
- Construction traffic is likely to be controlled as not to coincide with pick up and drop of times.

ASSESSMENT

8. Background Information

The previous application 0846/15 ("2015 application") was refused by Development Control Committee on the 02 March 2016 for the following reasons:

1. The proposal seeks to provide a footway link and new path on land outside the red line application site and outside the applicant's ownership or control. There is no agreement to secure the transfer of the land for the provision of the footpath.

The provision of this footpath provides a direct link to local services and facilities, without which the proposal would be contrary to paragraphs 31, 34, 35 and 72 of the NPPF, not providing or promoting viable infrastructure necessary for the development, or indeed prioritizing pedestrian access and as such not contributing to the achievement of sustainable development

required by paragraph 6 of the NPPF, contrary to Core Strategy Policies FC1 and FC1.1.

2.Part of the visibility splay required when entering the site from School Road (as shown on Forward Visibility Plan 18975/802 Rev B, received 4/2/2016) are not within the red line application site and outside the applicant's ownership or control. Their provision and future retention cannot be secured and on that basis the development cannot deliver safe and secure access as required by Policy T10 of the Mid Suffolk Local Plan and paragraph 32 of the NPPF.

3.The application site forms part of a designated Priority Habitat Area of broadleaf woodland. The NPPF at paragraphs 117 and 118 aims to conserve and enhance biodiversity, including the preservation, restoration and re-creation of Priority Habitats, further requiring that planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats.

The proposal would result in the incursion of residential development and community facilities across the entire designated area resulting in the complete loss of this irreplaceable habitat contrary to Core Strategy Policy CS5, Local Plan Policy CL8, Core Strategy Focused Review Policies FC1 and FC1.1 and the National Planning Policy Framework paragraphs 7, 109, 117 and 118.

As such the proposal cannot be considered to improve biodiversity, and as such not achieve the environmental aims of sustainable development. As the different roles of sustainable development identified in paragraph 7 of the NPPF should not be undertaken in isolation the proposal cannot be considered sustainable development in this respect and as such is contrary to the requirements of paragraphs 7, 8, 109, 117, 118 and 119 of the NPPF.

4.The development if approved would not secure adequate provision of open space and/or infrastructure to mitigate the impact of the development contrary to policy CS6 or the Core Strategy 2008 without the requisite S106 obligation or CIL being in place.

Officers Assessment

This application seeks to overcome these reasons for refusal. The scheme remains predominately of the same layout and scale as the 2015 application. The new Baptist Chapel has some minor alterations to the elevations. Internally the sports hall has been moved to the north side wing and the common rooms and offices have been moved into the south side wing. Subsequently the fenestration arrangement has also been flipped so that the south elevation of the 2015 application is the north elevation to this proposal and the north elevation of the 2015 application is the south elevation of the scheme.

The double height front gable has been extended forward to be flush with the double height side wings and more glazing has been inserted in the gables apex. The 2015 application had four single pane windows and the double height side wings projected forward of the main gable.

The foyer element to the front has been reduced in width from 18.24m to 17.67m and the ridge height has increased from 5.26m to 6.44m to allow for a matching roof pitch to the double height gable. Subsequently the windows to the foyer area have been reduced from six to four and an additional pane has been included the front windows the side wings.

The plinth has been reduced in height and all the boarding is to be light brown. The 2015 application had dark boarding to the main gable.

The alterations to the design of the Baptist Chapel do not significantly alter the appearance of the building proposed under the 2015 application. The alterations are considered to be an improvement to the 2015 application creating a more visually appealing front elevation.

The internal alterations do result in windows facing the rear gardens of properties on Sancroft Way. Previously these windows faced the side elevation of No. 12 Sancroft Way. These are however high level windows and the building is located 22m from the boundary with the houses. As such the alterations are not considered to create an unacceptable impact on neighbour amenity.

Due to the distance between this building and neighbouring properties it is not considered necessary to restrict the hours of operation. The use of the building however will be restricted to be used solely as a Baptist Chapel with ancillary facilities and for no other use under Class D2. Permitted Development rights for change of use will be restricted.

The new access road has also been altered from the 2015 application. The bend in the road has been reduced in tightness to provide for the visibility splays within the application site. This has resulted in the loss of small play area which would have been managed by the Baptist Chapel. The play area was located between the road and the new car park. Whilst this loss is regrettable the site is in close proximity to the existing play area and playingfield in Fressingfield and the Chapel itself is a community facility. The loss of play space is therefore on balance not deemed a reason for refusal.

The main considerations to be assessed are therefore the reasons for refusal of the 2015 application:

- Provision of the footway connection with the Sancroft Way
- Visibility splays for the new access road
- Impact on biodiversity
- Planning Obligation

Provision of the footway connection with the Sancroft Way

A Deed of Variation dated 24 March 1995 made between the landowners of this application site and Suffolk County Council was submitted to the Local Planning Authority. This deed grants certain rights to the landowner and their successor in title owners or occupiers for up to eighty years from 24th March 1995.

The Deed allows for the route of a footway link and any respective fencing from the application site to Sancroft Way within a defined area. This is subject to the reasonable requirements of Suffolk County Council. The footway link proposed

by the 2015 application did not accord with the right granted in this Deed.

To achieve this link the proposed Baptist Chapel has been re-positioned further south to allow the footway to run alongside the north elevation of the Chapel. The sports hall has been relocated into the north side wing and overlooks the footway. The footway will extend across the corner of the school playingfield and connect with the existing school footway entrance to Sancroft Way. The existing gates will be re-positioned to maintain the schools security.

Suffolk County Council Infrastructure Officer advises that discussions have been had between County and the Headteacher who agree that it would be practical if this corner of the site was disposed of to the developer, subject to consent from the Secretary of State.

Whilst consent will be required from the Secretary of State to dispose of the corner of the Playingfield, taking into account the legal agreement, the nature of the area to be disposed and its size; it is considered reasonably likely that the footway can be achieved. As such provision of the footway can be secured through the planning obligation and conditions.

The provision of this footpath provides a direct link to local services and facilities, and consequently provides viable infrastructure and promotes pedestrian activity and priority. Subsequently the proposal accords with paragraphs 31, 34, 35 and 72 of the NPPF, and as such contributes to the achievement of sustainable development required by paragraph 6 of the NPPF and The Focused Review Core Strategy Policies FC1 and FC1.1.

Visibility Splays for new access road

Paragraph 32 of the NPPF states that development should provide safe and suitable access to the site for all people. Policy T10 of the Mid Suffolk Local Plan 1998 also provides that development will be considered in regards to the provision of safe access to and egress from the site.

The 2015 application had the forward visibility splay for the new road across land outside of the applicant's ownership and control. As a result the applicant would not be able to provide or keep the splay clear in the future.

This scheme extends the road further into the site and reduces the tightness of the roads curve allowing for the visibility splays to be achieved within the application site and the landowner's control. Therefore the proposal would achieve safe vehicular access and accords with policy T10 of the Mid Suffolk Local Plan and paragraph 32 of the NPPF.

Suffolk County Council Highways Officer raises no objection to the proposal and recommends conditions to secure the road, footways and parking.

Impact on biodiversity:

The majority of the site has been identified by Natural England as Broadleaved woodland, a Priority habitat (under s41 NERC Act) although Natural England advise that none of the site is within a statutory designated area and offer no further comments.

Nevertheless the Local Planning Authority has a statutory duty under the Natural Environment and Rural Communities Act (NERC) 2006 section 40, to conserve biodiversity, as to ensure that such a decision will not give rise to the risk of commission of an offence to protected species.

The 2015 application did not provide an assessment of the likely impacts on the priority habitat and protected species and did not provide an effective scheme for their mitigation. A Construction and Environment Management Plan (CEMP) did detail mitigation for disturbance & killing/injury of protected and priority species but did not provide adequate mitigation for the loss of terrestrial habitat for protected species or how this loss will be adequately compensated or offset. Subsequently the application was refused on these grounds.

This application includes the following documents:

- Arboricultural Implications Assessment and Method Statement by Andrew Belson dated 09 September 2016.
- Tree Inspection- Assessment of Group B (ref: 2635.AIA) in respect of its Priority Woodland' Classification by Andrew Belson dated 23 May 2016
- Ecological Surveys- Protected Species and Habitat Surveys by Anglian Ecology dated 27 January 2015
- Great Crested Newt Survey Report by Eco-check dated June 2016
- Proposed Mitigation for Loss of Priority Woodland by Adam Power Associates dated 18 August 2016
- Reptile Survey by Eco-Check dated June 2015
- Summer Bat Survey by Ecocheck Ltd dated June 2015
- Construction Environmental Management Plan (CEMP) and Biodiversity Enhancement Method Statement by Ecocheck Ltd dated November 2016
- Supplementary Information in Relation to the Proposed Mitigation for Loss of Priority Woodland by Adam Power Associates

This suite of documents identify that all significant adverse impacts from the proposed development upon Priority habitats, as well as Protected and Priority species, will be mitigated in line with relevant wildlife legislation and planning policy. The Local Planning Authority can therefore demonstrate its legal compliance with the Habitats Regulations and Wildlife & Countryside Act, as well as its biodiversity duty under s40 of Natural Environment & Rural Communities Act.

The Arboricultural Implication Assessment identifies that the proposal will lead to the loss of trees and this loss is unavoidable. However, it should be noted that the final housing layout may allow for some trees to be retained. The Arboricultural Implication Assessment sets out that some of the trees are of poor condition and require removal but the majority are of good to reasonable condition. The Assessment provides measures to protect trees to be retained.

MSDC's Tree Officer advises that subject to retention of the boundary hedgerows and trees this loss should not have a significant impact upon the visual character of the local area.

The Tree Officer also points out that the classification of part of the site as 'priority woodland habitat' is somewhat difficult to understand and possibly not the result of a detailed assessment.

The Arboricultural Implication Assessment also notes that the validity of this designation has been assessed as inappropriate as the Classification has not been 'ground truthed' – that is, it has only been designated through the use of aerial imagery.

The Tree Inspection- Assessment of Group B (ref: 2635.AIA) in respect of its 'Priority Woodland' Classification concludes that Tree Group B (which is predominately part of the area within the designated area) could not be described as a 'valued landscape' and the loss of Group B would have minimal impact on biodiversity. Group B is not irreplaceable natural habitat having grown up within the last 70 years; probably much less – perhaps 30 years or so. The trees could easily be replaced within a relatively short space of time. The southwestern boundary hedge (and the trees associated with it), are however a significant and important landscape feature.

Sue Hooton, Ecologist at Place Services, has advised that she disagrees that designation is incorrect but accepts that this woodland is of low habitat distinctiveness and in poor condition. Although the boundary trees will be retained with the proposed development, the loss will require offsetting with replacement woodland creation.

The development proposes to compensate for the loss of this habitat through creation of a new woodland area of the same site area as the priority habitat. This land would be planted with species and managed accordingly. Sue Hooton has recommended this be 0.3ha in size, double the existing area. However, given the low level of habitat distinctiveness and the poor condition of the habitat overall and that the south western boundary trees identified as being of landscape value are to be retained; it is considered that a new broadleaf woodland of the equivalent size is acceptable as its quality would provide an enhancement to biodiversity. It should also be noted that dependent on the final housing layout and scale, some trees may still be retained within Group B.

Paragraph 118 of the National Planning Policy Framework details that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

- if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

National Planning Practice Guidance identifies that the following questions should be answered.

Avoidance – can significant harm to wildlife species and habitats be avoided for example through locating on an alternative site with less harmful impacts?

There are other potential sites around Fressingfield which could arguably be used for relocating the development. However, these are not as well connected to the services and facilities to Fressingfield and many would also have similar impact to the countryside views being on the edge of the settlement. The site is nestled within the existing built environment, unlike other sites which are more open to the countryside. As such the alternative sites whilst not resulting in the loss of a designated priority habitat would also risk harm to the landscape.

Mitigation – where significant harm cannot be wholly or partially avoided, can it be minimised by design or by the use of effective mitigation measures that can be secured by, for example, conditions or planning obligations?

The boundary hedge and trees are to be protected and retained. Whilst this does offer some mitigation it would still result in the almost total loss of this Priority Habitat.

Whilst the final housing layout could result in the retention of more trees this would still be likely to result in the loss of the habitat where trees would fall within garden areas.

Compensation – where, despite whatever mitigation would be effective, there would still be significant residual harm, as a last resort, can this be properly compensated for by measures to provide for an equivalent value of biodiversity?

The new woodland area would provide more ecological value through agreement of the species and planting scheme along with the long term management and retention. As such it is considered that the loss of the priority habitat, subject to the legal agreement and conditions, can be properly compensated through the equivalent value of biodiversity.

The site has been surveyed for protected species along with mitigation and enhancement measures to ensure no significant adverse impacts on Protected Species. Sue Hooton, Place Services, is satisfied that subject to conditions to implement the mitigation and enhancement measures contained in the submitted CEMP, conditions to retain boundary hedgerows and a lighting scheme, there will now be no significant adverse impacts on European Protected Species, Protected Species and Priority Species.

In conclusion the amended scheme and additional reports overcome the reason for refusal of the 2015 application and the development would thus accord with the requirements of paragraphs 7, 8, 109, 117, 118 and 119 of the NPPF and policy CS5 of the Core Strategy and CL8 of the Mid Suffolk Local Plan.

Planning Obligation

The 2015 application was determined prior to the adoption of the Community Infrastructure Levy. County Infrastructure Team have detailed the calculations which will form a future CIL bid towards education and the library under this application.

However Suffolk County Council have requested contributions towards raised kerbs at bus stops and the contribution of money towards surface improvements to footpath 66.

Paragraph 204 of the National Planning Policy Framework states that planning obligations should only be sought where they meet all of the following tests:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development. The S106 agreement must secure infrastructure

The reasoning for contributions towards resurfacing the footpath is due to the increase in footfall from this development along this footpath to Sancroft Way. The development provides a footway link from School Road to Sancroft Way and the southern boundary trees and hedge are to be retained. There is no connection between this site and footpath 66. Future residents are unlikely to use this footpath other than for recreational purposes due to the new footway link to Sancroft Way which leads up to the village shop and doctor's surgery it is unlikely this development will lead to an intensification of use in terms of providing access to Sancroft Way. Subsequently it is not deemed necessary or reasonably related to the development.

No justification has been provided as to why the raised kerbs are necessary for this development to be acceptable in planning terms or how this directly relates to the development. No details have been provided for which bus stops require the raised kerbs and where. This does not appear reasonably related to the development or necessary.

A neighbour requested consideration that the conversion of the existing chapel must be sought through the obligations. This is not deemed necessary or relevant to the planning merits of this application.

The legal agreement will secure the provision of the affordable housing, creation of the footway and the replacement and future management of the new woodland.

Other Matters

Many residents raised concerns about the need for a new chapel and why the existing chapel cannot be renovated. The current building is a grade 2 listed building and is listed in regards to its unusual form and design. External and internal alterations are likely to have a significant impact on the historic interest of the building.

It is recognised that the congregation is growing and the building no longer provides the space or function required by the applicant.

Additionally comments have been raised by residents that there are other sites currently being considered or likely to come forward for planning permission which are more appropriate for housing. The Local Planning Authority, in light of the lack of five year land supply, must consider this application on its own merits as to whether a Chapel of this scale and residential development of up to 18 dwellings is acceptable in this location. The other developments coming forward are not a material planning consideration to this proposal.

Furthermore it is important to note that the development will provide footway connections with School Road as to allow pedestrian access from the chapel car park to the school without the need to walk in the highway.

Conclusion

The amended scheme overcomes the previous refusal of the 2015 application by providing a new footway connection to Sancroft Way as to prioritise the pedestrian and promote accessibility or maximise the use of sustainable modes

of transport. The new road layout provides visibility splays within the landowners control to ensure the splays are maintained in-perpetuity. As such a safe and secure layout is provided. The proposal accords with policy T10 of the Mid Suffolk Local Plan and paragraphs 31, 32, 34, 35 and 72 of the NPPF.

The application identifies the impact of the development on biodiversity and provides mitigation, compensation and enhancement measures to overcome any significant adverse impact on protected species, priority species and the loss of priority habitat. As such the proposal accords with the requirements of paragraphs 118 and 119 of the NPPF, CS5 of the Core Strategy and CL8 of the Mid Suffolk Local Plan.

RECOMMENDATION

(1) Subject to the prior agreement of a Section 106 Planning Obligation on appropriate terms to the satisfaction of the Professional Lead - Growth and Sustainable Planning to secure:

- The creation of the replacement woodland and details of its long term management
- 35% Affordable Housing
- The new footway link with Sancroft Way.

(2) That the Professional Lead - Growth and Sustainable Planning be authorised to grant Full Planning Permission subject to conditions including:

Full Planning permission for the Baptist Chapel

- Time Limit for commencement
- Accord with approved plans
- Construct in accordance with Tree Protection measures
- Retain boundary hedgerows and trees
- Prior to commencement of development agree written scheme of investigation for archaeological works
- Prior to occupation complete and agree site investigation and post investigation assessment
- Prior to commencement agree Sustainability and Energy Strategy
- Prior to commencement agree details of estate road and footpaths
- Construct carriageway and footways prior to occupation
- Use shall not commence until parking and manoeuvring area provided and thereafter retained
- Agree details of external equipment such as air source heat pumps, kitchen extraction and ventilation systems prior to their installation
- Prior to commencement of development lighting strategy to be agreed in order to protect neighbour amenity and biodiversity
- Prior to commencement permeability tests to be completed and detailed surface water drainage system submitted and agreed
- No hard standing to be constructed prior to installation of the surface water drainage strategy has been implemented
- Development shall be constructed, completed and overseen in accordance with the Construction Environmental Management Plan and Ecology Reports
- Enhancement measures to be implemented in accordance with the Ecology Reports, Habitat Creation and Construction Environmental Management Plan

- Prior to commencement (including site clearance) details of Landscape and Ecological Management Plan (LEMP) to be submitted and agreed.
- Prior to commencement details of hard and soft landscaping including boundary treatments
- Implementation of hard and soft landscaping and replacement of dead or dying landscaping
- Prior to occupation position of fire hydrants to be agreed and installed accordingly
- The footway link to Sancroft Way shall be made available prior to the occupation and retained to allow public access
- Prior to works above slab level, precise details of the external materials to be agreed.
- Construction working hours to be 08:00 to 18:00 Monday-Friday and 08:00 to 13:00 Saturdays. No working on Sundays or Bank Holidays
- Construction Management Plan to be agreed and implemented accordingly.
- Chapel to be used solely as Chapel including the ancillary uses of the coffee shop and sports hall. It shall not be used for any other use within Class D2 benefit from have permitted development rights to change use.
- No gates to be installed to the car park

Outline Permission- New dwellings

- Time limit for submission of Reserved Matters and commencement
- In accordance with approved plans
- Concurrent with submission of Reserved Matters, details of tree protection measures to be agreed and implemented
- Retain boundary trees and hedgerow
- Prior to commencement of development agree written scheme of investigation for archaeological works
- Prior to occupation complete and agree site investigation and post investigation assessment
- Prior to commencement agree details of estate road and footpaths
- Construct carriageway and footways prior to occupation
- Prior to commencement of development lighting strategy to be agreed in order to protect neighbour amenity and biodiversity
- Prior to commencement permeability tests to be completed and detailed surface water drainage system submitted and agreed
- No hard standing to be constructed prior to installation of the surface water drainage strategy has been implemented
- Development shall be constructed, completed and overseen in accordance with the Construction Environmental Management Plan and Ecology Reports
- Enhancement measures to be implemented in accordance with the Ecology Reports, Habitat Creation and Construction Environmental Management Plan
- Prior to commencement details of Landscape and Ecological Management Plan (LEMP) to be submitted and agreed
- Prior to commencement details of hard and soft landscaping including boundary treatments
- Implementation of hard and soft landscaping and replacement of dead or dying landscaping
- Prior to occupation position of fire hydrants to be agreed and installed accordingly
- The footway link to Sancroft Way shall be made available prior to the occupation
- Prior to works above slab level, precise details of the external materials to be agreed.
- Construction working hours to be 08:00 to 18:00 Monday-Friday and 08:00 to 13:00 Saturdays. No working on Sundays or Bank Holidays
- Construction Management Plan to be agreed and implemented accordingly
- Details of proposed materials

(3) That in the event of the Planning Obligation referred to in Resolution (1) above not being secured that the Professional Lead - Growth and Sustainable Planning be authorised to refuse planning permission on appropriate grounds.

Philip Isbell
Professional Lead - Growth & Sustainable Planning

Rebecca Biggs
Planning Officer

APPENDIX A - PLANNING POLICIES

1. Mid Suffolk Core Strategy Development Plan Document and the Core Strategy Focused Review

- Cor1** - CS1 Settlement Hierarchy
- Cor2** - CS2 Development in the Countryside & Countryside Villages
- Cor5** - CS5 Mid Suffolks Environment
- CSFR-FC1** - PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT
- CSFR-FC1.1** - MID SUFFOLK APPROACH TO DELIVERING SUSTAINABLE DEVELOPMENT
- Cor6** - CS6 Services and Infrastructure
- Cor3** - CS3 Reduce Contributions to Climate Change
- Cor4** - CS4 Adapting to Climate Change

2. Mid Suffolk Local Plan

- GP1** - DESIGN AND LAYOUT OF DEVELOPMENT
- H17** - KEEPING RESIDENTIAL DEVELOPMENT AWAY FROM POLLUTION
- CL8** - PROTECTING WILDLIFE HABITATS
- RT12** - FOOTPATHS AND BRIDLEWAYS
- RT1** - SPORTS AND RECREATION FACILITIES FOR LOCAL COMMUNITIES
- T9** - PARKING STANDARDS
- T10** - HIGHWAY CONSIDERATIONS IN DEVELOPMENT
- 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
- H4** - PROPORTION OF AFFORDABLE HOUSING IN NEW HOUSING DEVELOPMENT

3. Planning Policy Statements, Circulars & Other policy

- NPPF** - National Planning Policy Framework
- C01/03** - Safeguarding aerodromes, technical sites and military explosives

APPENDIX B - NEIGHBOUR REPRESENTATIONS

Letter(s) of representation(s) have been received from a total of **41** interested party(ies).

The following people **objected** to the application

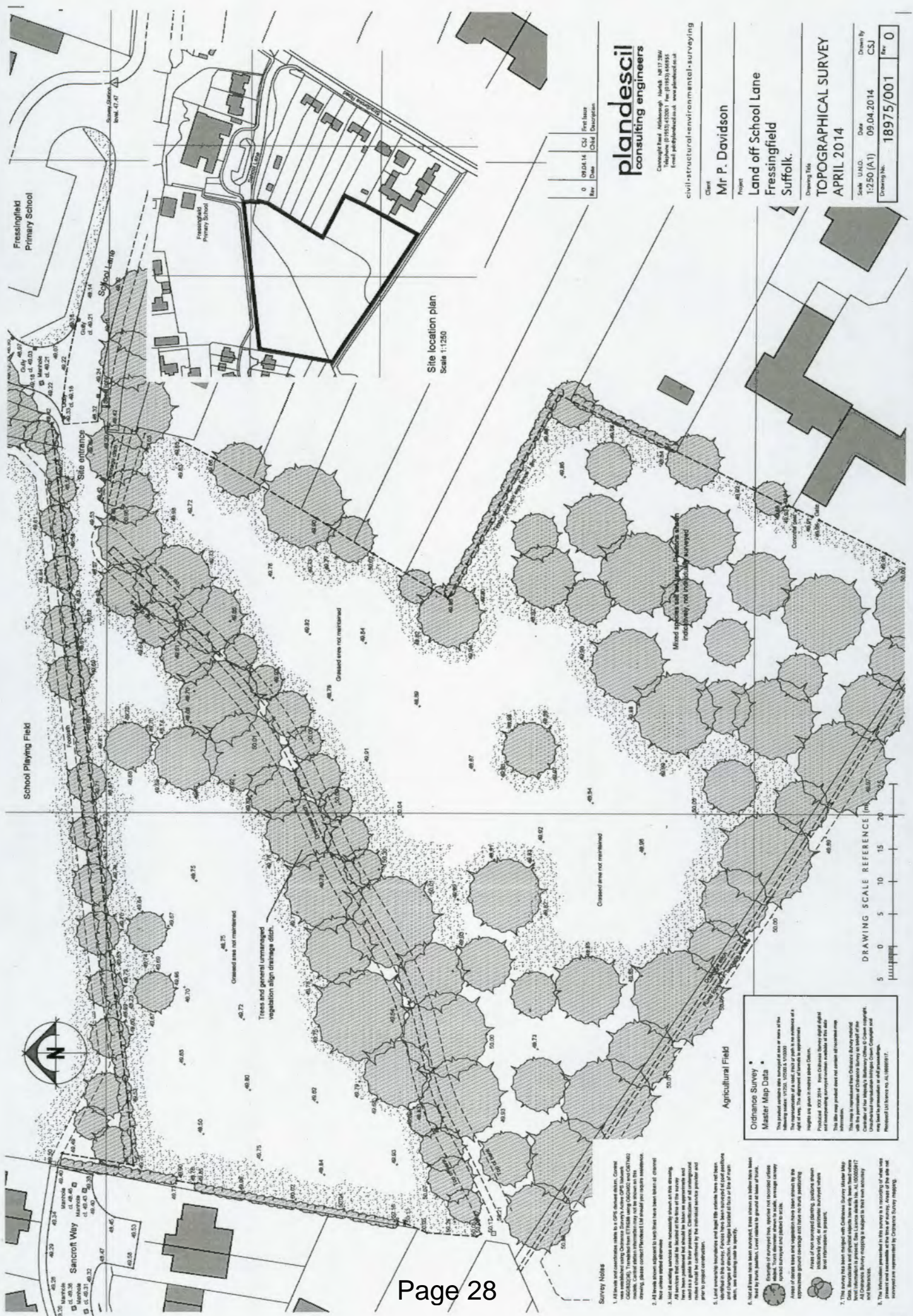
[Redacted list of names and addresses for objectors]

The following people **supported** the application:

[Redacted list of names and addresses for supporters]

The following people **commented** on the application:

[Redacted list of names and addresses for commenters]



Rev	Date	CU	By	Desc
0	09/04/14	CSJ	Mr P. Davidson	Final Issue

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Email: info@plandescil.co.uk
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civil-structural-environmental-surveying

Client
Mr P. Davidson

Project
**Land off School Lane
Fressingfield
Suffolk.**

Drawing Title
**TOPOGRAPHICAL SURVEY
APRIL 2014**

Scale	U.N.O.	Date	Drawn By
1:250 (A1)		09.04.2014	CSJ
Drawing No.	18975/001		Rev
			0

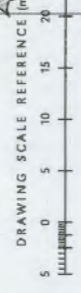
Fressingfield Primary School

Fressingfield Primary School

Site location plan
Scale 1:250

School Playing Field

Agricultural Field



**Ordnance Survey
Master Map Data**

The representation of a road, river or path on this drawing is a height of any. This alignment is based on approximations.

Heights are given in meters above sea level.

This data was produced from a combination of Ordnance Survey Master Map Data and other sources.

This drawing is based on Ordnance Survey Master Map Data. It is not intended to be used for any other purpose. The Ordnance Survey Master Map Data is a Crown Copyright. Unauthorised reproduction is illegal. Ordnance Survey is a registered trademark of the Ordnance Survey.

Product ID: 18975/001, 04/2014

- Survey Notes**
- All levels and coordinates refer to a GPS datum unless stated otherwise. Control points were surveyed using a Leica GPS receiver. Control points were surveyed using a Leica GPS receiver. Control points were surveyed using a Leica GPS receiver.
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FOR PLANNING

No.	Date	By	Check	Description
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consulting engineers

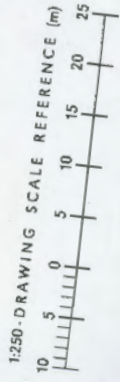
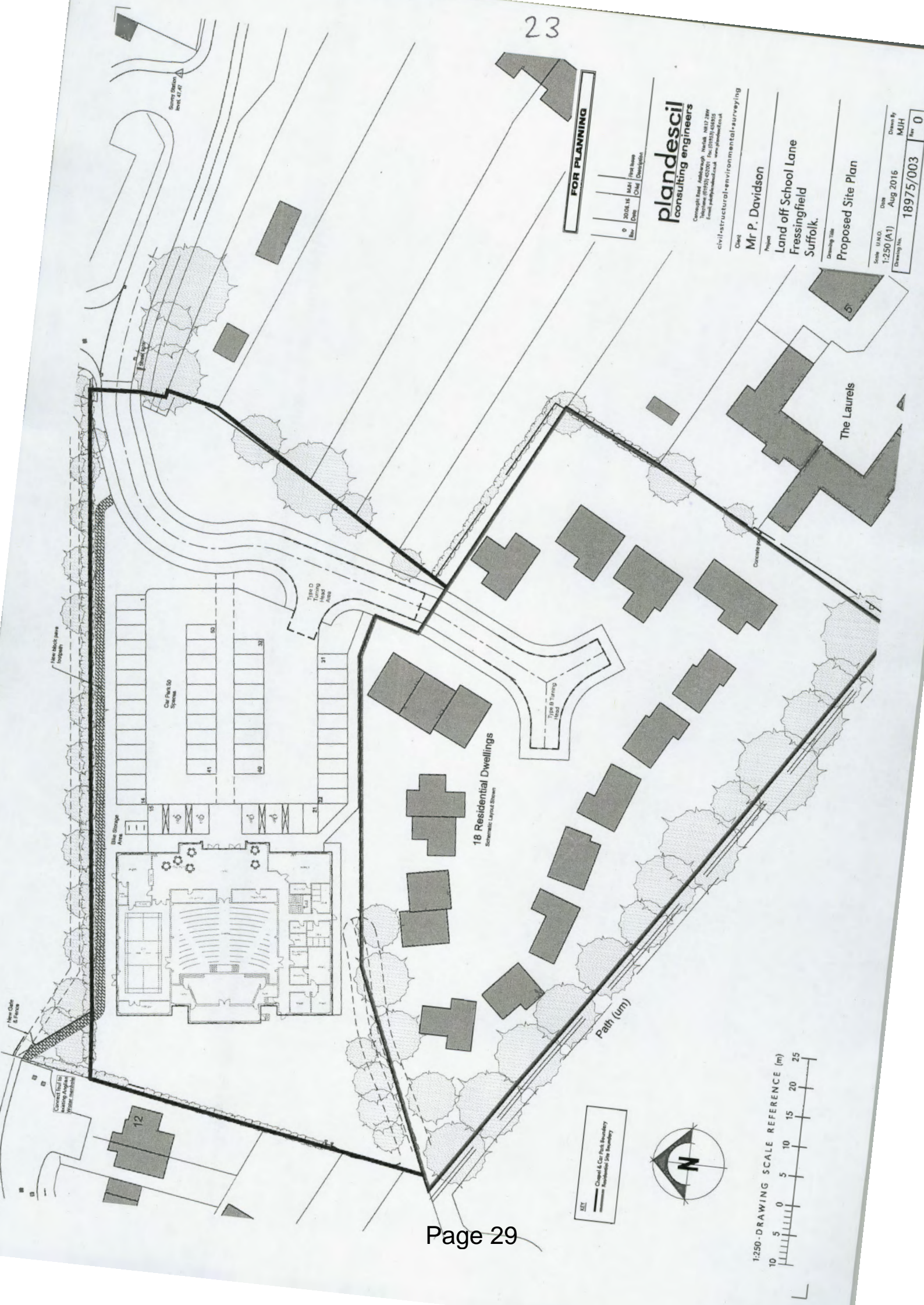
Caughley Road, Ashbridge, Felixstowe, NR17 2BP
 Tel: 01493 625201 Fax: 01493 625205
 Email: info@plandescil.co.uk www.plandescil.co.uk
 christofstructural-environmental-surveying

Client: **Mr. P. Davidson**

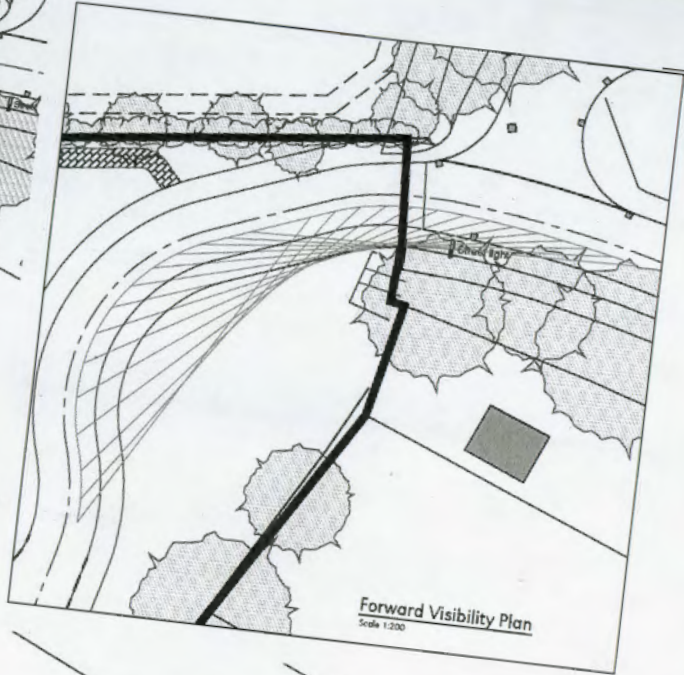
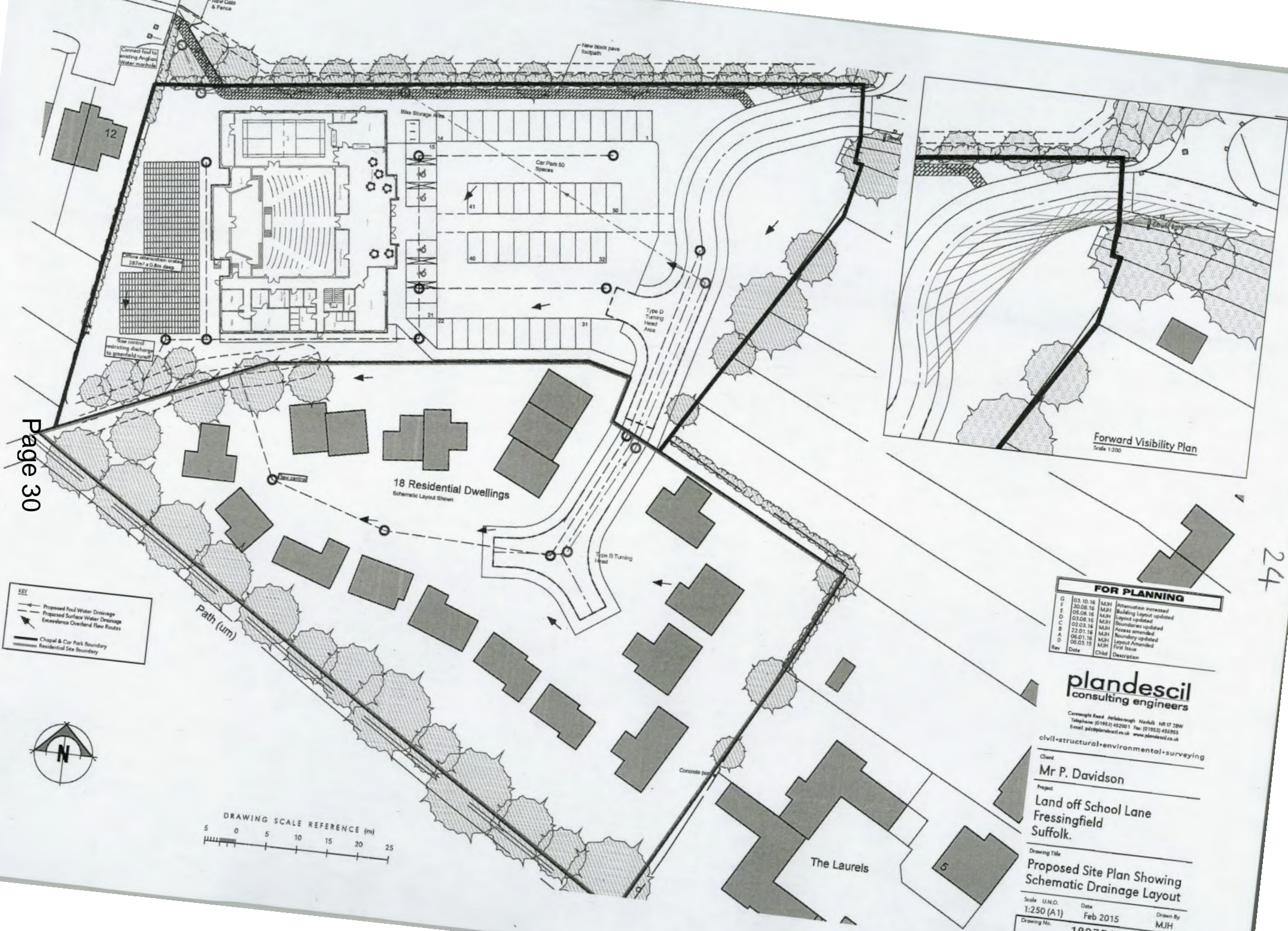
Project: **Land off School Lane
Fressingfield
Suffolk.**

Drawing Title: **Proposed Site Plan**

Scale: I.M.C.O.	Date:	Drawn By:	Drawn No.:
1:250 (A1)	Aug 2016	MJH	
Drawing No.:	18975/003	Rev:	0



SEE
 ——— Overall & Car Park Boundary
 - - - - - Proposed Site Boundary



Forward Visibility Plan
Scale 1:200

KEY

- Proposed Final Water Drainage
- Proposed Surface Water Drainage
- Excessance Overland Flow Routes
- Chapel & Car Park Boundary
- Residential Site Boundary

FOR PLANNING			
Rev	Date	Chkd	Description
C	03.10.16	MJH	Attention increased
P	30.08.16	MJH	Building layout updated
E	05.08.16	MJH	Layout updated
D	03.08.16	MJH	Boundaries updated
A	22.01.16	MJH	Access amended
B	06.01.16	MJH	Boundary updated
D	06.01.16	MJH	Layout Amended
	06.03.15	MJH	First Issue

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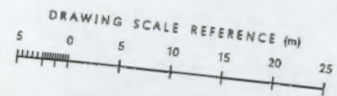
Corning Road, Jelfsborough, Norfolk, NR17 2BW
Telephone: (01953) 492001 Fax: (01953) 455965
E-mail: plandescil@bt.com www.plandescil.co.uk

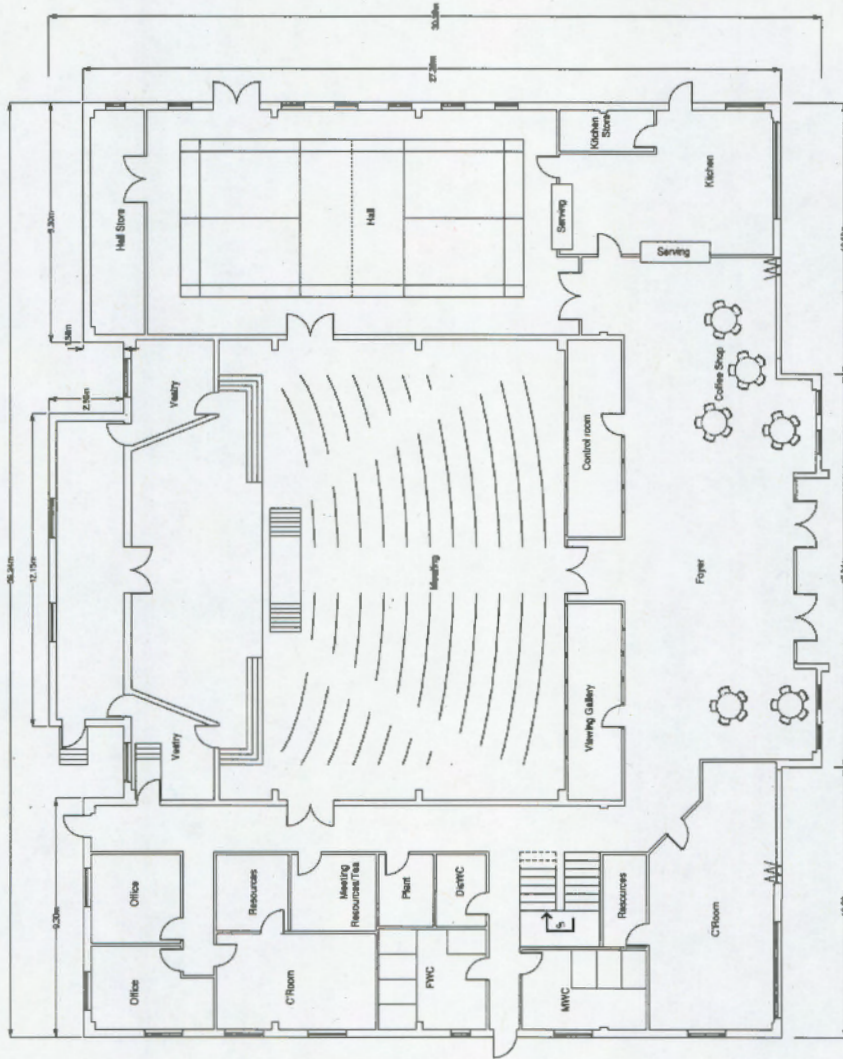
Client: **Mr P. Davidson**

Project: **Land off School Lane Fressingfield Suffolk.**

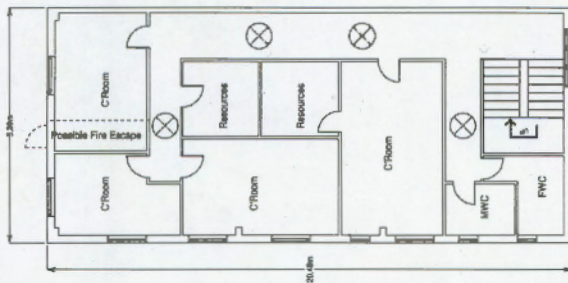
Drawing Title: **Proposed Site Plan Showing Schematic Drainage Layout**

Scale: U.M.D. Date: Feb 2015 Drawn By: MJH
1:250 (A1) Rev: G
Drawing No: 18975/802





Ground Floor Plan.



First Floor Plan.



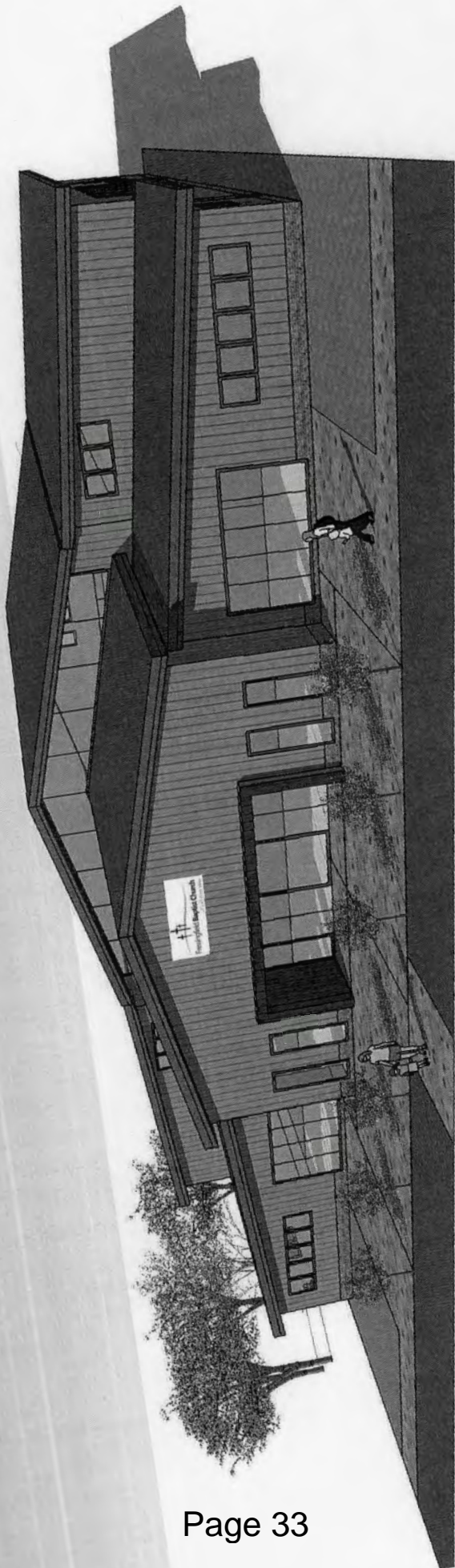
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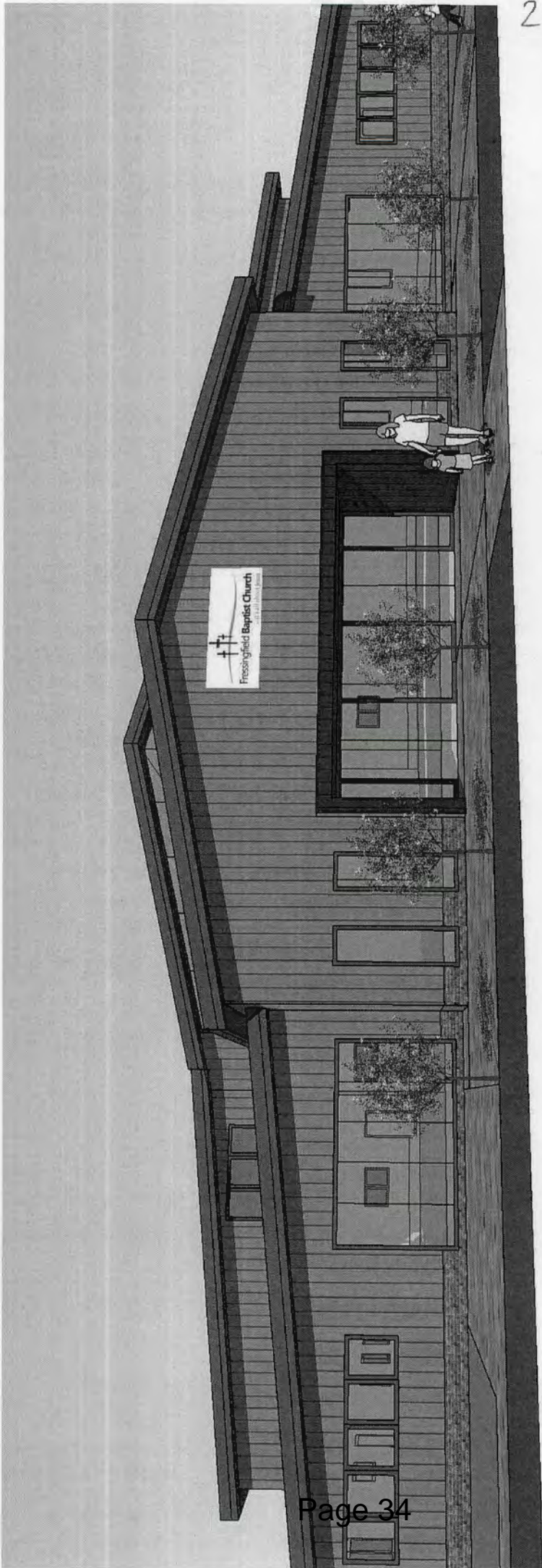
Rev	Date	Details
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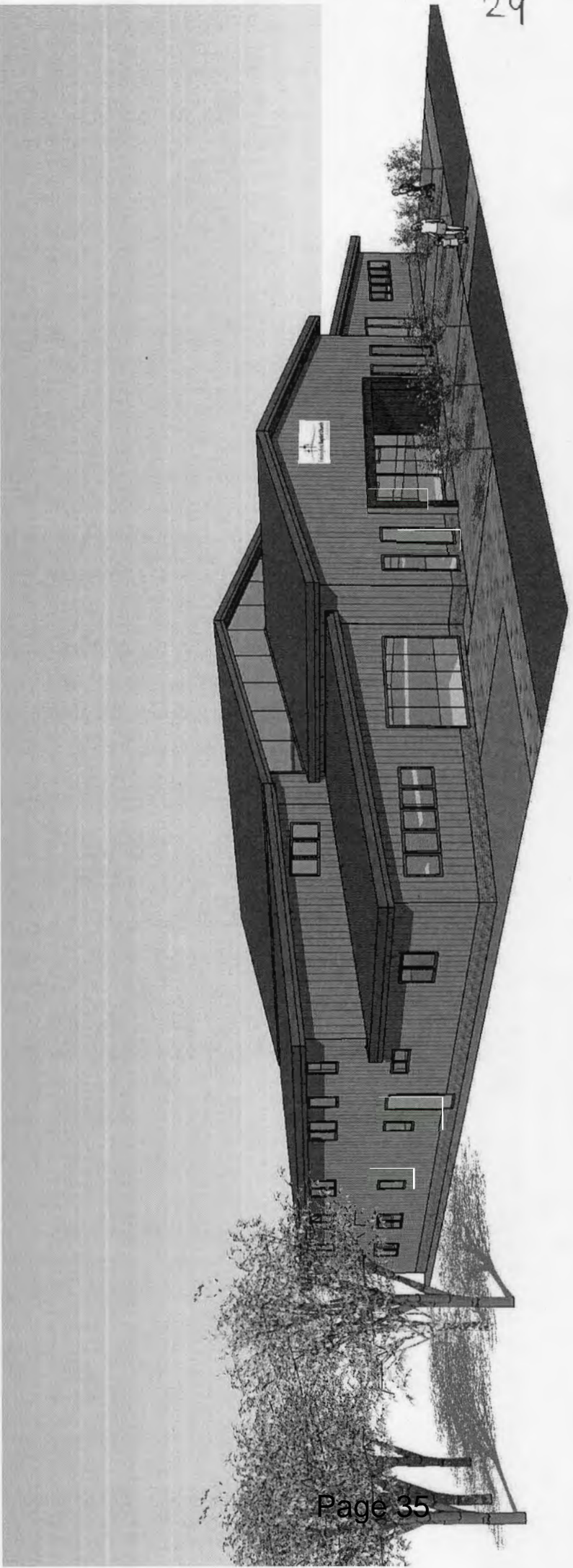
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Proposed Baptist Church		Scheme C: Floor Plans
For	Trustees Of Fressingfield Baptist Church.	
Job No	144720	Draw No
Date	18/04/2016	Scale
PT - C		1:100 @ A1
Rev		0

ADAM POWER ASSOCIATES

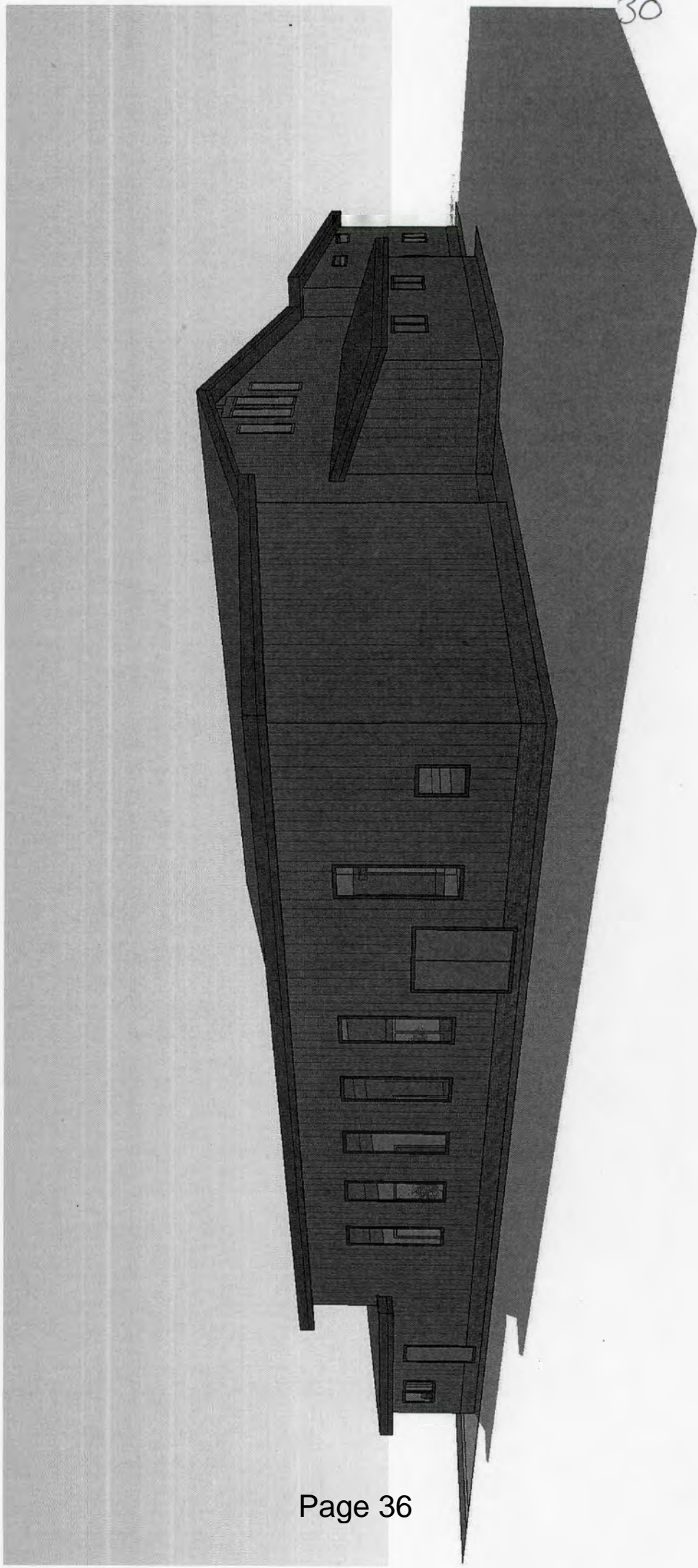
Consulting Civil/Structural Engineers
 Church Farm, The Green, Fressingfield, Suffolk IP19 2JW
 Tel: 01449 491000 Fax: 01449 491001
 Email: james@adam-power.co.uk

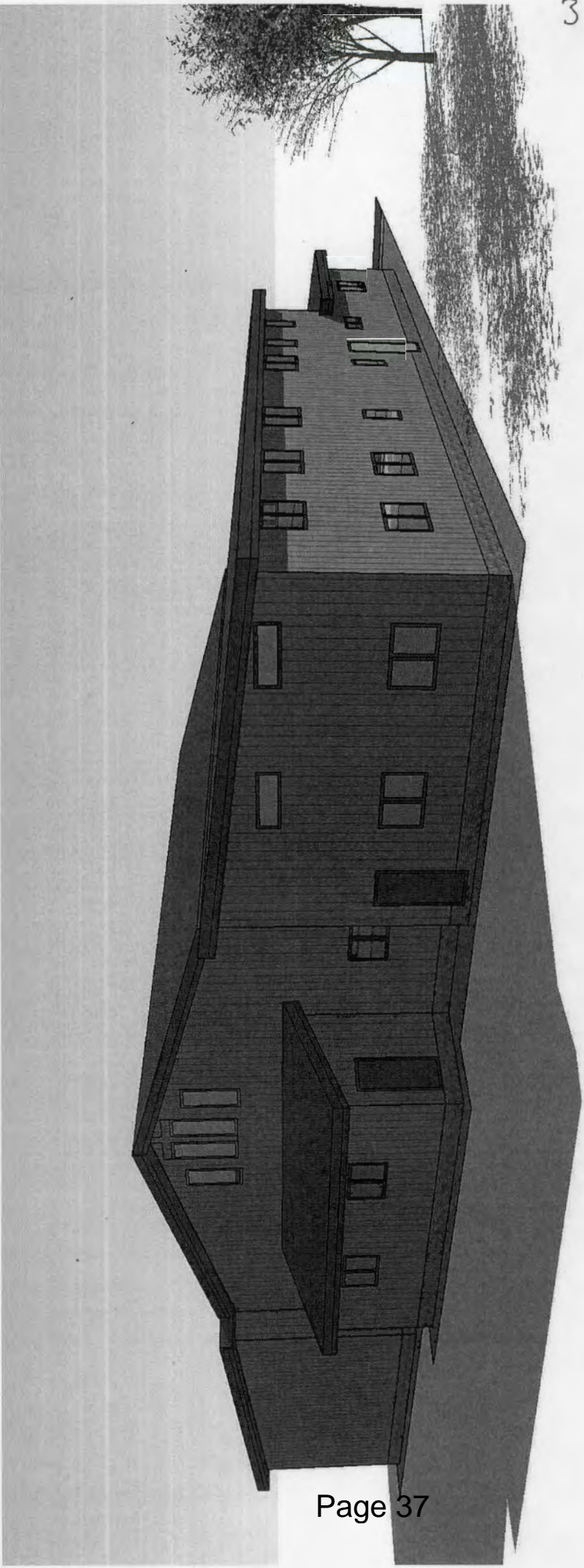






30





Consultee Comments for application 3872/16

Application Summary

Application Number: 3872/16

Address: Land south west of, School Lane, Fressingfield IP21 5PZ

Proposal: Hybrid application comprising: - application for full detailed Planning Permission for the erection of a New Baptist Chapel, car parking and access & an application for Outline Planning Permission for up to 18 No residential unit (revised scheme to application 0846/15).

Case Officer: Rebecca Biggs

Consultee Details

Name: Mrs Carol Smy

Address: Manfield House, 7 Norwich Road, Ditchingham NR35 2JJ

Email: clerkfpc@thesmys.com

On Behalf Of: Fressingfield Parish Clerk

Comments

The Planning Committee considered this application very carefully in light previous views and comments put forward by members of the public. Members recognised and appreciated the mitigating woodland that had been proposed and the following of the Arboricultural Implications Assessment and Method Statement was welcomed and supported by the Council. The retention of some trees (for bats to feed) and hedgerows was supported and it should be noted that the habitat for bats had been improved in the village as a whole.

Members were pleased that Highways issues had been address satisfactorily. Of the policies listed as being applicable it was felt that:

GP1 the design and layout of the proposal as a whole was fitting for the site.

CL8 the protection of wildlife habitats had been addressed satisfactorily

CSFR-FC1 (& CSFR-FC1.1) this proposal satisfies this policy

RT1 this proposal provides facilities that will be available to the community as a whole, not just the congregation of the chapel.

T9 this development will bring much needed parking space in the vicinity of the primary school that should alleviate the dangers at drop off and collection times and the proposed play area would (RT1) add to the facilities available to the parents of children at the school before and after lessons.

T10 Highways issues have been addressed.

H13 the draft design and layout appears to be satisfactory.

H14& 15 it is hoped that the full application for the houses will demonstrate a variety of types to fill various needs that will sit well with the current village vernacular.

H4 the requirement for affordable housing in Fressingfield is well known and this proposal appears to promise such properties.

The Council wishes to emphasise that the affordable housing promised in this application is absolutely critical to the village. There should be a greater emphasis on smaller residential units as Fressingfield does not have the need for many more larger properties whereas smaller dwellings will mean that young people can remain or return to the village that is their home.

The Planning Committee recommends approval for this application by a majority vote.



Consultation Response Pro forma

1	Application Number	3872/16 School Lane, Fressingfield	
2	Date of Response	5.10.16	
3	Responding Officer	Name:	Paul Harrison
		Job Title:	Heritage and Design Officer
		Responding on behalf of...	Heritage
4	Summary and Recommendation (please delete those N/A) Note: This section must be completed before the response is sent. The recommendation should be based on the information submitted with the application.	1. The Heritage Team does not wish to offer comments on this proposal.	
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.		
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		

Please note that this form can be submitted electronically on the Councils website. Comments submitted on the website will not be acknowledged but you can check whether they have been received by reviewing comments on the website under the application reference number. Please note that the completed form will be posted on the Councils website and available to view by the public.

From: David Pizzey
Sent: 30 September 2016 14:37
To: Rebecca Biggs
Cc: Planning Admin
Subject: 3872/16 Land south west of School Lane, Fressingfield.

Rebecca

I have no objection to this proposal subject to it being undertaken in accordance with the protection measures outlined in the accompanying arboricultural report. Although a number of trees are proposed for removal these are generally of limited amenity value and/or in poor condition. Subject to retention of the boundary hedgerows and trees this loss should not have a significant impact upon the visual character of the local area. The classification of part of the site as 'priority woodland habitat' is somewhat difficult to understand and possibly not the result of a detailed assessment.

Please let me know if you require any further comments.

Regards

David

David Pizzey
Arboricultural Officer
Hadleigh office: 01473 826662
Needham Market office: 01449 724555
david.pizzey@baberghmidsuffolk.gov.uk
www.babergh.gov.uk and www.midsuffolk.gov.uk

From: David Harrold
Sent: 13 October 2016 09:40
To: Planning Admin
Cc: Rebecca Biggs
Subject: Plan Ref 3872/16/FUL Land South West of School Lane, Fressingfield. EH - Other Issues

Thank you for the opportunity to comment on the above application.

I have no objections to the proposed development subject to appropriate conditions to mitigate against adverse impacts from noise and lighting. In this respect I would recommend conditions requiring the following:

1. No development shall commence until full details of any externally equipment such as air source heat pumps, kitchen extraction and ventilation systems have been submitted to and approved in writing by the Local Planning Authority. Such details shall demonstrate that the systems will not be likely to cause nuisance to occupiers of the proposed residential units and existing neighbouring premises; that any odour in the discharge (from kitchen) will be adequately abated so as not to cause nuisance; and that the systems shall be installed in accordance with the approved details prior to the new Baptist Chapel being first used and shall be thereafter retained in its approved form unless otherwise agreed in writing by the Local Planning Authority.
2. The working hours during construction shall be restricted to 0800 hrs – 1800 hrs Mondays to Fridays and 0800 hrs and 1300 hrs on Saturdays. There shall be no working hours on Sundays or Bank Holidays.
3. No floodlighting or other means of external lighting shall be installed at the site except in accordance with details to include position, height, aiming points, lighting levels and a polar luminance diagram (based on the vertical plane at the nearest existing or proposed residential receptors), which shall have previously been submitted to and agreed in writing by the Local Planning Authority.

Reason: To protect the occupiers of the neighbouring and proposed residential properties suffering loss of amenity or nuisance.

I trust this is of assistance.

David Harrold MCIEH

Senior Environmental Protection Officer
Babergh and Mid Suffolk Council

01449 724718

From: Iain Farquharson
Sent: 03 October 2016 11:17
To: Planning Admin
Subject: RE: Consultation on Planning Application 3872/16 - sustainability

Our Ref M3:184393

Dear Sir/Madam

The application does not make reference to policy CS3. There is no attempt to suggest methods by which the development would reduce water use, make use of sustainable construction techniques and materials and otherwise reduce the environmental impact of the development.

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.

It is acknowledged that the application is in part for outline permission of dwellings and sustainability issues for these can be dealt with via conditions (as suggested below).

The substantial church building and its associated energy consumption requires some urgent consideration around this topic area. The requirement to integrate renewable technology and mitigate 10% of the buildings predicted energy demand has not been considered.

The recommendation is to impose conditions to ensure the buildings are as sustainable as possible and to secure the required 10% energy reduction for the Church building:

Before any development is commenced a Sustainability & Energy Strategy must be provided detailing how the residential development will minimise the environmental impact during construction and occupation including details on environmentally friendly materials, construction techniques and reduced use of potable water (suggested maximum of 105ltr per person per day for residential).

This document shall be submitted to, and approved in writing by, the Local Planning Authority and construction undertaken as per the document.

Before any development is commenced a Sustainability & Energy Strategy must be provided detailing how the church building will minimise the environmental impact during construction and occupation including details on environmentally friendly materials, construction techniques and reduced use of potable water. The strategy will also clearly demonstrate a 10% reduction in energy use when compared to a fully compliant Part L property.

This document shall be submitted to, and approved in writing by, the Local Planning Authority and construction undertaken as per the document.

Iain Farquharson

Environmental Management Officer
Babergh Mid Suffolk Council

☎ 01449 724878

✉ iain.farquharson@baberghmidsuffolk.gov.uk

From: Nathan Pittam
Sent: 27 September 2016 15:10
To: Planning Admin
Subject: 3872/16/FUL. EH - Land Contamination.

M3 : 184395

3872/16/FUL. EH - Land Contamination.

Land south west of, School Lane, Fressingfield, EYE, Suffolk.

Hybrid application comprising: - application for full detailed Planning Permission for the erection of a New Baptist Chapel, car parking and access & an application for Outline Planning Permission .

Many thanks for your request for comments in relation to the above application. I note that the applicant has submitted a Phase I desk study and site walkover in support of the application. The report is written by AF Howland (ref : MSH/15.128/Phase1) and adequately assesses the former uses of the site and demonstrates that the risks posed at the site are minimal and probably reflect the use of the site for agricultural purposes and in light of this I would have no objections to raise with respect to this application. I would only request that we are contacted in the event of unexpected ground conditions being encountered during construction and that the developer is made aware that the responsibility for the safe development of the site lies with them.

Nathan Pittam BSc. (Hons.) PhD

Senior Environmental Management Officer

Babergh and Mid Suffolk District Councils – Working Together

t: 01449 724715 or 01473 826637

w: www.babergh.gov.uk www.midsuffolk.gov.uk

Your Ref: MS/3872/16
 Our Ref: 570\CON\3217\16
 Date: 3rd October 2016
 Highways Enquiries to: martin.egan@suffolk.gov.uk



All planning enquiries should be sent to the Local Planning Authority.
 Email: planningadmin@baberghmidsuffolk.gov.uk

The Planning Officer
 Mid Suffolk District Council
 Council Offices
 131 High Street
 Ipswich
 Suffolk
 IP6 8DL

For the Attention of: Rebecca Biggs

Dear Sir,

TOWN AND COUNTRY PLANNING ACT 1990 - CONSULTATION RETURN MS/3872/16

PROPOSAL: Hybrid application comprising: - application for full detailed Planning Permission for the erection of a New Baptist Chapel, car parking and access & an application for Outline Planning Permission for up to 18 No residential units; as amended by drawings received 17 November 2015 altering the design of the chapel and drawing 18975/802 rev A received 11 January 2015 amending the road layout and agent's letter received 11 January 2015.
 (Revised Scheme)

LOCATION: Land Off, School Lane, Fressingfield

ROAD CLASS:

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

1 ER 1

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

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

2

Condition: The Church shall not be occupied until the carriageways and footways serving the Church 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 vehicle and pedestrian access is provided for the safety of the public.

3 P 1

Condition: The use shall not commence until the area(s) within the site shown on Drawing Number 18975/003/O as submitted for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

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

4 NOTE 02

It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense. The County Council's Central Area Manager must be contacted on Telephone: 01473 341414. Further information go to: <https://www.suffolk.gov.uk/roads-and-transport/parking/apply-for-a-dropped-kerb/>

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

5 NOTE 07

The Local Planning Authority recommends that developers of housing estates should enter into formal agreement with the Highway Authority under Section 38 of the Highways Act 1980 relating to the construction and subsequent adoption of Estate Roads.

6 NOTE 12

The existing street lighting system may be affected by this proposal. The applicant must contact the Street Lighting Engineer of Suffolk County Council, telephone 01284 758859, in order to agree any necessary alterations/additions to be carried out at the expense of the developer.

Yours faithfully

Mr Martin Egan
Highways Development Management Engineer
Strategic Development – Resource Management

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

Philip Isbell
Professional Lead Officer
Planning Services
Mid Suffolk District Council
131 High Street
Needham Market
Ipswich IP6 8DL

Enquiries to: Rachael Abraham
Direct Line: 01284 741232
Email: rachael.abraham@suffolk.gov.uk
Web: <http://www.suffolk.gov.uk>

Our Ref: 2016_3872
Date: 30 September 2016

For the Attention of Rebecca Biggs

Dear Mr Isbell

**PLANNING APPLICATION 3872/16 – LAND SOUTH WEST OF SCHOOL LANE,
FRESSINGFIELD: ARCHAEOLOGY**

This proposal lies in an area of archaeological interest, in a topographic location that is favourable for early occupation of all periods. Although there are no recorded heritage assets on the Suffolk Historic Environment Record, this area has not been the subject of previous systematic investigation. The scale of the plot is such that there is a high potential for the discovery of hitherto unknown important features and deposits of archaeological interest at this location. Any groundworks associated with the proposed development has the potential to cause significant damage or destruction to any underlying heritage assets.

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 141), 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.

The following two archaeological conditions, used together, are recommended:

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 (2012).

INFORMATIVE:

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

Please let me know if you require any clarification or further advice.

Yours sincerely

Rachael Abraham

Senior Archaeological Officer
Conservation Team

From: Phil Watson

Sent: 10 October 2016 17:09

To: Rebecca Biggs

Subject: Land south west of, School Lane, Fressingfield Application Number: 3872 / 16 - Landscape comments

Dear Rebecca,

DISCLAIMER: This information has been produced by Suffolk County Council's Natural Environment Team on behalf of Mid Suffolk District Council, at their request. However, the views and conclusions contained within this report are those of the officers providing the advice and are not to be taken as those of Suffolk County Council.

Proposal: Hybrid application comprising: - application for full detailed Planning Permission for the erection of a New Baptist Chapel, car parking and access & an application for Outline Planning Permission for up to 18 No residential units; as amended by drawings received 17 November 2015 altering the design of the chapel and drawing 18975/802 rev A received 11 January 2015 amending the road layout and agent's letter received 11 January 2015. (Revised Scheme)

Location: Land south west of, School Lane, Fressingfield Application Number: 3872 / 16

Based on the revised application presented by the applicant I am content that the proposal is, as set out in my letter to you of the 09/09/15 in respect of the earlier version of these proposals, both full and outline (application number 0846/15); acceptable in landscape terms subject to the conditions set out at that time.

Philip Watson CEnv MIAgrE

Senior Landscape Officer
Natural & Historic Environment Team - Strategic Development
Resource Management
Suffolk County Council
8 Russell Rd Endeavour House (B2 F5 47)
IPSWICH IP1 2BX

44

Phil Watson Landscape Development Officer
Natural Environment Team

Endeavour House (B2 F5 47)
Russell Road
IPSWICH

IP1 2BX
Suffolk
Tel: 01473 264777
Fax: 01473 216889
Email: phil.watson@suffolk.gov.uk
Web: <http://www.suffolk.gov.uk>

Your Ref: 0846_15
Our Ref:
Date: 09/09/2015

DISCLAIMER: This information has been produced by Suffolk County Council's Natural Environment Team on behalf of Mid Suffolk District Council, at their request. However, the views and conclusions contained within this report are those of the officers providing the advice and are not to be taken as those of Suffolk County Council.

Ms Rebecca Biggs
Planning Dept
Mid Suffolk District Council
131 High St
Needham Market
Suffolk
IP6 8DL

Cc Mr David Pizzey Arboricultural Officer MSDC/BDC

Dear Rebecca,

**Proposal: Hybrid application comprising: - application for full detailed Planning Permission for the erection of a New Baptist Chapel, car parking and access & an application for Outline Planning Permission for up to 18 No residential units.
Location: Land South West of, School Lane, Fressingfield**

Based on the information provided by the applicant and a site visit carried out with the SCC Senior Ecologist Mrs Sue Hooton, on the 25th August, I offer the following comments.

The information provided by the applicant

The applicant has provided sufficient information in order that the landscape and visual effects of the proposal can be understood.

The site and Landscape

The site is of former meadowland that has developed into scrub and secondary woodland. It is enclosed by tress and hedgerows and is partially within the built up area of the village and partially on the edge of the open countryside

The wider landscape is typical of the Plateau Clayland Landscape Type (Suffolk LCA 2008/11). There are large arable fields surrounded by hedges with trees, a gently rolling landform, a dense pattern of roads and footpaths and a scattered settlement of hamlets and farmsteads outside the main village.

Likely landscape effects

1. The proposal will be a permanent change to land use and land cover with the loss of scrub and woodland replaced by the built environment. This loss will not have a significant impact on the character of the landscape however the effects will be significant locally with a high level of change for adjacent residents and footpath users.

It is notable that an area of secondary woodland will be removed; I understand that deciduous woodland of this type is a Priority Habitat and as such may require compensation; however this is a matter for ecological consultees.

2. Much of the boundary hedging and trees around the site are significant landscape assets. I suggest that a scheme of tree protection and perhaps an Arboricultural Method Statement will be required in order to safeguard the trees and hedgerows to be retained. This is a matter for Mr David Pizzey the Arboricultural Officer.

Likely visual effects

1. Open views of the site are available from the public right of way on the southern side of the site. Views of the site will also be available from public viewpoints in the wider countryside. There is a need to ensure that the site is integrated into the wider landscape through the use of appropriate and robust boundary planting.
2. The proposal will also extend the adverse impacts of lighting into the surrounding landscape.
3. Given the mass and in particular the height of the proposed chapel building it is essential that the boundary hedgerows and trees are appropriately retained and reinforced in order to reasonably mitigate the visual impacts and integrate the building into the wider landscape.
4. It is also notable that some residences of Sancroft Way, Oatfields and Ash Tree Close are likely to experience a significant change in their outlook because the visibility of the upper parts of the proposed chapel.

Other Matters

Mrs Sue Hooton the Senior Ecologist has reviewed the proposal and she has offered the following comments.

"The submitted ecological reports identify impacts on Protected, and Priority (NERC Act s41), species and habitats. These are hedgerows, woodland, bats, reptiles, hedgehogs and breeding birds.

Therefore, detailed conditions for both the full and outline proposals, based on BS42020:2013, will be necessary for any consent; to mitigate, compensate and control these impacts in order that the LPA can discharge its duties under s40 of the NERC Act 2006 and s17 of the Crime and Disorder Act (1998) where it is obliged in the exercise of all its various functions to do all that it can to prevent crime in its area.

Furthermore, after the data request was made to SBRC in early 2014 on behalf of the applicant, a new (and confirmed) record of Great Crested Newt on the site was submitted in September 2014 and verified and added to the database on 17/03/15. Therefore further survey and assessment is required for this European Protected Species, to be submitted

to the LPA prior determination. Details should also be provided of any proposed mitigation and any licence requirements.

This information is required prior to determination in order for the LPA to discharge its duties under the Habitats and Species Regulations 2010, in respect of the protection of European Protected Species.

It appears that the proposed mitigation and enhancement measures for both reptiles and bats are greater than is reasonably necessary based on the impacts identified in the submitted reports. Therefore while some mitigation for bats and reptiles is required a reduced scheme appears likely to more in keeping with the findings.

Finally despite the finding that there will be a loss of 1500 m² woodland (Priority Habitat) [Protected Habitats and Species Survey p22] no details of how this loss of will be adequately compensated for or offset have been provided. In order for the LPA to meet its NERC duty this information will need to be provided prior to determination"

Please contact Mrs Hooton if you wish to discuss the details of this matter and the conditions required; sue.hooton@suffolk.gov.uk.

It appears that part of the works involve significant modification to a ditch, (ordinary watercourse), this appears to require drainage consent, a matter for the SCC Floods Team, see <http://www.suffolk.gov.uk/roads-and-transport/roads-pavements-and-verges/flooding-and-drainage/working-on-a-watercourse-land-drainage-act-consent/> for more details.

The Full Application

Erection of a New Baptist Chapel, car parking and access

Recommendations

This proposal is acceptable in landscape terms subject to the following conditions.

PRIOR TO COMMENCEMENT: DETAILS OF DESIGN AND MATERIALS

Details of the design and materials, of external walls, roofing, doors and windows shall be submitted to the Local Planning Authority, including colour, materials, finishes. Thereafter the development shall be carried out in accordance with the approved details.

PRIOR TO COMMENCEMENT: SOFT LANDSCAPING

No development shall commence until there has been submitted to and approved in writing by the Local Planning Authority, a scheme of soft landscaping for that development area/phase, drawn to a scale of not less than 1:200. The soft landscaping details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes and proposed numbers/ densities, weed control protection and maintenance and any

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tree works to be undertaken during the course of the development. Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.

PRIOR TO COMMENCEMENT: HARD LANDSCAPING

No development shall commence until full details of a hard landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed finished levels and contours showing earthworks and mounding; surfacing materials; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (for example furniture, refuse and/or other storage units, signs, lighting and similar features); proposed and existing functional services above and below ground (for example drainage, power, communications cables and pipelines, indicating lines, manholes, supports and other technical features).

In addition to having consideration for the landscape and visual impacts of external lighting, in consultation with the SCC Senior ecologist Mrs Sue Hooton this condition also seeks to minimise the risk of disturbance to bats using the boundary hedgerows and trees and including any new boundary planting. This condition is based on BS42020:2013 *Biodiversity Code of practice for planning and development*. (appendixD3.5)

PRIOR TO COMMENCEMENT: EXTERNAL LIGHTING

No external lighting shall be provided unless details thereof have first been submitted to and approved in writing by the Local Planning Authority. Prior to commencement a detailed lighting scheme for areas to be lit shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall show how and where external lighting will be installed, (through technical specifications and the provision of appropriate lighting contour plans which shall include lux levels of the lighting to be provided), so that it can be;

- a) Clearly demonstrated that areas to be lit have reasonably minimised light pollution, through the use of minimum levels of lighting and features such as full cut off cowls or LED.
- b) Clearly demonstrated that the boundary vegetation to be retained, as well as that to be planted, will not be lit in such a way as to disturb or prevent bats using their territory or having access to their breeding sites and resting places or foraging areas, through the use of minimum levels of lighting and features such as full cut off cowls or LED.

All external lighting shall be installed in accordance with the specifications and locations set out in the approved scheme, and shall be maintained thereafter in accordance with the

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scheme. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

PRIOR TO COMMENCEMENT: TREE PROTECTION

Any trees shrubs or hedgerows within, or at the boundary of the site, shall be protected in accordance with a scheme of tree protection, (BS5837:2012), to be agreed in writing with the Local Planning Authority prior to commencement. The Local Planning Authority shall be advised in writing that the protective measures/fencing within a development area/phase have been provided before any equipment, machinery or materials are brought onto the site for the purposes of development and shall continue to be so protected during the period of construction and until all equipment, machinery and surplus materials have been removed from that development area/phase.

Within the fenced area no work shall take place; no materials shall be stored; no oil or other chemicals shall be stored or disposed of; no concrete, mortar or plaster shall be mixed; no fires shall be started; no service trenches shall be dug; no soil shall be removed or ground level changed at any time, without the prior written consent of the Local Planning Authority.

Reasons

I have made these recommendations in order to reasonably minimise the adverse impacts of the development on the character of the landscape and local visual amenity having particular regard for Policy CS5.

The Outline Application

Erection of up to 18 No residential units.

Recommendation

This proposal is acceptable in landscape terms subject to the following conditions;

CONCURRENT WITH RESERVED MATTERS: DESIGN MATERIALS AND LAYOUT

Concurrent with the submission of the Reserved Matters application(s), in any development area or phase details of design and materials shall be submitted to the Local Planning Authority, including colour, materials, finishes, signage, parking, boundary treatments (including the details of walls and fences for individual buildings), lighting, outdoor spaces, security principles and waste bin storage arrangements. Thereafter the development shall be carried out in accordance with the approved details.

PRIOR TO COMMENCEMENT: SOFT LANDSCAPING

No development shall commence within a development area or phase, until there has been submitted to and approved in writing by the Local Planning Authority a scheme of soft landscaping for that development area/phase, drawn to a scale of not less than 1:200.

The soft landscaping details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes and proposed numbers/ densities, weed control protection and maintenance and any tree works to be undertaken during the course of the development. Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.

PRIOR TO COMMENCEMENT: HARD LANDSCAPING

No development shall commence within a development area or phase, until full details of a hard landscaping scheme for that area/phase has been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed finished levels and contours showing earthworks and mounding; surfacing materials; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (for example furniture, refuse and/or other storage units, signs, lighting and similar features); proposed and existing functional services above and below ground (for example drainage, power, communications cables and pipelines, indicating lines, manholes, supports and other technical features).

In addition to having consideration for the landscape and visual impacts of external lighting, in consultation with the SCC Senior ecologist Mrs Sue Hooton this condition also seeks to minimise the risk of disturbance to bats using the boundary hedgerows and trees and including any new boundary planting. This condition is based on BS42020:2013 *Biodiversity Code of practice for planning and development*. (appendixD3.5)

PRIOR TO COMMENCEMENT: EXTERNAL LIGHTING

No external lighting shall be provided within a development area or phase unless details thereof have first been submitted to and approved in writing by the Local Planning Authority. Prior to commencement a detailed lighting scheme for areas to be lit shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall show how and where external lighting will be installed, (through technical specifications and the provision of appropriate lighting contour plans which shall include lux levels of the lighting to be provided), so that it can be;

- a) Clearly demonstrated that areas to be lit have reasonably minimised light pollution, through the use of minimum levels of lighting and features such as full cut off cowls or LED.

- b) Clearly demonstrated that the boundary vegetation to be retained, as well as that to be planted, will not be lit in such a way as to disturb or prevent bats using their territory or having access to their breeding sites and resting places or foraging areas, through the use of minimum levels of lighting and features such as full cut off cowls or LED.

All external lighting shall be installed in accordance with the specifications and locations set out in the approved scheme, and shall be 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.

PRIOR TO COMMENCEMENT: TREE PROTECTION

Any trees shrubs or hedgerows within, or at the boundary of, the development area, shall be protected in accordance with a scheme of tree protection, (BS5837:2012), to be agreed in writing with the Local Planning Authority prior to commencement. The Local Planning Authority shall be advised in writing that the protective measures/fencing within a development area/phase have been provided before any equipment, machinery or materials are brought onto the site for the purposes of development and shall continue to be so protected during the period of construction and until all equipment, machinery and surplus materials have been removed.

Within the fenced area no work shall take place; no materials shall be stored; no oil or other chemicals shall be stored or disposed of; no concrete, mortar or plaster shall be mixed; no fires shall be started; no service trenches shall be dug; no soil shall be removed or ground level changed at any time, without the prior written consent of the Local Planning Authority.

Reasons

I have made these recommendations in order to reasonably minimise the adverse impacts of the development on the character of the landscape and local visual amenity having particular regard for Policy CS5.

Yours sincerely

Phil Watson
Landscape Development Officer

From: RM PROW Planning
Sent: 12 October 2016 09:46
To: Planning Admin
Cc: Christopher Fish
Subject: RE: Consultation on Planning Application 3872/16

For The Attention Of: Rebecca Biggs

Rights of Way Response

Thank you for your consultation regarding the above planning application.

Please accept this email as confirmation that we have no comments or observations to make in respect of this application affecting any public rights of way within the site.

Please note, there may also be public rights of way that exist over this land that have not been registered on the Definitive Map. These paths are either historical paths that were never claimed under the National Parks and Access to the Countryside Act 1949, or paths that have been created by public use giving the presumption of dedication by the land owner whether under the Highways Act 1980 or by Common Law. This office is not aware of any such claims.

This response does not prejudice any further response from Rights of Way and Access. As a result of anticipated increased use of the public rights of way in the vicinity of the development, we would be seeking a contribution for improvements to the network. These requirements will be submitted with Highways Development Management response in due course.

Regards

Jackie Gillis
Rights of Way Support Officer
Countryside Access Development Team

Rights of Way and Access
Resource Management, Suffolk County Council
Endeavour House (Floor 5, Block 1), 8 Russell Road, Ipswich, IP1 2BX

From: RM PROW Planning
Sent: 12 October 2016 10:06
To: Planning Admin
Cc: Martin Egan
Subject: RE: Consultation on Planning Application 3872/16

Our Ref: E258/066/ROW688/16

For The Attention of: Rebecca Biggs

Public Rights of Way Response

Thank you for your consultation concerning the above application.

This response deals only with the onsite protection of affected PROW, and does not prejudice any further response from Rights of Way and Access. As a result of anticipated increased use of the public rights of way in the vicinity of the development, SCC may be seeking a contribution for improvements to the network. These requirements will be submitted with Highways Development Management response in due course.

Government guidance considers that the effect of development on a public right of way is a material consideration in the determination of applications for planning permission and local planning authorities should ensure that the potential consequences are taken into account whenever such applications are considered (Rights of Way Circular 1/09 – Defra October 2009, para 7.2) and that public rights of way should be protected.


Public Footpath 66 is recorded adjacent to the proposed development area.

We have **no objection** to the proposal.

“Public Rights of Way Planning Application Response - Applicant Responsibility” and a digital plot showing the definitive alignment of the route as near as can be ascertained; which is for information only and is not to be scaled from, is attached

Regards

Jackie Gillis
Green Access Officer
Access Development Team
Rights of Way and Access
Resource Management, Suffolk County Council
Endeavour House (Floor 5, Block 1), 8 Russell Road, Ipswich, IP1 2BX

 <http://publicrightsofway.onesuffolk.net/> | [Report A Public Right of Way Problem Here](#)

For great ideas on visiting Suffolk's countryside visit

From: Consultations (NE) [mailto:consultations@naturalengland.org.uk]
Sent: 13 October 2016 14:29
To: Planning Admin
Subject: Planning Consultation 3872/16 - NE RESPONSE

Dear Ms Biggs,

Our ref: 197197
Your ref: 3872/16

Thank you for your consultation.

Natural England has previously commented on this proposal, our ref 162850, and made comments to the authority in our letter dated 19 August 2015.

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

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

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

Yours sincerely,

Rachel Bowden
Technical Support Adviser
Natural England
Technical Services, Consultations Team
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire, CW1 6GJ

Tel: 0300 060 3900
Email: consultations@naturalengland.org.uk

Date: 19 August 2015
 Our ref: 162850
 Your ref: 0846/15



Ms R Biggs
 Planning Services
 Mid Suffolk District Council
 131 High Street
 Needham Market
 Suffolk
 IP6 8DL

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

T 0300 060 3900

BY EMAIL ONLY

Dear Ms Biggs

Planning consultation: Hybrid application comprising: - application for full detailed Planning Permission for the erection of a New Baptist Chapel, car parking and access & an application for Outline Planning Permission for up to 18 No residential units.

Location: Land South West of School Lane, Fressingfield

Thank you for your consultation on the above dated and received by Natural England on 12 August 2015.

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

The Wildlife and Countryside Act 1981 (as amended)

The Conservation of Habitats and Species Regulations 2010 (as amended)

Natural England's comments in relation to this application are provided in the following sections.

Statutory nature conservation sites – no objection

Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes.

Protected species

We have not assessed this application and associated documents for impacts on protected species.

Natural England has published Standing Advice on protected species.

You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence is needed (which is the developer's responsibility) or may be granted.



If you have any specific questions on aspects that are not covered by our Standing Advice for European Protected Species or have difficulty in applying it to this application please contact us with details at consultations@naturalengland.org.uk

Priority Habitat as identified on Section 41 list of the Natural Environmental and Rural Communities (NERC) Act 2006

The consultation documents indicate that this development includes an area of priority habitat, as listed on Section 41 of the Natural Environmental and Rural Communities (NERC) Act 2006. The National Planning Policy Framework states that 'when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity. If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.'

Local sites

If the proposal site is on or adjacent to a local site, e.g. Local Wildlife Site, Regionally Important Geological/Geomorphological Site (RIGS) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application.

Biodiversity enhancements

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the National Planning Policy Framework. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that '*Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity*'. Section 40(3) of the same Act also states that '*conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat*'.

Landscape enhancements

This application may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green space provision and access to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider new development and ensure that it makes a positive contribution in terms of design, form and location, to the character and functions of the landscape and avoids any unacceptable impacts.

Sites of Special Scientific Interest Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015, which came into force on 15 April 2015, has removed the requirement to consult Natural England on notified consultation zones within 2 km of a Site of Special Scientific Interest (Schedule 5, v (ii) of the 2010 DMPO). The requirement to consult Natural England on "*Development in or likely to affect a Site of Special Scientific Interest*" remains in place (Schedule 4, w). Natural England's **SSSI Impact Risk Zones** are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments *likely to affect a SSSI*. The dataset and user guidance can be accessed from the gov.uk website.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Joanne Widgery
Consultations Team



Rebecca Biggs
 Planning Department
 Mid Suffolk District Council
 131 High Street
 Needham Market
 IP6 8DL

Suffolk Wildlife Trust
 Brooke House
 Ashbocking
 Ipswich
 IP6 9JY

01473 890089
 info@suffolkwildlifetrust.org
 suffolkwildlifetrust.org

28/10/2016

Dear Rebecca,

RE: 3872/16 Hybrid application comprising: application for full detailed Planning Permission for the erection of a New Baptist Chapel, car parking and access & an application for Outline Planning Permission for up to 18 No residential units. Land south west of School Lane, Fressingfield

Thank you for sending us details of this application. The development proposed in this application is broadly similar to that previously proposed under refused planning application reference 0846/15. However, we note that additional reports relating to great crested newts and Priority woodland habitat have been provided. We have read the relevant reports (Extended Phase 1 Survey, Anglian Ecology (Jan 2015); Bat and Reptile Surveys, Eco-Check (both Jun 2015); Great Crested Newt Survey, Eco-Check (Jun 2016); Assessment of 'Priority Woodland Classification', Andrew Belson (May 2016) and 'Proposed Mitigation for Loss of Priority Woodland', Adam Power Associates (Aug 2016)) and have the following comments on this proposal:

Priority Habitats

As identified in the application documents, the site contains an area of woodland classified as Priority Habitat under Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006). We note that it is proposed to provide replacement planting at a site approximately 300m to the west of the application site and that the area of proposed planting is equivalent to that which would be lost and that the detail of this replacement planting would be provided by planning condition (Adam Power Associates (Aug 2016)).

Any such planting would form compensation rather than mitigation and, as required by the National Planning Policy Framework (NPPF), compensation for biodiversity loss should only be considered when such loss cannot first be avoided or mitigated. As part of the determination of this application, it must therefore be considered whether the identified loss can be avoided, such as through selection of a different site, or mitigated, such as through a change to the design or layout of the proposal. Only if suitable avoidance or mitigation cannot be achieved should compensation be considered. Any compensation proposed should seek to secure biodiversity gain, such as by being of a greater size than the area to be lost. If new habitat is proposed it must also be ensured that its long-term future and beneficial management is secured as part of any scheme.

Notwithstanding the above, any loss of existing habitat from the development site would result in a short/medium term net loss to the biodiversity of the area as compensation planting will take time (and appropriate management) to mature.

Protected and/or UK/Suffolk Priority Species

Suffolk Biological Information Service (SBIS) holds records of great crested newt for this site. We note that surveys have been undertaken of the majority of ponds in the vicinity of the site, although access to a pond to the south west was not available. No great crested newts were recorded in the ponds surveyed. The great crested newt survey report makes reference to mitigation measures included within a Construction Environmental Management Plan (CEMP), however no such document appears to be included with this application. We therefore query how it is intended to mitigate for any great crested newts which may be present on site?

The bat survey report (Eco-Check, Jun 2015) recorded at least three species of bat foraging at the site, although no roosts were recorded on site. Whilst the development proposes to retain the boundary vegetation at the site, the majority of the other vegetation is to be removed (drawing no. 18975/003). This will reduce the amount of foraging habitat available to bats in this area. As the residential element of the project is an outline application, there is limited detail available on the design and layout of this part of the site. There should therefore be suitable demonstration that the number of dwellings proposed can be accommodated without having a detrimental effect on the boundary vegetation which would result in an even greater impact on the available bat foraging resource.

It is also unclear whether any of the proposed development would involve the installation of external lighting. Such lighting has the potential to have a significant adverse impact on nocturnal wildlife such as bats. We recommend that a sensitive lighting strategy is produced in order to demonstrate that any external lighting will not have an adverse impact on such species.

As identified in the Extended Phase 1 report (Anglian Ecology, Jan 2015), the development site currently contains habitat suitable for nesting birds. The proposed development would result in the loss of a significant proportion of this habitat which would in turn reduce the amount of resource available for breeding birds, some of which may be UK/Suffolk Priority Species (such as house sparrow which was recorded during the survey). The site is also likely to be suitable for other Priority Species such as hedgehogs; it should therefore be ensured that no vegetation clearance is undertaken without the implementation of measures to protect such species.

Notwithstanding the above, should permission be granted for some development at this site, we request that the recommendations made within the ecological survey reports are implemented in full, via a condition of planning consent.

Conclusion

Based on the information currently available, the overall habitat loss which would occur from the proposed development appears likely to result in a short/medium term net loss to local biodiversity, dependent on the success of the compensation measures proposed. There also appears to be information missing with regard to required mitigation measures, as part of the CEMP. We consider that this proposal must therefore be assessed against the requirements of the National Planning Policy Framework (NPPF) (in particular paragraph 109). Permission should not be granted for development which is contrary to the requirements of the NPPF.

If you require any further information, please do not hesitate to contact us.

Yours sincerely

James Meyer
Conservation Planner

Place Services
 Essex County Council
 County Hall, Chelmsford
 Essex, CM1 1QH
 T: 0333 013 6840
 www.placeservices.co.uk



7 December 2016

Rebecca Biggs
 Mid Suffolk District Council
 Council Offices
 131 High Street
 Needham Market
 Ipswich
 IP6 8DL

By email only

Hi Rebecca

Proposal: 3872/ Hybrid application comprising: - application for full detailed Planning Permission for the erection of a New Baptist Chapel, car parking and access & an application for Outline Planning Permission for up to 18 No residential unit (revised scheme to application 0846/15).

Location: Land South West of, School Lane, Fressingfield

Thank you for consulting Place Services on the above application which is broadly similar to that previously proposed under refused planning application reference 0846/15.

I have no objections subject to conditions.

1. The site and ecology

The site contains Priority habitat – broadleaved woodland – and supports Priority species – bats, amphibians, reptiles and potentially hedgehogs – as well as an assemblage of breeding birds.

2. The information provided by the applicant

I have reviewed the ecological material submitted, particularly the additional reports requested relating to great crested newts and Priority woodland habitat: (Extended Phase 1 Survey, Anglian Ecology (Jan 2015); Bat and Reptile Surveys, Eco-Check (both Jun 2015); Great Crested Newt Survey, Eco-Check (Jun 2016); Assessment of 'Priority Woodland Classification', Andrew Belson (May 2016) and 'Proposed Mitigation for Loss of Priority Woodland', Adam Power Associates (Aug 2016) and Construction Environmental Management Plan and Biodiversity Enhancement Method Statement, Eco-Check (Nov 2016).

I am satisfied that the survey and assessment of biodiversity features has been carried out by suitably qualified ecologists at the appropriate time of year in accordance with CIEEM report writing guidelines and the constraints on Gt Crested newt surveys have been acknowledged.

All *significant* adverse impacts from the proposed development upon Priority habitats, as well as Protected and Priority species, will be mitigated in line with relevant wildlife legislation and planning



policy. The LPA can therefore demonstrate its legal compliance with the Habitats Regulations and Wildlife & Countryside Act, as well as its biodiversity duty under s40 of Natural Environment & Rural Communities Act.

3. Likely impacts of development:

3.1 Woodland

The applicant accepts that *"there will be notable loss of habitat within the site interior"* and I maintain that the development of the site will result in the loss of 0.15 ha Priority broadleaved woodland habitat (as mapped on the MAGIC website). I disagree that the assessment is incorrect though it is accepted that this woodland is of low habitat distinctiveness and in poor condition. Although the boundary trees will be retained with the proposed development, the loss will require offsetting with replacement woodland creation.

The calculations for this compensatory requirement (to be secured under a legal agreement) should follow Defra Offsetting metrics; the number of biodiversity offsetting units per hectare for low habitat distinctiveness and poor condition is 2 units/ha ie 0.3 ha should be planted as woodland to compensate for the of 0.15ha loss of Priority habitat.

The boundary trees within the woodland will need to be protected during construction following BS 5387:12 and industry best practice pollution prevention guidelines should be adhered to. With the implementation of the above, no residual adverse impacts are considered likely upon this habitat feature. It may be appropriate however for a supervising arborist is appointed by condition to ensure that the retained trees and hedgerows are properly protected during construction. This is a matter for the MSDC/BDC Tree Officer.

The compensatory woodland planting will need to be subject to an appropriate condition to include species choice & design, ongoing management and understorey planting to deliver ecological function of this Priority habitat. Details for the long term management of the habitat, in addition to the 5 year programme within the submitted CEMP, will also be a requirement to secure the biodiversity offset value for this new woodland.

3.2 Amphibians and reptiles

The applicant states that *"there remains a large area of high quality habitat for herpetofauna and so a recommendation was made that a Construction Environmental Management Plan (CEMP) be produced to safeguard the valuable ecological resources within the site and implement the mitigation and biodiversity enhancement measures proposed."*

Subject to a condition to implement the mitigation measures contained in the submitted CEMP, I am satisfied therefore that will now be no significant adverse impacts on Gt crested newt, a European Protected Species.

3.3 Bats

The applicant states that *"surveys confirmed at least three species of bat foraging at the site, although no roasts were recorded. A pre-works inspection of any trees with bat roosting potential and scheduled for arboricultural works will be undertaken prior to development commencing. Sensitive lighting schemes will be implemented to minimise disturbance to foraging and commuting bats."*



Through the retention of boundary trees and biodiversity improvements, the development of the application site is considered unlikely to result in significant habitat loss effects for foraging /commuting bats. It is considered the site can be developed without significant adverse effects to bats, provided a sensitive lighting scheme is implemented.

The lighting design will need to minimise impacts on bats to avoid deliberate disturbance to these European Protected Species and light sensitive biodiversity. A detailed & sensitive Lighting scheme will need to be agreed that the vegetated features on the site are not illuminated to a level no greater than 1 lux. This is required in order to adequately minimise the impact of the development on bats.

I am satisfied therefore that will now be no significant adverse impacts on these European Protected Species, subject to appropriate conditions to protect the retained woodland and hedgerows (and to control exterior lighting), which are important foraging and commuting routes.

3.4 Breeding birds

The applicant states that *"Ground clearance and tree/hedge removal works across the site should ideally be performed outside of the active bird breeding season 1st March- 31st August inclusive"*.

The CEMP includes detailed mitigation for the role for the Ecological Clerk of Works to prevent any offence of disturbing nesting birds being committed.

I am satisfied therefore that will be no significant adverse impacts on these Protected Species, subject to appropriate conditions for incorporating nest boxes into the design of the development and protection during construction.

3.5 Priority Species: Hedgehogs

The applicant states that *"Scrub habitat should be hand searched prior to mechanical vegetation removal and cutting operations as they may potentially support reptiles and hedgehogs. This work should either be done by or under the supervision of a suitably qualified ecologist."*

I am satisfied therefore that will be no significant adverse impacts on the Priority Species likely to be present on site, subject to appropriate conditions for clearance and hedgehog friendly fencing throughout the development.

4. Biodiversity enhancements

Biodiversity enhancements have been incorporated into the design of the development in accordance with recommendations set out in the Habitat Creation, Restoration or Enhancement section of the *Construction Environmental Management Plan and Biodiversity Enhancement Method Statement, Eco-Check (Nov 2016)*, submitted with the planning application. These include measures for a range of habitats and species although there is an additional opportunity to fit integrated bird boxes into the building design e.g. for swifts.



5. Recommendations

The mitigation measures identified in the Construction Environmental Management Plan and Biodiversity Enhancement Method Statement, Eco-Check (Nov 2016) should be secured and implemented in full. This is necessary to conserve and enhance Protected and Priority Species particularly bats, reptiles, hedgehogs and breeding birds.

I would also expect the preparation of a long term Landscape & Ecological Management Plan (LEMP), for the offsite replacement woodland, prior to 1st occupation. I understand that a separate Woodland Management Plan has been suggested by another consultee and if necessary, the 2 plans should be considered together as a package for this site. Submission for approval and implementation of these plans in full should be a condition of any planning consent.

I. PRIOR TO COMMENCEMENT: COMPLIANCE WITH CONSTRUCTION ENVIRONMENT MANAGEMENT PLAN (CEMP)

"All ecological mitigation measures and/or works shall be carried out in accordance with the details contained in the Construction Environmental Management Plan and Biodiversity Enhancement Method Statement, Eco-Check (Nov 2016) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This includes the appointment of an appropriately competent person e.g. an ecological clerk of works (ECOW,) as defined in the submitted Construction Environmental Management Plan (CEMP) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details."

II. PRIOR TO SLAB PHASE: BIODIVERSITY ENHANCEMENTS

"All ecological measures and/or works shall be carried out in accordance with the details contained in the Habitat Creation, Restoration or Enhancement section of the Construction Environmental Management Plan and Biodiversity Enhancement Method Statement, Eco-Check (Nov 2016), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination"

III. PRIOR TO OCCUPATION: LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN TO INCLUDE OFFSITE REPLACEMENT WOODLAND

- a. *"Prior to occupation, a Landscape and Ecological Management Plan (LEMP) for the landscape and habitats on-site and replacement woodland offsite shall be submitted to and be approved in writing by the local planning authority. The content of the LEMP, based on Appendix 2 of the CEMP, shall include the following:*
 - a) *Description and evaluation of the features to be managed and enhanced*
 - b) *Aims and objectives of management*
 - c) *Appropriate management options for achieving aims and objectives*
 - d) *Prescriptions for management actions*
 - e) *Preparation of a work schedule (including annual work plan capable of being rolled forward over a five year period)*



- f) *Details of the body or organisation responsible for implementation of the plan*
- g) *Ongoing monitoring and remedial measures*
- b. *The LEMP shall also include details of the legal and funding mechanisms by which the long term implementation of the plan will be secured by the developer with the management body responsible for its delivery. The plan shall also set out how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details."*

IV. PRIOR TO OCCUPATION: LIGHTING DESIGN SCHEME

"Prior to occupation, 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 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."

6. Conclusion

I agree that the works will result in impacts on important ecological features including Priority broadleaved woodland habitat and could impacts on Protected and Priority species. However with mitigation secured, these impacts will be minimised such that the proposal is acceptable in terms of biodiversity impacts, subject to the above conditions based on BS42020:2013.

I have made these recommendations in order to minimise the impact of the proposal on ecology and having due regard for the NPPF and Policy CS5, as well as the statutory obligations of the Local Planning Authority.

Please contact me with any queries.

Best wishes

Sue Hooton CEnv MCIEEM BSc (Hons)
Principal Ecological Consultant
Place Services at Essex County Council
sue.hooton@essex.gov.uk

Your ref: 3872 / 16
 Our ref: 00047968
 Date: 21 October 2016
 Enquiries to: Peter Freer
 Tel: 01473 264801
 Email: peter.freer@suffolk.gov.uk

Rebecca Biggs
 Planning Officer
 Planning Department
 Mid Suffolk District Council
 Council Offices
 131 High Street
 Needham Market
 Ipswich
 IP6 8DL

Dear Rebecca

Re: Fressingfield - Land south west of School Lane - Outline Planning Permission for up to 18 No dwellings

I refer to the above application for planning permission in Mid Suffolk, and apologise for the slight delay in responding to the 21 day deadline.

Proposed number of dwellings from development:	2 bedroom+ Houses	Total
	18	18
Approximate persons generated from proposal	41	41

I set out below Suffolk County Council's views, which provides our infrastructure requirements associated with this application and this will need to be considered by the Council.

The National Planning Policy Framework (NPPF) paragraph 204 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. Mid Suffolk are required by Regulation 123 to publish a list of infrastructure projects or types of infrastructure that it intends will be, or may be, wholly or partly funded by CIL.

The current Mid Suffolk 123 List, dated January 2016, includes the following as being capable of being funded by CIL rather than through planning obligations:

- Provision of passenger transport
- Provision of library facilities
- Provision of additional pre-school places at existing establishments
- Provision of primary school places at existing schools
- Provision of secondary, sixth form and further education places
- Provision of waste infrastructure

As of 6th April 2015, the 123 Regulations restrict the use of pooled contributions towards items that may be funded through the levy. The requirements being sought here would be requested through CIL, and therefore would meet the new legal test. It is anticipated that the District Council is responsible for monitoring infrastructure contributions being sought.

Site specific mitigation will be covered by a planning obligation and/or planning conditions.

The details of specific CIL contribution requirements related to the proposed scheme are set out below:

- 1. Education.** NPPF paragraph 72 states 'The Government attaches great importance to ensuring 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'.

The NPPF at paragraph 38 states 'For larger scale residential developments in particular, planning policies should promote a mix of uses in order to provide opportunities to undertake day-to-day activities including work on site. Where

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

www.suffolk.gov.uk

practical, particularly within large-scale developments, key facilities such as primary schools and local shops should be located within walking distance of most properties.'

School level	Minimum pupil yield:	Required:	Cost per place £ (2016/17):
Primary school age range, 5-11:	5	1	12,181
High school age range, 11-16:	3	0	18,355
Sixth school age range, 16+:	1	0	19,907

Total education contributions:	£12,181.00
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The local catchment schools are Fressingfield Church of England Voluntary Controlled Primary School and Stradbroke High School.

We currently forecast to have no surplus places at the catchment primary school, but do have surplus places at the catchment secondary school. Therefore we require CIL contributions for the pupils generated from the development as per the above table.

The scale of contributions is based on cost multipliers for the capital cost of providing a school place, which are reviewed annually to reflect changes in construction costs. The figures quoted will apply during the financial year 2016/17 only and have been provided to give a general indication of the scale of contributions required should residential development go ahead. The sum will be reviewed at key stages of the application process to reflect the projected forecasts of pupil numbers and the capacity of the schools concerned at these times.

Further discussion is necessary between Iain Maxwell (SCC) and the developer regarding the corner of the school site where there is an existing legal agreement that allows footpath access across the school site. This has been discussed at CYP Sites and with the Headteacher who agree that it would be practical if this corner of the site was disposed of to the developer, subject to consent from the Secretary of State.

- 2. Pre-school provision.** Education for early years should be considered as part of addressing the requirements of the NPPF 'Section 8 Promoting healthy communities'. It is the responsibility of SCC to ensure that there is sufficient local provision under the Childcare Act 2006. Section 7 of the Childcare Act sets out a duty to secure free early years provision for pre-school children of a

prescribed age. The current requirement is to ensure 15 hours per week of free provision over 38 weeks of the year for all 3 and 4 year-olds. The Education Act 2011 amended Section 7, introducing the statutory requirement for 15 hours free early years education for all disadvantaged 2 year olds.

Through the Childcare Act 2016, the Government will be rolling out an additional 15 hours free childcare to eligible households from September 2017.

	Minimum number of eligible children:	Required:	Cost per place £ (2016/17):
Pre-School age range, 2-4:	2	0	6,091

Required pre-school contributions:	£ 0.00
------------------------------------	---------------

In the Ward of Fressingfield there is 3 providers. Collectively they have surplus places available in this locality with sufficient spaces available to accommodate the children arising from the development.

3. **Play space provision.** Consideration will need to be given to adequate play space provision. A key document is the 'Play Matters: A Strategy for Suffolk', which sets out the vision for providing more open space where children and young people can play. Some important issues to consider include:
 - a. In every residential area there are a variety of supervised and unsupervised places for play, free of charge.
 - b. Play spaces are attractive, welcoming, engaging and accessible for all local children and young people, including disabled children, and children from minority groups in the community.
 - c. Local neighbourhoods are, and feel like, safe, interesting places to play.
 - d. Routes to children's play spaces are safe and accessible for all children and young people.

4. **Transport issues.** The NPPF at Section 4 promotes sustainable transport. A comprehensive assessment of highways and transport issues is required as part of any 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. This will be co-ordinated by Martin Egan of Suffolk County Highway Network Management.

Expected site specific mitigation (S106 contributions not CIL) is as follows which will be confirmed by Martin Egan:

Public Rights of Way:

Endeavour House, 8 Russell Road, Ipswich, Suffolk IP1 2BX
www.suffolk.gov.uk

4

Fressingfield Public Footpath 66 (section between Priory Road and Stradbroke Road) abuts this proposed development. It is a well-used route for the housing development to the north (Sancroft) and those on New Street. As a result of increase in footfall from this development we will be seeking surfacing improvements for this route:

Resurfacing 316m length x min 1.5m width = 474m² @ £25/m² = £11,850.00

Estimates based on the average market costs to provide a hoggin type surface. The subtotal of these works is £11,850.00

Staff time (design & project management) @ 12% = £1,422.00

Contingency @ 10% = £1,185.00

Total s106 funding requested from this development = **£14,457.00**

Public transport

Raised Kerbs for existing bus stops **£4,000**

In its role as Highway Authority, Suffolk County Council has worked with the local planning authorities to develop county-wide technical guidance on parking in light of new national policy and local research. This was adopted by the County Council in November 2014 and replaces the Suffolk Advisory Parking Standards (2002). The guidance can be viewed at <https://www.suffolk.gov.uk/assets/planning-waste-and-environment/planning-and-development-advice/2015-11-16-FINAL-2015-Updated-Suffolk-Guidance-for-Parking.pdf>

5. **Libraries.** Refer to the NPPF 'Section 8 Promoting healthy communities'. A minimum standard of 30 square metres of new library space per 1,000 populations is required. Construction and initial fit out cost of £3,000 per square metre for libraries (based on RICS Building Cost Information Service data but excluding land costs). This gives a cost of (30 x £3,000) = £90,000 per 1,000 people or £90 per person for library space.

Using established methodology, the capital contribution towards libraries arising sought from this scheme is stated below and would be spent on improving development of library services serving the area of the development, and outreach activity from the nearest library, at Stradbroke.

Libraries contribution:	£3,888.00
-------------------------	------------------

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.

Waste Contribution:	£ 0.00
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- 7. Supported Housing.** Section 6 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, may need to be considered as part of the overall affordable housing requirement. 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 Mid Suffolk housing team to identify local housing needs.
- 8. Sustainable Drainage Systems.** Section 10 of the NPPF seeks to meet the challenges of climate change, flooding and coastal change. National Planning Practice Guidance notes that new development should only be considered appropriate in areas at risk of flooding if priority has been given to the use of sustainable drainage systems. Additionally, and more widely, when considering major development (of 10 dwellings or more), sustainable drainage systems should be provided unless demonstrated to be inappropriate.

On 18 December 2014 the secretary of State for Communities and Local Government (Mr Eric Pickles) made a Ministerial Written Statement (MWS) setting out the Government's policy on sustainable drainage systems. In accordance with the MWS, when considering a major development (of 10 dwellings or more), sustainable drainage systems should be provided unless demonstrated to be inappropriate. The MWS also provides that in considering:

"local planning authorities should consult the relevant lead local flood authority

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www.suffolk.gov.uk

6

on the management of surface water; satisfy themselves that the proposed minimum standards of operation are appropriate and ensure that there are clear arrangements in place for ongoing maintenance over the lifetime of the development. The sustainable drainage system should be designed to ensure that the maintenance and operation requirements are economically proportionate."

The changes set out in the MWS took effect from 06 April 2015.

9. Archaeology. Please refer to the response sent by Rachel Abraham (SCC Senior Archaeological Officer), reference 2016_3270, on 15 September 2016.

10. Fire Service. The Suffolk Fire and Rescue Service requests that early consideration is given to access for fire vehicles and provision of water for fire-fighting. The provision of any necessary fire hydrants will need to be covered by appropriate planning conditions.

Suffolk Fire and Rescue Service (SFRS) seek higher standards of fires safety in dwelling houses and promote the installation of sprinkler systems and can provide support and advice on their installation.

11. Superfast broadband.

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 impacting 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. Time Limits. The above information is time-limited for 6 months only from the date of this letter and/or will need to be reassessed if a planning application is submitted.

14. Summary Table

Service Requirement	Contribution per dwelling	Capital Contribution
Education - Primary	£ 676.72	£12,181.00
Education – Secondary	£ 0.00	£ 0.00
Education – Sixth Form	£0.00	£ 0.00
Pre-School	£0.00	£ 0.00
Transport		
Libraries	£216.00	£3,888.00
Waste	£0.00	£0.00
Total	£892.72	£16,069.00

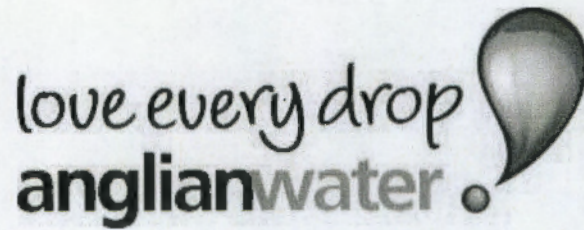
The table above would form the basis of a future bid to the District Council for **CIL funds** if planning permission was granted and implemented. This will be reviewed when a reserved matters application is submitted.

Yours sincerely,

P J Freer

Peter Freer MSc MRTPI
Senior Planning and Infrastructure Officer
Planning Section, Strategic Development, Resource Management

cc Neil McManus, SCC
Martin Egan, SCC
Iain Maxwell, SCC



**Planning Applications – Suggested Informative
Statements and Conditions Report**

AW Reference: 00017504
Local Planning Authority: Mid Suffolk District
Site: School Lane, Fressingfield
Proposal: Creation of 1,132sqm of D2 Assembly and
Leisure floor space, and 18 X C3 Dwellings.
Planning Application: 3872/16

Prepared by: Mark Rhodes

Date: 27 October 2016

If you would like to discuss any of the points in this document please
contact me on 0345 0265 458 or email
planningliaison@anglianwater.co.uk

ASSETS

Section 1 – Assets Affected

- 1.1 Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

WASTEWATER SERVICES

Section 2 – Wastewater Treatment

- 2.1 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 – Foul Sewerage Network

- 3.1 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.

Section 4 – Surface Water Disposal

- 4.1 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.

- 4.2 The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is acceptable at a maximum of 5.00l/s

We will request that the agreed strategy is reflected in the planning approval.

Section 5 – Trade Effluent

- 5.1 Not applicable

Section 6 – Suggested Planning Conditions

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

Surface Water Disposal (Section 4)

CONDITION

No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

REASON

To prevent environmental and amenity problems arising from flooding.



[Protective Marking]

Suffolk Fire and Rescue Service

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

Received 28 OCT 2016 Acknowledged Date Pass to <i>RB</i>	Planning Control
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Fire Business Support Team
 Floor 3, Block 2
 Endeavour House
 8 Russell Road
 Ipswich, Suffolk
 IP1 2BX

Your Ref: 3872/16
 Our Ref: FS/F1808609
 Enquiries to: Angela Kempen
 Direct Line: 01473 260588
 E-mail: Fire.BusinessSupport@suffolk.gov.uk
 Web Address: <http://www.suffolk.gov.uk>

Date: 25/10/2016

Dear Sirs,

Land Off School Lane, Fressingfield
Planning Application No: 3872/16

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

The Suffolk Fire and Rescue Service have made formal comment on land south west of school lane, Fressingfield under planning application 0846/15 which we note have been published. Although planning application 0846/15 was refused the comment may remain in place for planning application 3872/16.

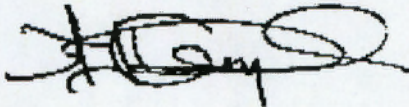
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[Protective Marking]

If you have any queries, please e-mail them to water.hydrants@suffolk.gov.uk quoting fire ref F180869.

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



Mrs A Kempen
Water Officer

Copy: Mr James Griffiths Adam Power Associates, Church Farmhouse, 51 Crown Street, Banham, Attleborough NR16 2HW



OFFICIAL

Suffolk Fire and Rescue Service

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

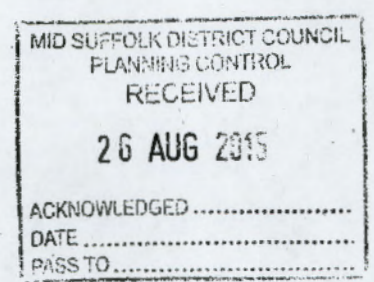
Fire Business Support Team
Floor 3, Block 2
Endeavour House
8 Russell Road
Ipswich, Suffolk
IP1 2BX

Your Ref: 0846/15
Our Ref: FS/F180869
Enquiries to: Angela Kempen
Direct Line: 01473 260588
E-mail: Fire.BusinessSupport@suffolk.gov.uk
Web Address: http://www.suffolk.gov.uk

Date: 24/08/2015

Dear Sirs

Land South West of School Lane, Fressingfield IP21 5RU
Planning Application No: 0846/15



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 Authority recommends that fire hydrants be installed within this development. 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.

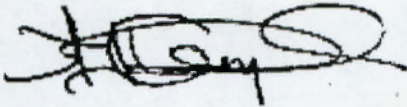
OFFICIAL

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

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

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

Yours faithfully



Mrs A Kempen
Water Officer

Copy: Adam Power Associates, Church Farmhouse, 51 Crown Street, Banham,
Attleborough, Norfolk NR16 2HW

Enc: Sprinkler Information

Copy: adrian.buxton@suffolk.gov.uk

MID SUFFOLK DISTRICT COUNCIL

MEMORANDUM

TO: Rebecca Biggs – Development Planning officer

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

Date: 7/11/2016

SUBJECT: - **Application Reference: M/3872/16/FUL**

Proposal: Hybrid Application: - Full detailed application for erection of a new Baptist Chapel and car parking, Outline application for up to 18 dwellings, on land south west of School Lane, Fressingfield.

Key Points

1. Background Information

This comment refers only to the outline application for up to 18 dwellings
This is an open market development and as such 35% of the dwellings should be for affordable housing, which would be = 6 dwellings.

2. Housing Need Information:

- 2.1 The Ipswich Housing Market Area, Strategic Housing Market Assessment (SMHA) document, updated in 2012, confirms a continuing need for housing across all tenures and a growing need for affordable housing. A new SHMA is currently being written but outcomes are not available at the time of this consultation.
- 2.2 The 2012 SHMA indicates that in Mid Suffolk there is a need for **229 new affordable homes per annum. Ref1**
- 2.3 Furthermore, by bedroom numbers the affordable housing mix should equate to:

Ref2 Estimated proportionate demand for affordable new housing stock by bedroom number	
Bed Nos	% of total new affordable stock
1	46%
2	36%
3	16%
4+	2%

Ref1: SHMA 2012, p.122, Summary section
 Ref3: SHMA 2012, p.141, Table 12.1.9

Ref2: SHMA 2012, p.121, Table 9.22.1
 Ref4:

2.4 This compares to the estimated proportionate demand for new housing stock by bedroom size across all tenures.

Ref3 Estimated proportionate demand for all tenure new housing stock by bedroom number	
Bed Nos	% of total new stock
1	18%
2	29%
3	46%
4+	6%

2.5 The Council's 2014 Suffolk Housing Needs Survey shows that there is high demand for smaller homes, across all tenures, both for younger people, who may be newly forming households, and also for older people who are already in the property owning market and require different, appropriate housing, enabling them to downsize. Affordability issues are the key drivers for this increased demand for smaller homes.

2.6 The Council's Choice Based Lettings system currently has circa.1010 applicants registered for affordable housing in Mid Suffolk at July 2016.

2.7 A Local Housing Needs survey was carried out by Community Action Suffolk in partnership with the Parish and District Council in xxx 2016?

2.8 The Council's Choice Based Lettings system currently has 14 applicants registered for affordable housing, who are seeking accommodation in Fressingfield as at 2016. This site is a S106 planning obligation site so the affordable housing provided will be to meet district wide need hence the 1010 applicants registered is the important number.

3. Preferred Mix for Open Market homes. Taking into account the most recent local housing needs survey and the 2014 Suffolk Housing Survey the open market mix is recommended to provide: -

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

The inclusion of the bungalows and chalet will provide opportunities for older people to downsize and this has been recognised as a need in Fressingfield.

- The 2014 Suffolk Housing Survey shows that, across Mid Suffolk district:
 - 12% of all existing households contain someone looking for their own property over the next 3 years (mainly single adults without children). The types of

properties they are interested in are flats / apartments, and smaller terraced or semi-detached houses. Although this is not their first preference, many accept that the private rented sector is their most realistic option.

- 25% of households think their current property will not be suitable for their needs in 10 years' time.
- 2 & 3 bed properties are most sought after by existing households wishing to move.
- Suitable housing options for more elderly people are less available within the current housing stock. 6% of all households have elderly relatives who may need to move to Suffolk within the next 3 years.

4. Preferred mix for Affordable Housing

4.1 The most recent information from the Mid Suffolk's Council's Gateway to Homechoice Register shows 14 applicants registered who have a connection to Fressingfield.

4.2 Six (6) of the proposed dwellings on the development should be for affordable housing on-site. These should be provided in the form of: -

Rented: -

- 2 x 1-bedroom 2-person flats @ 50 sqm –
- 2 x 2-bedroom 4-person bungalows @ 70 sqm

Shared ownership: -

- 1 x 2 bed 4 person houses @ 79 sqm
- 1 x 3 bed 5 person house @ 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 and Communities Agency Design and Quality and Lifetime-Homes standards
- The council is granted 100% nomination rights to all the affordable units in perpetuity and the dwellings must be transferred freehold to one of the Council's approved registered providers.
- Adequate parking provision is made for the affordable housing units

Julie Abbey-Taylor, Professional Lead – Housing Enabling



Consultation Response Pro forma

1	Application Number	M/3872/16/FUL/RB Hybrid application comprising full detailed planning for new Baptist Chapel, car parking and access, and outline planning for up to 18 residential dwellings on land south west of School Lane, Fressingfield	
2	Date of Response	11.11.2016	
3	Responding Officer	Name:	Julie Abbey-Taylor
		Job Title:	Professional Lead – Housing Enabling
		Responding on behalf of...	Strategic Housing service
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 comment – in regards to the new Baptist Chapel. In regards to the Outline application for up to 18 dwellings we would seek 35% affordable homes as an on-site contribution = 6 units.	
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.	See attached fuller comment on this application from the supporting evidence of housing need. We would require 6 on site affordable units in the form of <u>Rented:</u> - • 2 x 1-bedroom 2-person flats @ 50 sqm – • 2 x 2-bedroom 4-person bungalows @ 70 sqm <u>Shared ownership:</u> - 1 x 2 bed 4 person houses @ 79 sqm 1 x 3 bed 5 person house @ 93 sqm. It is considered that this is a sustainable location for the development of housing and it is in close proximity to local amenities and the primary school.	
6	Amendments, Clarification or Additional Information Required (if holding objection) If concerns are raised, can		

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.

	they be overcome with changes? Please ensure any requests are proportionate	
7	Recommended conditions	Inclusion of on-site affordable housing

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.

MID SUFFOLK DISTRICT COUNCIL
DEVELOPMENT CONTROL COMMITTEE - 11 January 2017

AGENDA ITEM NO	2
APPLICATION NO	3933/16
PROPOSAL	Extensions and alterations
SITE LOCATION	Street Farm Day Nursery, Station Road, Elmswell, IP30 9HD
SITE AREA (Ha)	0.1
APPLICANT	Mrs L Pratt
RECEIVED	September 20, 2016
EXPIRY DATE	November 18, 2016

REASONS FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason :

The applicant is Mid Suffolk District Council.

The Deputy Monitoring Officer has reviewed the application file and is satisfied that the application has been processed properly and correctly.

PRE-APPLICATION ADVICE

1. Pre application advice was not sought.

SITE AND SURROUNDINGS

2. The site is located in the centre of Elmswell, well within the settlement boundary and built-up area of the town. The site is situated on Station Road, one of the main roads which runs through the town. The site is primarily surrounded by residential properties with the exception of a small shop, approximately opposite the site. Directly south of the site is the private cul-de-sac, Feldway which serves several residential properties.

The site contains a paved driveway and parking for 8 cars, two single-storey buildings, and an enclosed playground. The main building has an 'L' shaped formation that fronts the highway to the west and the site's driveway to the north. The building is set back a reasonable distance from the Station Road with a wide lawn and pavement in front. The second building is located in the southeast corner of the site on the boundary. The two buildings have a 'barn like' appearance with large areas clad in black painted timber boarding.

HISTORY

3. There is no history relevant to the application.

PROPOSAL

4. The proposal is to erect two single-storey extensions, one to each building on site.

The proposed extension to the main building is located on the west/highway elevation. The extension is approximately 14 x 3.7 meters in size and is located in the area that is current lawn. The extension provides a new reception/office and an additional room for the nursery. The extension is brick and timber clad to match the existing building. The proposed works also include a new window in the existing building and new signage. A small area of lawn is retained to the front and side of the extension. In front of the extension the strip of lawn varies in width from approximately 0.4 to 1 meters wide.

The proposed extension to the rear building is located on the west elevation. The proposal extends the existing gable by approximately 4.8 meters and includes overhanging areas for storing bins and buggies. The footprint of built extension is approximately 2.8 x 6.3 meters in size and provides a single new room.

POLICY

5. **Planning Policy Guidance**

See Appendix below.

CONSULTATIONS

6. The Environmental Management Officer has no objection to the application.
The Environmental Protection Officer has no objection to the application.
The SCC Highways Officer has no objection to the application.
The Parish Council supports the application.

LOCAL AND THIRD PARTY REPRESENTATIONS

7. This is a summary of the representations received.
- Comments received from Chris Richardson at Street Farmhouse concerned about visibility.
- Comments received from Chris Sturgeon at Tucked Away concerned about visibility and increased on-street parking.
- Objection received from Paul Gatehead at Feldway regarding visibility and increase congestion.

ASSESSMENT

8. Due to the scale, form and detailed design of the proposal it is not considered that any unacceptable impacts would be presented. The judgement has been made having had regard for nature of the proposal and its relationship with surrounding environs and built development including residential properties.

Whilst concerns in respect of highway safety have been noted and taken into account, such matters are not considered to pose any unacceptable detriment due to the relationship, orientation and degree of separation between the development and the public highway.

RECOMMENDATION

That Full Planning Permission be granted subject to the following conditions:

1. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: COMMENCEMENT TIME LIMIT

The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

Reason – To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

2. LISTING OF APPROVED PLANS & DOCUMENTS

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

Defined Red Line Plan:

The defined Red Line Plan for this application is Drawing 3692-01 Site Plan at scale 1:1250 received 20th September 2016 only. This drawing is the red line plan that shall be referred to as the defined application site. Any other drawings approved or refused that may show any alternative red line plan separately or as part of any other submitted document have not been accepted on the basis of defining the application site.

Approved Plans and Documents:

Drawing 3692-01 Site Plan at scale 1:1250 received 20th September 2016.
 Drawing 3692-02 Topographical Survey (by others) As Existing at scale 1:200 received 20th September 2016.
 Drawing 3692-03A Measured Survey at scale 1:100 received 20th September 2016.
 Drawing 3692-04D Scheme Design at scale 1:100 received 20th September 2016.
 Drawing 3692-05C Topographical Survey (by others) As Proposed at scale 1:200 received 20th September 2016.

3. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: AGREEMENT OF MATERIALS

No development/works shall be commenced above slab level until precise details of the manufacturer and types and colours of the external facing and roofing materials to be used in construction have been submitted to and approved, in writing, by the Local Planning Authority. Such materials as may be agreed shall be those used in the development and fully applied prior to the first use/occupation.

Reason – To secure an orderly and well designed finish sympathetic to the character of the existing building(s) and in the interests of visual amenity and the character and appearance of the area.

Philip Isbell
Professional Lead - Growth & Sustainable Planning

Ruth Bishop
Planning Officer

APPENDIX A - PLANNING POLICIES

1. Mid Suffolk Local Plan

HB1 - PROTECTION OF HISTORIC BUILDINGS
H17 - KEEPING RESIDENTIAL DEVELOPMENT AWAY FROM POLLUTION
GP1 - DESIGN AND LAYOUT OF DEVELOPMENT

2. Planning Policy Statements, Circulars & Other policy

NPPF - National Planning Policy Framework

APPENDIX B - NEIGHBOUR REPRESENTATIONS

Letters of representation have been received from a total of **3** interested parties.

The following people **objected** to the application

[REDACTED]

The following people **supported** the application:

The following people **commented** on the application:

[REDACTED]



Title: Committee Site Plan

Reference: 3933/16

Site: Street Farm Day Nursery, Station Road, Elmswell, IP30 9HD



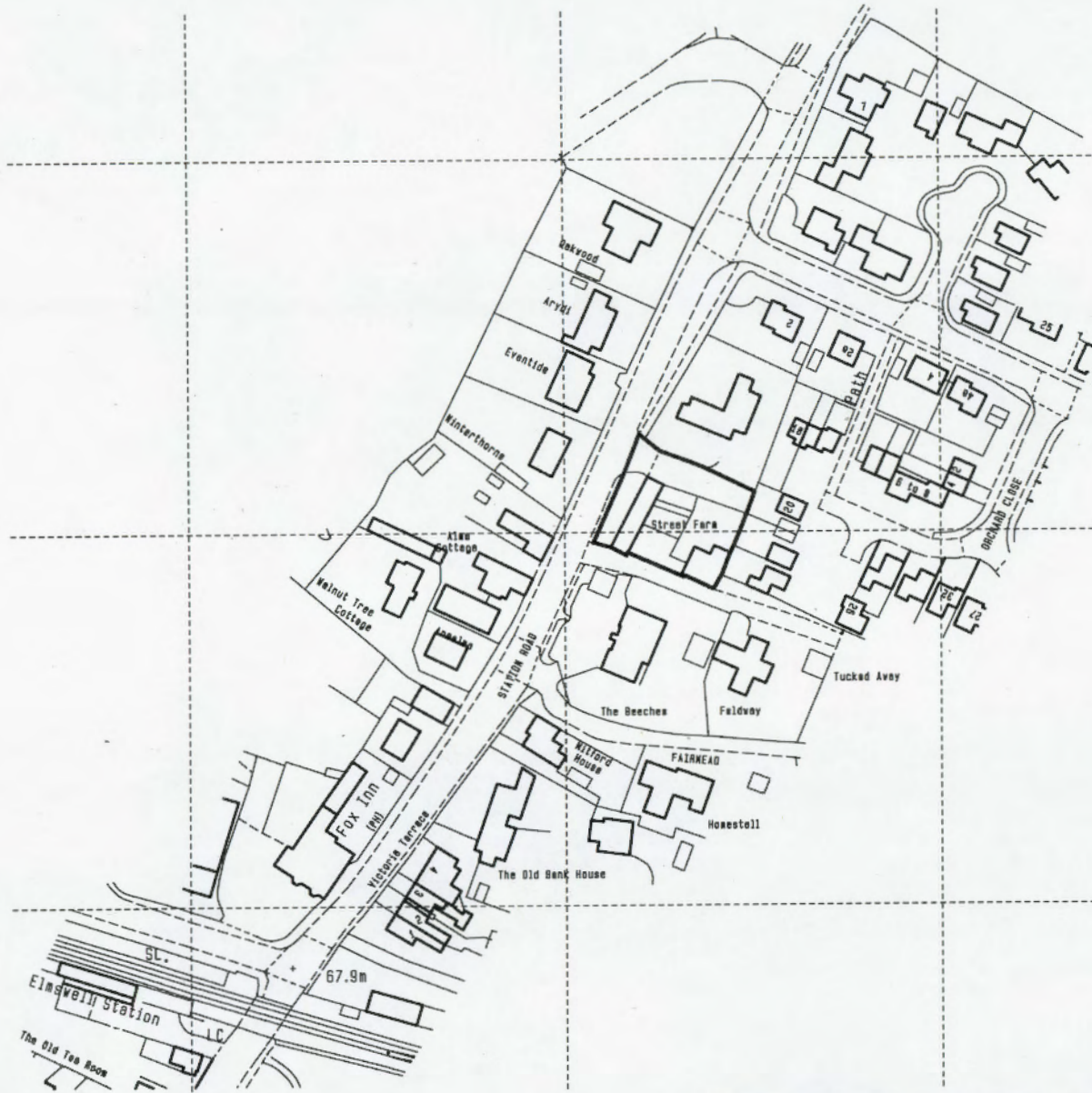
MID SUFFOLK DISTRICT COUNCIL
 131, High Street, Needham Market, IP6 8DL
 Telephone : 01449 724500
 email: customerservice@csduk.gov.uk
 www.midsuffolk.gov.uk



SCALE 1:1250

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96

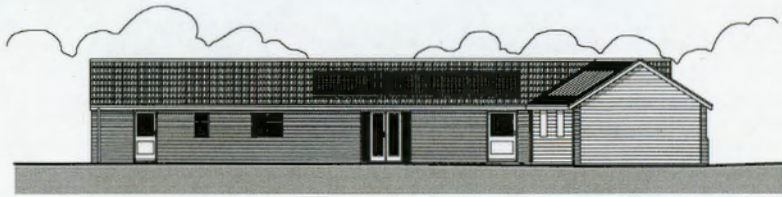


PROPOSED EXTENSIONS & ALTERATIONS AT:-
Street Farm Day Nursery, Station Road, Elmswell IP30 9HD
Scale 1:1250 (A3)
3692-01

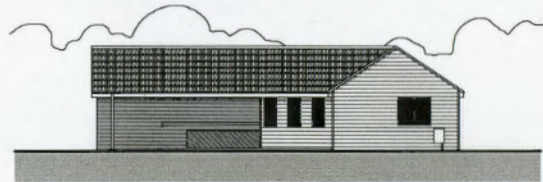
DATE	REV.	DESCRIPTION	DRAWN

Patrick Allen & Associates
Architects

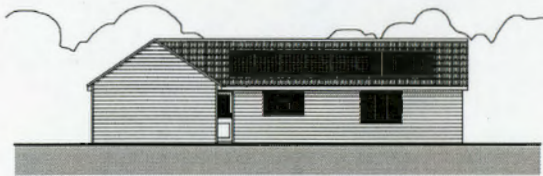
architects@patrickallen.org.uk
www.patrickallen.org.uk
+44 (0)1473 620680
2 Grange Business Centre
Tommy Flowers Drive
Grange Farm
Kesgrave, Ipswich
Suffolk, IP5 2BY



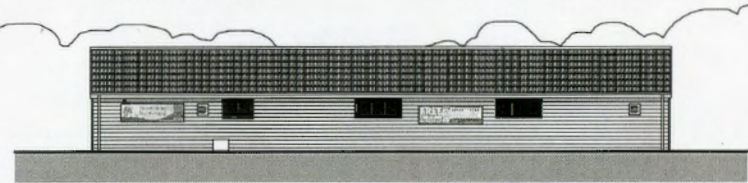
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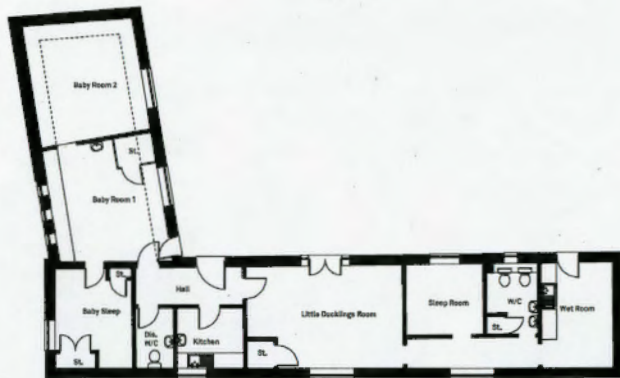
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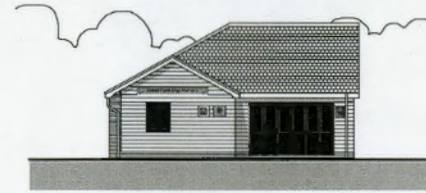
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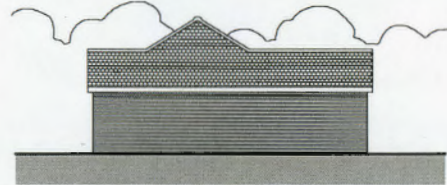
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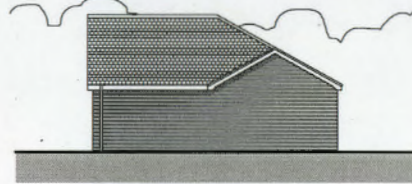
Floor Plan



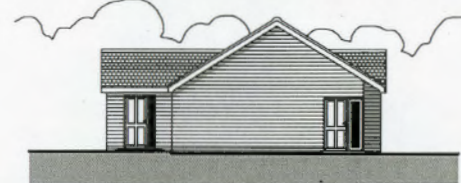
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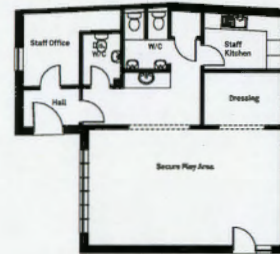
South East Elevation



South West Elevation



North West Elevation



Floor Plan

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NO.	REV.	DESCRIPTION	DATE
01	1	Issue for construction	2016

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 architects@patrickallen.co.uk | 2 Grange Business Centre
 www.patrickallen.co.uk | Station Road, Elmwell
 Elmwell, Warwick | CV35 9HD
 t: 01917 822000

Project
Street Farm Day Nursery, Station Road, Elmwell, IP30 9HD

Client
Street Farm Day Nurseries

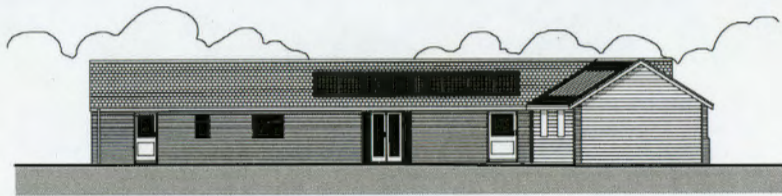
Drawing Title
Measured Survey

Drawing Status
Planning

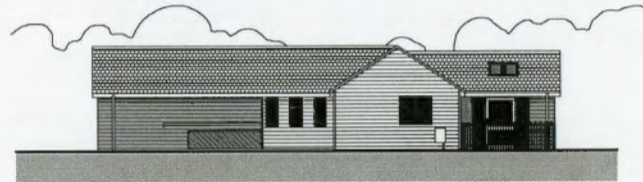
Scale: 1:100 | Paper Size: A1 | Date: July 2016 | Drawn: AC / ZRJ

Drawing Number
3692-03A

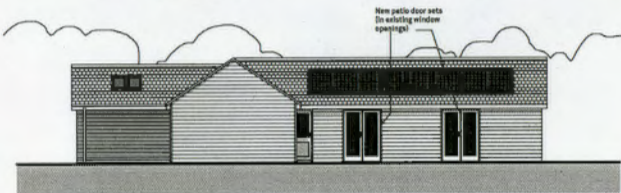
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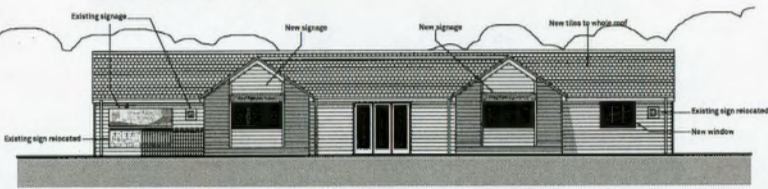
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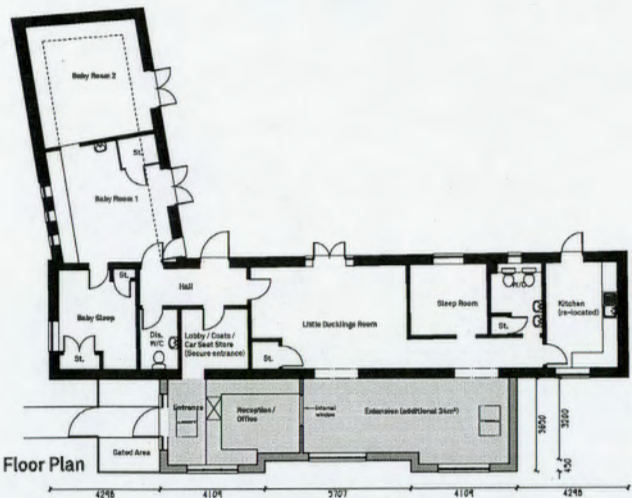
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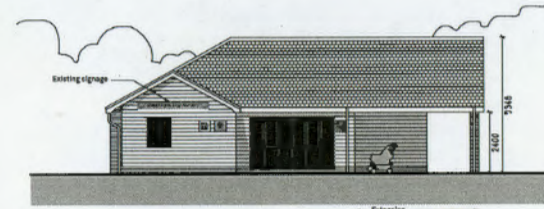
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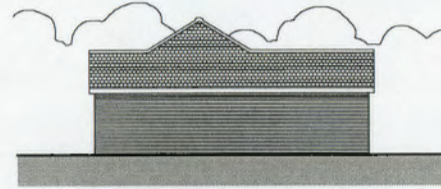
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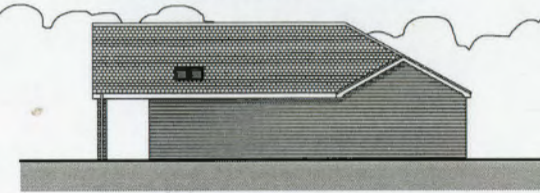
Floor Plan



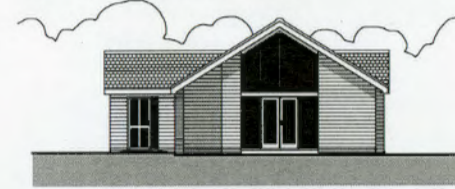
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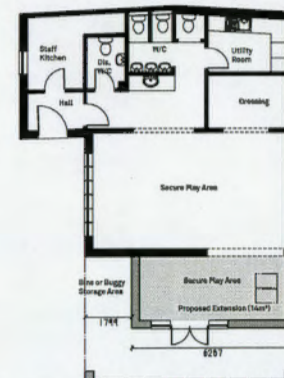
South East Elevation



South West Elevation



North West Elevation



Floor Plan

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23.08.18	D	Shop top, fencing, grant work at entrance	PKA
17.08.18	C	Approvals to extension	SKJ
09.08.18	B	Further scheme lines	SKJ
05.08.18	A	Dimensions for project	SKJ
05.18	REV	DEVELOPER	SKJ/SN

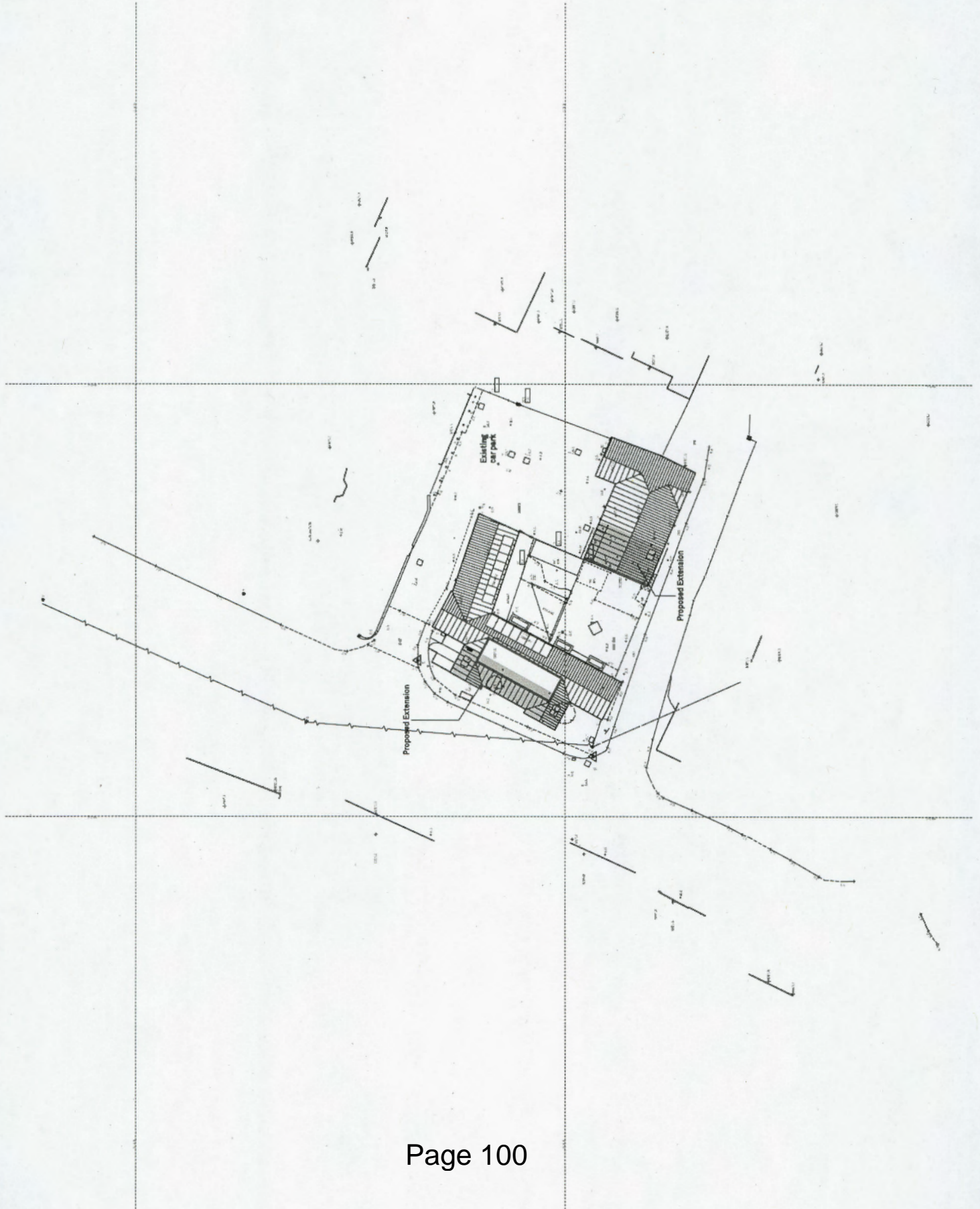
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 architects@patrickallen.co.uk | 7 Grange Business Centre
 www.patrickallen.co.uk | Tisbury, Wiltshire, UK
 Grange Farm, Highgate, Ipswich, Suffolk, IP5 3BT
 +44 (0)1473 620000

Project: **Street Farm Day Nursery, Station Road, Elmswell, IP30 9HD**
 Client: **Street Farm Day Nurseries**
 Drawing Title: **Scheme Design**

Drawing Status: **Planning / Preliminary**

Name	Report Size	Date	Drawn
1:100	A1	July 2018	AC / ZJU

Drawing Number: **3692-04D**
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 100 High Street, London, E14 4JF
 www.patrickallen.co.uk
 020 7463 1000
 020 7463 1001

Street Farm Day Nurseries
 Topographical Survey (by Others)
 As Proposed

Project: Street Farm Day Nurseries, Station Road, Elmwell, H20 9HD
 Date: July 2018
 Drawing Number: 3692-05C

From: Peter Dow [mailto:clerk@elmswell.suffolk.gov.uk]
Sent: 18 October 2016 15:21
To: Planning Admin
Subject: FAO Ruth Bishop

Ruth

Ref 3933/16 at Street Farm Nursery, Elmswell.

Please note that Elmswell parish Council supports this application.

Regards

Peter

Peter Dow CiLCA
Clerk to Elmswell Parish Council
A Foundation Council
01359 244134

From: Nathan Pittam
Sent: 28 September 2016 09:20
To: Planning Admin
Subject: 3933/16/FUL. EH - Land Contamination.

M3 : 184356
3933/16/FUL. EH - Land Contamination.
Street Farm Day Nursery, Station Road, Elmswell, BURY ST EDMUNDS,
Suffolk, IP30 9HD.
Extensions and alterations.

Many thanks for your request for comments in relation to the above application. I can confirm that I have no objection to the proposed development.

Regards

Nathan

Nathan Pittam BSc. (Hons.) PhD
Senior Environmental Management Officer
Babergh and Mid Suffolk District Councils – Working Together
t: 01449 724715 or 01473 826637
w: www.babergh.gov.uk www.midsuffolk.gov.uk

From: Philippa Stroud
Sent: 10 October 2016 10:53
To: Planning Admin
Cc: Ruth Bishop
Subject: 3933/16/FUL Street Farm Day Nursery - Other Issues

WK/184357

Ref: 3933/16/FUL EH – Other Issues
Location: Street Farm Day Nursery, Station Road, Elmswell, IP30 9HD
Proposal: Extensions and alterations.

Thank you for the opportunity to comment on the above planning application.

I have no objection to the proposed development.

Regards,

Philippa Stroud
Senior Environmental Protection Officer
Babergh and Mid Suffolk District Councils - Working Together

Telephone: 01449 724724

Email: Philippa.Stroud@baberghmidsuffolk.gov.uk
Websites: www.babergh.gov.uk www.midsuffolk.gov.uk

Your Ref: MS/3933/16
Our Ref: 570\CON\3808\16
Date: 30/11/2016
Highways Enquiries to: kyle.porter@suffolk.gov.uk



All planning enquiries should be sent to the Local Planning Authority.
Email: planningadmin@babberghmidsuffolk.gov.uk

The Planning Officer
Mid Suffolk District Council
Council Offices
131 High Street
Needham Market
Ipswich
Suffolk
IP6 8DL

For the Attention of: Ruth Bishop

Dear Ruth

**TOWN AND COUNTRY PLANNING ACT 1990
CONSULTATION RETURN MS/3933/16**

PROPOSAL: Extensions and alterations
LOCATION: Street Farm Day Nursery, Station Road, Elmswell, IP30 9HD

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

The current proposal would not have any severe impact on the highway network in terms of vehicle volume or highway safety. Therefore, Suffolk County Council does not wish to restrict the grant of permission.

Yours sincerely,

Mr Kyle Porter
Development Management Technician
Strategic Development – Resource Management

MID SUFFOLK DISTRICT COUNCIL
DEVELOPMENT CONTROL COMMITTEE - 11 January 2017

AGENDA ITEM NO	3
APPLICATION NO	4297/16
PROPOSAL	Application for the Modification of a Section 106 Planning Obligation of planning permission 0210/15
SITE LOCATION	Land between Kingfisher Drive & Chequers Rise, Great Blakenham IP6 0NG
SITE AREA (Ha)	0.76
APPLICANT	Mid Suffolk District Council
RECEIVED	October 19, 2016
EXPIRY DATE	January 19, 2017

REASONS FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reasons :

- Mid Suffolk District Council are the applicant

PRE-APPLICATION ADVICE

1. Pre-application advice was sought in respect of the proposal, which was considered to be acceptable in principle, subject to design changes.

SITE AND SURROUNDINGS

2. The application site is within the Key Service Centre of Great Blakenham, forming an area of land between Kingfisher Drive and the rear of properties in Chequers Rise and Chalk Hill Lane.

The site is currently an area of open scrub land. The site has been used to provide an informal pedestrian cut through between Chequers Hill and Kingfisher Drive, although no adopted footpath runs through the site.

The surrounding area is predominantly residential, with a mix of two storey and bungalow dwellings. The properties in Kingfisher Drive are detached, whilst properties in Chalk Hill Lane are a mix of semi-detached bungalows and two storey dwellings. Chequers Rise has a mix of single and two storey properties, as well as some part single and part two storey properties, making use of the change in ground levels.

HISTORY

3. The planning history relevant to the application site is:

1223/16	Non Material Amendment sought following grant of planning permission 0210/15. Removal of roof lights; omission of louvres;	Granted 11/05/2016
---------	--	-----------------------

addition of gallows brackets to canopies;
Alterations to windows, dark brick string
course in lieu of metal channel detail,
omission of PV panels.

0210/15	Erection of 10 no. 2-bed semi-detached 2 storey affordable houses, 9 no. 2-bed detached and semi-detached affordable bungalows, 4 no. 1-bed affordable flats, construction of new vehicular access roads, new public open space and erection of 21 garden sheds.	Granted 24/11/2015
---------	--	-----------------------

PROPOSAL

4. This application seeks to vary the unilateral undertaking agreed under planning permission 0210/15.

The 0210/15 undertaking secured 23 dwellings to be provided as rental dwellings and which were to be occupied by means of the Choice Based Lettings Scheme.

This undertaking further secured £12,181.00 for Early Years, £60,905.00 for Primary Education, £50,000.00 for a zebra crossing and an area of public open space within the site.

The proposal is to vary the tenure of the affordable units, to provide 12 rental dwellings and 11 shared ownership dwellings. The requirement for the local connection in respect of the rental dwellings. The proposal for the shared ownership dwellings is that this would be subject to a clause which seeks a local connection for a period of one month, if there are no qualifiers within this period then the local connection criteria falls away and subsequently with respect of the re-sale of the property there would further be no local connection criteria.

The other aspects of the undertaking would remain unchanged.

Strategic Housing are the applicant in this case and so have not commented in their role as consultees. However for information the statement included within their planning application forms is set out below:

"MSDC are making this application as the changes are required for HRA business planning purposes.

With the impact of the Housing and Planning Bill on the HRA in Mid Suffolk (1% rent reduction for four years); we explored the option of a tenure change. Introducing shared ownership does not reduce the initial build costs (there is also a slightly better spec/finish on these) but it will bring in capital from the sale of the shares, this will help to provide future invest potential.

The HRA Accountant advised that this tenure change would have a positive impact on the capital in the HRA business plan and only have a minimal effect on the HRA revenue streams."

POLICY**5. Planning Policy Guidance**

See Appendix below.

CONSULTATIONS**6. Great Blakenham Parish Council**

No comments received.

LOCAL AND THIRD PARTY REPRESENTATIONS**7. This is a summary of the representations received.**

None received.

ASSESSMENT

8. Section 106A of the Town and Country Planning Act 1990 allows for modification or discharge of a planning obligation. Obligations can be renegotiated at any point where the Local Planning Authority and the developer wish to, or after the obligation is over 5 years old.

There is no requirement to re-negotiate until the obligation is over 5 years old, however in this instance given that the modification proposed seeks to alter the type of affordable housing rather than remove any obligation, that it retains all other obligations and furthermore would have been agreeable at the time the original obligation was proposed it is not considered that there is a reason for the Local Planning Authority to object to the renegotiation in this respect.

Where an application is made to modify or discharge an obligation the Authority may determine:

That the obligation shall continue to have effect without modification

If the obligation no longer has a useful purpose, that it shall be discharged, or

If the obligation continues to serve a a useful purpose, but would serve that purpose equally well if modified then to modify the obligation.

In this case the obligation would still serve to secure the affordable housing on the site, amending the types of housing and the local connection only.

Given that the obligation would continue to secure the affordable housing as a useful purpose and that the other obligations would maintain it is not considered that the modification would risk harm, or be contrary to Local Plan Policy.

RECOMMENDATION

(1) Subject to the prior agreement of a Section 106 Planning Obligation on appropriate terms to the satisfaction of the Professional Lead - Growth and Sustainable Planning to secure:

- Affordable housing - 11 shared ownership and 12 affordable rental
- Zebra crossing £50,000
- Education contribution £73,086
- Open Space and Social Infrastructure £97,475
- Provision and management of on-site public open space
- Legal and Monitoring costs

(2) That the Professional Lead - Growth and Sustainable Planning be authorised to grant the modification of the agreement.

Philip Isbell
Professional Lead - Growth & Sustainable Planning

Gemma Walker
Senior Planning Officer

APPENDIX A - PLANNING POLICIES

1. Mid Suffolk Local Plan

GP1 - DESIGN AND LAYOUT OF DEVELOPMENT
H17 - KEEPING RESIDENTIAL DEVELOPMENT AWAY FROM POLLUTION
HB13 - PROTECTING ANCIENT MONUMENTS

2. Planning Policy Statements, Circulars & Other policy

NPPF - National Planning Policy Framework



Great Blakenham

Title: Committee Site Plan

Reference: 4297/16

Site: Land between Kingfisher Drive & Chequers Rise
Great Blakenham IP6 0NG



MID SUFFOLK DISTRICT COUNCIL

131, High Street, Needham Market, IP6 8DL
Telephone : 01449 724500
email: customerservice@csduk.com
www.midsuffolk.gov.uk

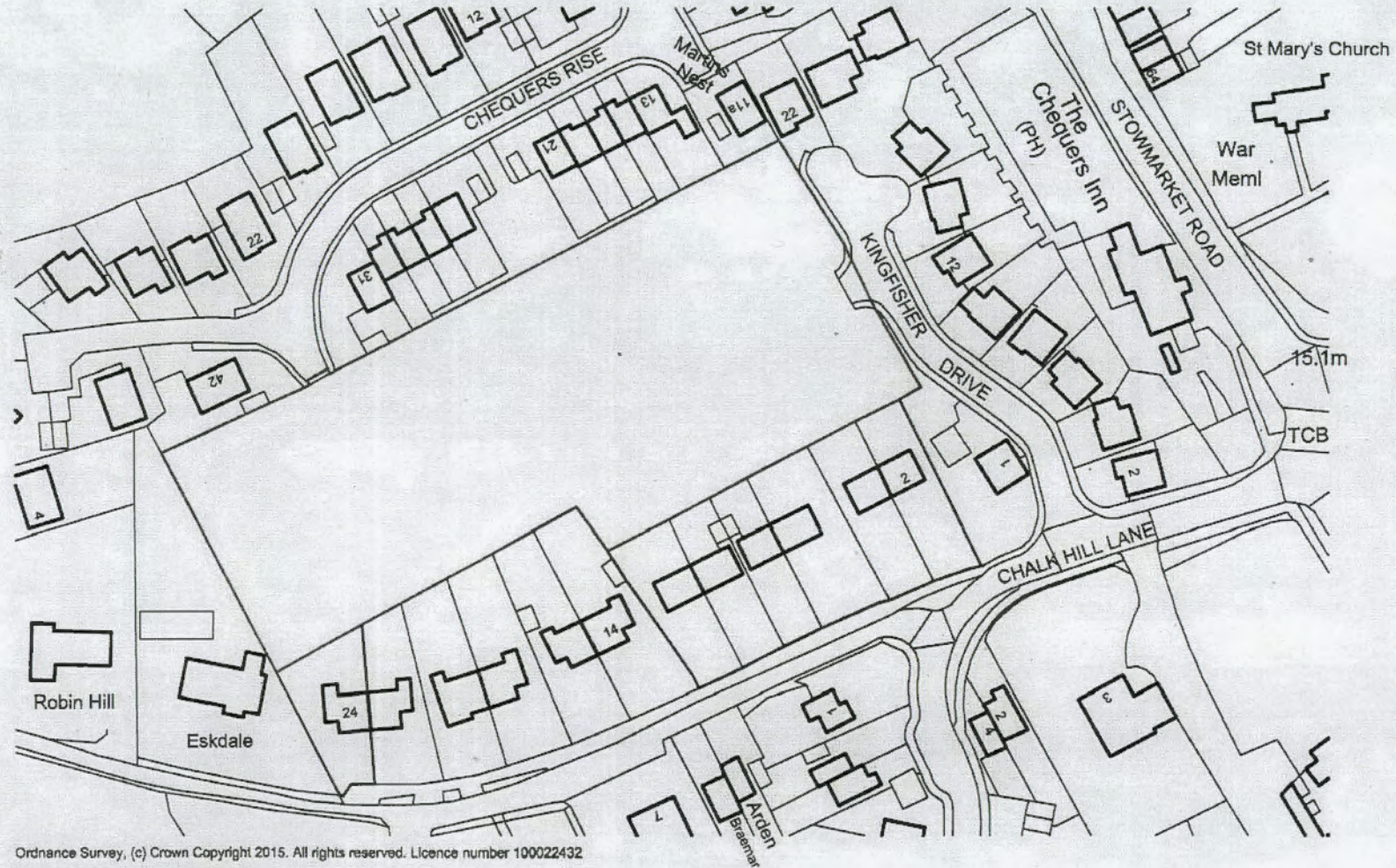
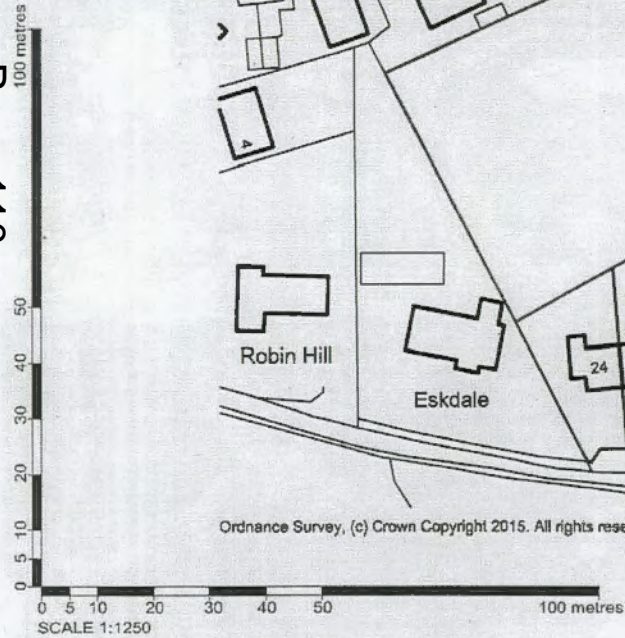


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