

Public Document Pack



DEVELOPMENT CONTROL COMMITTEE A

DATE Wednesday 8 February 2017
PLACE Council Chamber, Council
Offices, High Street, Needham
Market
TIME 9:30am

Contact: Committee Services
Direct Line: 01449 724673
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31 January 2017

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.

A G E N D A

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 11 January 2017
Report NA/04/17 Pages A to H
6. Confirmation of the Minutes of the meeting held on 18 January 2017
Report NA/05/17 Pages I to L
7. To receive notification of petitions in accordance with the Council's Petition Scheme.
8. 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.

9. 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.

10. Schedule of planning applications

Report NA/06/17 Pages 1 to 73

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

11. Site inspections

Note: *Should a site inspection be required for any of the applications this will be held on Wednesday 15 February 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 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.

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')

Suffolk Local Code of Conduct

1. Pecuniary Interests

Does the item of Council business relate to or affect any of your/your spouse /partner's pecuniary interests?

Yes

Declare you have a pecuniary interest

Leave the room. Do not participate or vote (Unless you have a dispensation)

Breach = criminal offence

No

No interests to declare

2. Non-Pecuniary Interests

Does the item of Council business relate to or affect any of your non-pecuniary interests ?

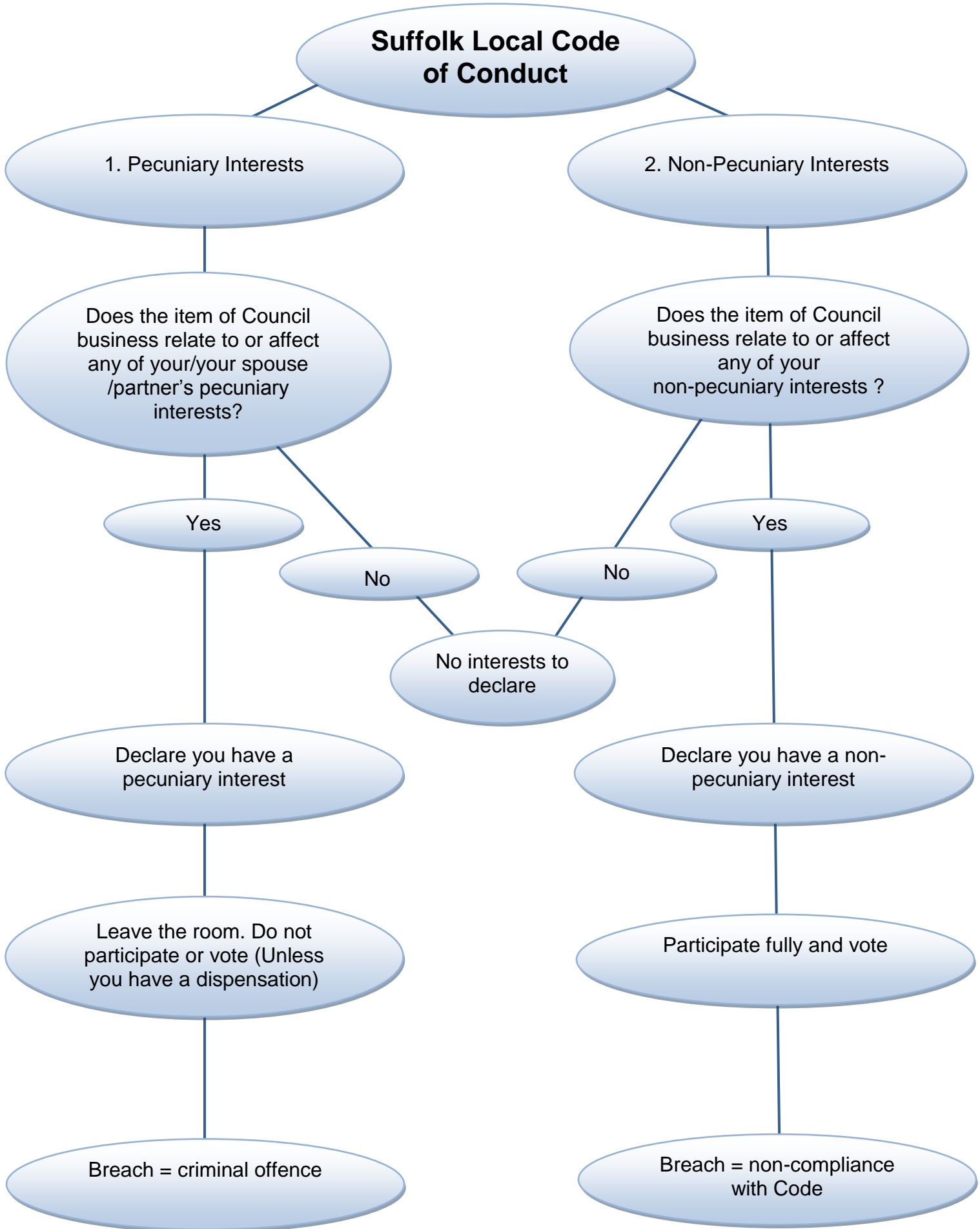
Yes

Declare you have a non-pecuniary interest

Participate fully and vote

Breach = non-compliance with Code

No



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Agenda Item 5

NA/04/17

MID SUFFOLK DISTRICT COUNCIL

Minutes of the **DEVELOPMENT CONTROL COMMITTEE 'A'** held at the Council Offices, Needham Market on Wednesday 11 January 2017 at 9:30 am

PRESENT: Councillor: Matthew Hicks (Chairman)
Gerard Brewster
David Burn
John Field
Lavinia Hadingham
Diana Kearsley
Sarah Mansel
Lesley Mayes
David Whybrow

Ward Member:

In Attendance: Senior Development Management Planning Officer (JPG)
Senior Planning Officer (GW)
Development Management Planning Officer (RBiggs/RBishop)
Business Partner – Planning
Governance Support Officer (VL/HH)

NA122 APOLOGIES/SUBSTITUTIONS

An apology for absence was received from Councillor Anne Killett.

NA123 DECLARATIONS OF INTEREST

There were no declarations of interest.

NA124 DECLARATIONS OF LOBBYING

It was noted that Members had been lobbied on Application 3872/16.

NA125 DECLARATIONS OF PERSONAL SITE VISITS

There were no declarations of personal site visits.

NA126 MINUTES OF THE MEETING HELD ON 7 DECEMBER 2016

Report NA/01/17

The Minutes of the meeting held on 7 December 2016 were confirmed as a correct record.

NA127 PETITIONS

None received.

NA128 QUESTIONS FROM THE PUBLIC

None received.

NA129 QUESTIONS FROM COUNCILLORS

None received.

NA130 SCHEDULE OF PLANNING APPLICATIONS

Report NA/02/17

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

<u>Planning Application Number</u>	<u>Representations from</u>
3872/16	Andrew Vessey (Objector) Owen Le Roy (Supporter) Peter Davidson (Applicant)

Item 1

Application Number:	3872/16
Proposal:	Hybrid application comprising: application for full detailed Planning Permission for the erection of a new Baptist Chapel, car parking and access and an application for Outline Planning Permission for up to 18 no residential units (revised scheme to application 0846/15)
Site Location:	FRESSINGFIELD – Land south west of School Lane, IP21 5PZ
Applicant:	The Trustees of Fressingfield Baptist Chapel

Andrew Vessey, an objector, said that there were still three primary areas of concern: the removal of the area of natural woodland where wildlife was increasing; the primary school which had been built on its own cul-de-sac would now become a roadside building with increased dangers from traffic and pollution; and the proposed Chapel was out of scale to the surroundings. The proposed space for sports provision was unnecessary as the village already had adequate indoor and outdoor facilities. The needs of the Chapel could be provided within its existing site.

Owen Le Roy, a supporter, said the Chapel was also a resource for other meetings and activities. The building had been erected in 1835 and added to over the years and there was now insufficient space to accommodate its increasing use with some activities having to be held off site and no room for expansion. There was also insufficient parking and poor access for the elderly. The car park could be used for parents dropping children off art school and this would mitigate the dangerous on road parking.

Peter Davidson, speaking for the applicant, said he felt the previous reasons for refusal had now been addressed and there was a recommendation for approval by

the Planning Officer. Land was available to provide replacement woodland which would be maintained and be an improvement to the existing area of trees.

Councillor Lavinia Hadingham, Ward Member, said she fully supported the proposal. The Baptist Chapel did much in the village and surrounding area and was used by all ages. The existing Chapel was full most Sundays and could not accommodate those wishing to attend on special occasions. The car park would be of great benefit to the school and mitigate the current on road parking.

During the debate Members requested and received clarification regarding various issues including:

- The ridge and eaves height of the building in comparison to surrounding dwellings
- Contractors working hours
- Distance from Chapel building to the site boundary
- Ancillary uses of the Chapel
- Change of use of the playing field land to footpath

Members found the application satisfactory but requested an additional condition requiring that the replacement woodland meet the DEFRA offsetting metric. A motion to approve the recommendations was proposed and seconded by Councillors David Whybrow and John Field respectively.

By a unanimous vote

Decision –

(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
- Offset woodland shall meet DEFRA offsetting metric
- 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 02 benefit from have permitted development rights to change use.
- No gates to be installed to the car park

Outline Planning 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.

Item 2

Application Number: **3933/16**
 Proposal: Extensions and alterations
 Site Location: **ELMSWELL** – Street Farm Day Nursery, Station Road, IP30 9HD
 Applicant: Mrs L Pratt

It was noted that the application was not referred to Committee as the applicant was Mid Suffolk District Council but because the agent for the applicant was currently acting as a consultant for the Council on another application.

Councillor John Levantis, Ward Member, commenting by email said that he supported the application.

Councillor Sarah Mansel, Ward Member, said that whilst she supported local business growth she could not support the application due to the adverse impact on road safety. Although parents did currently park at the rear of the building some also parked on the road and she felt that by moving the entrance door to the front of the building this would encourage others to do so. This rise in on road parking would increase congestion particularly when the level crossing gates were

closed and she could not agree with the SCC Highways opinion that this would not impact on vehicle volume or highway safety.

Some concern was expressed regarding the proposed front extension and whether the general building line would be brought forward; the lack of comments from the Heritage Officer regarding the impact on the adjacent listed building; and the impact on traffic of increased on road parking. A motion to defer the application for receipt of comments from the Heritage Officer was proposed but not seconded.

In general Members found the application acceptable and noted that the building line was varied along the road, parking would still be available for parents in the rear car park and that the Highways Authority had no objections. A motion for approval was proposed by Councillor David Whybrow and seconded by Councillor Matthew Hicks.

By 6 votes to 2

Decision – 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 and 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

Item 3

Application Number: **4297/16**

Proposal: Application for modification of a Section 106 Planning Obligation of planning permission 0210/15

Site Location: **GREAT BLAKENHAM** – Land between Kingfisher Drive and Chequers Rise, IP6 0NG

Applicant: Mid Suffolk District Council

Councillor John Field, Ward Member, advised that although he had no objection to the change in tenure of the affordable units he was concerned that the proposed shared ownership units would only be restricted to those with a local connection for one month. Local support for the scheme had been largely based on the fact the dwellings were all for people with a local connection and he felt this proposal went back on the assurances given at that time that this would be the case. He said he could support the proposal if the timeframe for local connection was extended.

Officers advised that the one month local connection period was on the advice of the specialist estate agents that was to be used to market the properties.

Members were generally satisfied with the proposed change to shared ownership but felt the local connection restriction of one month was not acceptable. It was considered that a 90 day restriction was more appropriate and a motion to approve the recommendation, subject to an amendment for an extension to the timeframe

for local connection to 90 days was proposed by Councillor Lavinia Hadingham and seconded by Councillor Gerard Brewster.

By 5 votes to 1 with 2 abstentions

Decision –

(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 – aa shared ownership and 12 affordable rental with timeframe for local connection extended to 90 days
- 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 modification of the agreement

The business of the meeting was concluded at 12.10 p.m.

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Chairman

Agenda Item 6

NA/05/17

MID SUFFOLK DISTRICT COUNCIL

Minutes of the **DEVELOPMENT CONTROL COMMITTEE 'A'** held at the Council Offices, Needham Market on Wednesday 18 January 2017 at 12 noon

PRESENT: Councillor: Matthew Hicks (Chairman)
David Burn
Roy Barker*
Rachel Eburne *
John Field
Kathie Guthrie*
Lavinia Hadingham
Diana Kearsley
Anne Killett
Lesley Mayes

Denotes substitute *

Ward Members Councillor: Gary Green
Barry Humphreys MBE
Dave Muller

In Attendance: Senior Development Management Planning Officer (JPG)
Senior Development Management Planning Office (SS)
Development Management Planning Officer (RBishop)
Interim Planning Solicitor (LH)
Governance Support Officers (LS/HH)

NA131 APOLOGIES/SUBSTITUTIONS

Councillors Rachel Eburne, Kathie Guthrie and Roy Barker were substituting for Councillors Sarah Mansel, David Whybrow and Gerard Brewster respectively.

NA132 DECLARATIONS OF INTEREST

Councillor Lesley Mayes declared a local non-pecuniary interest in application 4810/16 in her capacity as a member of the Stowmarket Town Council.

NA133 DECLARATIONS OF LOBBYING

It was noted that Members had been emailed regarding application 4810/16.

NA134 DECLARATIONS OF PERSONAL SITE VISITS

There were no declarations of personal site visits.

NA135 PETITIONS

The Senior Governance Support Officer reported receipt of a petition signed by approximately 100 residents of Mid Suffolk opposing application 4810/16, which was before the Committee for consideration (Report NA/03/17 refers).

The receipt of the petition will be reported to the next meeting of the Council in accordance with the Council's Petitions Scheme.

NA136 QUESTIONS BY THE PUBLIC

None received.

NA137 QUESTIONS BY COUNCILLORS

None received.

NA138 SCHEDULE OF PLANNING APPLICATIONS

Report NA/03/17

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

<u>Planning Application Number</u>	<u>Representations from</u>
4810/16	Richard Morrison (Agent for the Applicant)

Item 1

Application Number:	4810/16
Proposal:	Erection of a 17.5m tall lattice mast with 3no telecommunications antennae and 2no dishes
Site Location:	STOWMARKET – Mid Suffolk Leisure Centre, Gainsborough Road, IP14 1LH
Applicant:	Shared Access and CTIL

The Development Management Planning Officer referred to the objections from residents as summarised in paragraph 7 of the Report, and updated Members in relation to the objections received from Stowmarket Town Council and from the signatories to the petition referred to in Minute No NA135 above.

Members also had before them the comments of the Heritage Officer together with further information provided by the Agent, circulated prior to the commencement of the meeting. A copy of the ICNIRP Certificate was distributed, at Members' request, during the course of the meeting.

The Development Management Planning Officer advised Members that the height of the proposed mast did not exceed 25m and therefore did not require planning permission. However, the Committee was asked to decide whether prior approval was required, and should be given, replacing the recommendation in the Report.

Members were advised that the National Planning Policy Framework stated that local planning authorities should not seek to prevent competition between different operators or question the need for the telecommunications system or determine health safeguards if the proposal meets International Commission guidelines of public exposure. The relevant certificate had been submitted demonstrating

compliance with the International Commission (ICNIRP) guidelines. The Committee could therefore only consider matters of siting and design/appearance.

The Development Management Planning Officer explained that the distance from the site to the nearest building was 80m increasing to 120m and provided a range of other measurements on screen, and that the mast was of a standard lattice design. The ground unit would be hidden by the surrounding bushes and fence.

The Chairman Councillor Matthew Hicks reiterated that because the Applicant had provided an ICNIRP Certificate, Members could not discuss whether any health risks would be posed by the mast.

Members questioned the Development Planning Officer on whether the local school had been consulted and the height of the ridge of the Leisure Centre, to which the response was that the main objections were from the local residents and that the ridge measured approximately 11.5m.

The issue of the need for the mast was referred to but could not be taken into account, as previously advised. The Officers clarified the position in the NPPF, which was that need was a consideration in the context of preparing a Local Plan under Paragraph 43, but not in context of individual proposals for prior approval in terms of decision making and Paragraphs 45 and 46 were referred to. Consideration of the GPDO also applied in what it set out as material considerations. The Officer confirmed that an exercise regarding possible alternative sites had been undertaken as per requirements.

Richard Morrison, Agent for the Applicant, explained that the proposal would provide telecommunications coverage of 2G, 3G and 4G Network and the proposed mast would be shared between O₂ and Vodafone. The health risk was dealt within the NPPF policy guidelines and the proposal met International Commission Guidelines for public exposure. The CTIL Radio Frequency was 1% below the guideline level at the height of 1.5m and 5 m away from the site and less than 1% at 40m from the site. There was also a declaration of conformity with the ICNIRP public exposure guidelines. He responded to questions from Members about various aspects including the design and height of the mast, which was determined by the surrounding area and its siting. It was established that radio planners considered the coverage and the need of the customers before determining the most suitable location.

Councillor Barry Humphreys, MBE, Ward Member for Stowmarket North, commented that Stowmarket already has adequate 4G coverage and urged Members to listen to the concerns of the residents.

Councillor Dave Muller, Ward Member for Stowmarket North, agreed and referred to 4G coverage interfering with Freeview.

Councillor Gary Green, Ward Member for Stowmarket North, concurred with the two previous speakers and queried the evidence for whether the School had been consulted, what information had been provided regarding the decision process for the chosen site and the amount of the rental fee to MSDC for the site. He considered that the design and the site were unsuitable.

During the debate Members received clarification on alternative sites, the appearance of the mast, the impact on the residents and surrounding areas.

By 5 votes to 3, with 2 abstentions

Decision – That prior approval is required and that prior approval is given to the proposal.

The business of the meeting was concluded at 1.10pm.

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Chairman

MID SUFFOLK DISTRICT COUNCIL

DEVELOPMENT CONTROL COMMITTEE A – 8 February 2017

SCHEDULE OF APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Item	Ref No.	Location And Proposal	Ward Member	Officer	Page No.
1.	4656/16	<u>Four Oaks Caravan Park, Brome & Oakley</u> Use of land for stationing of 31 holiday homes and relocation of site office.	Cllr Burn	SAS	1 - 17
2	4714/16	<u>Kerrison Conference and Training Centre Thorndon</u> Variation of Conditions 2 and 14	Cllr Horn	GW	18 - 36
3	4402/16	<u>The Little House, High Street, Gislingham, IP23 8JG</u> Erection of detached single storey dwelling with detached garage utilising existing vehicular access	Cllr Kearsley	SLB	37 - 73

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MID SUFFOLK DISTRICT COUNCIL
DEVELOPMENT CONTROL COMMITTEE - A 08 February 2017

AGENDA ITEM NO	1
APPLICATION NO	4656/16
PROPOSAL	Use of land for stationing of 31 holiday homes and relocation of site office.
SITE LOCATION	Four Oaks Park, Eye Road, Brome And Oakley
SITE AREA (Ha)	1.7
APPLICANT	Mr B Gregory
RECEIVED	November 16, 2016
EXPIRY DATE	February 10, 2017

REASONS FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason:

- (1) The applicant's agent is currently employed by the Council on a consultancy basis.

PRE-APPLICATION ADVICE

1. The application has been subject to pre-application from your officer in respect of the most appropriate manner to submit the proposal for consideration.

SITE AND SURROUNDINGS

2. The site (1.7Ha) is located to the west of the B1077, within proximity to the junction with the A140 to the North West - known as the 'Brome Triangle'. The market towns of Eye and Diss are 2 miles to the south, and 4 miles to the west respectively.

The site is used as a holiday park for static caravans; permission being granted for the site land to be used for the stationing of 16 no. units, under those references below. The site is generally flat and is bounded by hedging, mature trees and close-board timber fencing.

Arable fields lie to the west, south and north of the site. To the east are several residential properties including Mill House, a GII Listed Building, and associated gardens.

HISTORY

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

3726/10	Proposed siting of 6no Static holiday homes including change of use from former builder's yard	Granted 01/03/2012
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0121/07	<p>The siting and stationing of 10 static homes for holiday use only together with the retention of 11 touring caravan pitches (holiday use only) incorporating the provision of an amenity area and children's separate play area, the static homes and touring caravans to be occupied for a maximum 42 days continuous at any one time, there being no entitlement to occupation of the static homes or touring caravans or pitches during the month of February of each year when Four Oaks Holiday Park will be closed, subject to the continuing right of the Owners to occupy the Manager's permanent home and the Site Office throughout the year.</p>	<p>Granted 15/11/2007</p>
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PROPOSAL

4. As noted above, planning permissions have been granted previously allowing for the site to be used for the stationing of 16 no. static homes total (in addition to a permanent manager's unit).

It is understood that the applicant is presently operating the site with allowances for units in excess of those numbers presently permitted, and contrary to previously imposed occupancy restrictions. The applicant is then seeking to regularise the situation where there is a statutory provision for such action, under Section 73a of the Town and Country Planning Act 1990.

Accordingly, the applicant is seeking planning permission for the use of land for the stationing of up to 31 no. holiday homes, as well as the relocation/erection of an office within the site. Where this would effectively represent the beginning of a new 'planning chapter' for the history of the site, those previous permissions affecting the same land would fall away.

Members should note that with the exception of the site office/cycle store, the permission is couched purely in terms of land-use where the homes to be stationed are caravans within the meaning of the law, and therefore do not require planning permission in themselves as they do not represent a building operation.

It should also be noted that the applicant has requested revised terms in respect of any occupancy condition that could be applied to any approval given; this would be in line with recent planning appeal decisions, which are a material planning consideration capable of being afforded significant weighting. This matter will be considered within the body of your officer's assessment.

POLICY

5. **Planning Policy Guidance**

See Appendix below.

CONSULTATIONS

6. **Brome and Oakley Parish Council**
No objection; support this application unanimously.
- BMSDC Heritage**
No objection; no harm to designated assets.
- BMSDC Environmental Health (Other Issues)**
No objection.
- BMSDC Environmental Health (Land Contamination)**
No objection.
- SCC Highways**
No objection; however note lack of cycle storage provision.

LOCAL AND THIRD PARTY REPRESENTATIONS

7. No representations received.

ASSESSMENT

8. From an assessment of relevant planning policy and guidance, representations received, the planning designations and other material issues the main planning considerations considered relevant to this case are set out including the reason/s for the decision, any alternative options considered and rejected. Where a decision is taken under a specific express authorisation, the names of any Member of the Council or local government body who has declared a conflict of interest are recorded.

Principle of Development

The development plan supports the presumption in favour of sustainable development and states *inter alia* that the rural and local economy should be supported through the encouragement of tourism and leisure-based businesses.

Policies CS2 and RT19 are positively-worded to the extent that they seek to encourage a number of uses that would benefit the rural economy including, amongst other things, tourism and leisure related businesses. Those policies are broadly consistent with the aims of Section 3 of the NPPF which seeks to support economic growth in rural areas. In particular, paragraph 28 of the NPPF states, *inter alia*, that local plans should support the provision and expansion of tourist and visitor facilities in appropriate locations.

The application site is designated as countryside for planning purposes and is outside of the nearest settlement boundary. However, Paragraph 29 of the NPPF recognises that opportunities to maximise sustainable transport solutions will naturally vary from urban to rural areas. The location is also considered as being as acceptable in this instance as it is, in transport terms, nonetheless related to surrounding settlements and within a 'honey pot' of the district.

Notwithstanding this, the NPPF is also clear that the roles that comprise sustainability (being environmental, economic, and social) should not be taken in

isolation. It is considered that the economic benefits of this proposal should be afforded 'significant' (in-line with the NPPF) weighting, where holiday units can provide support for the wider economy as supported by the development plan and the Council's Tourism team.

That the planning use of the proposed units would be within the same Class (C3) as a dwellinghouse is noted. However, while the proposal is a form of residential permission, it is specifically for 'holiday accommodation', which could be controlled through the addition of a suitably worded condition.

While the development is therefore a form of residential development, it is materially different in nature to a purely residential proposal. It is considered then that the benefits to the local economy and tourist industry through using the unit for holiday let accommodation outweigh the fact that the units would be located in the countryside - or an otherwise 'unsustainable' location.

Essentially the development plan effectively pulls in two directions, seeking to restrict residential development in the open countryside, whilst also supporting rural enterprise. On balance it is therefore considered that the proposal should be acceptable when framed against the development plan/NPPF where the social and, crucially, *economic* benefits of the proposal outweigh any environmental impacts, subject to an appropriate assessment against other key material considerations.

Some weight must also be attributed to the fact that there are implemented and extant permissions in respect of the siting of 16 no. units. This proposal seeks permission for an additional 15 no.

Control over Use/Occupancy

Given the benefits to the rural economy, the occupation of the units need to be considered so as to ensure (as much as is possible) that the use of the site does indeed benefit the economy; the element which adds weight to the acceptability of the proposal. Furthermore, and most importantly, if the occupation of the units to be stationed on the site are not controlled it could become an unrestricted and separate residential use which would be undesirable in this location.

The most reasonable and conventional way of controlling the use of a holiday let is to control the occupation rather than the ownership, as occupation can be enforced. Controlling the occupation can ensure that the holiday accommodation does not become permanent and can make it more likely that it will be used for rented holiday accommodation only. It is also considered useful to control, via the imposition of a planning condition, the length of any visitor stay within any calendar year; again this would make it more likely that the unit is used as holiday accommodation only, rather than a holiday home.

Previously the Council has approached this by imposing a '28 day' rule; 'flexibility' (as now being advocated by the applicant) being weighed carefully against a means to adequately control the use of the site and in order to secure maximum economic benefit; an unrestricted 'second home' arrangement would be unlikely to yield the economic benefits necessary to render the proposal as acceptable.

However, your officer is aware of two recent planning appeals where the

respective Inspectors considered this very issue; one of which affects the Mid Suffolk district (Wortham - Ref 3148952).

In the instance regarding Mid Suffolk, the Inspector acknowledged that long-term rentals or 11-month-type conditions might negatively impact on tourism-spend, where time stayed is inversely proportionate to expenditure. This was supported by the 'Visit Suffolk - Market Segmentation Report'.

Nevertheless, the Inspector noted that such a condition would not unduly restrict shorter stays from occurring. A 'break' period as previously imposed would also remove the opportunity for repeat stays over the summer months or consecutive weekends.

The Inspector also opined that long-term occupants, whilst less likely to frequent tourist attractions repeatedly, could nonetheless visit other local facilities and would spend money as part of their day to day living expenses.

The Inspector then concludes:

"Thus, overall I find the [previous] condition when compared with the proposed condition increases the likelihood that the lodges would stand empty for periods throughout the year and potentially during the peak summer months. This could, in my view cancel out any benefit there may be arising from the greater spending by visitors which stay for shorter periods."

To be clear, your Officer finds the Inspector's reasoning to be troubling. (And indeed that Inspector partly justified his position by referring to a previous decision that did not explicitly consider the issue at hand and was in a highly sustainable location.)

Firstly, it is a matter of reasonable planning judgement that the nature of holiday sites in unsustainable locations is such that '11 month on - one month off' conditions would likely preclude short-term stays, rather being owner-occupied or holding a dormitory second-home status.

Second, and where it is precisely the strong economic benefits that should otherwise tip the planning balance in favour of developments such as this in unsustainable locations, the Inspector was wrong to consider living expense spend; such a consideration is true of any residential use, which of course is generally held to hold little weighting - consider the example of a new dwelling in the countryside, for example.

However, your officer does concede that no substantive evidence is available to support this view such that the Council could reasonably expect to robustly defend its position in an appeal situation. Given that appeal decisions are in themselves material planning considerations, especially given the subject matter of the Wortham case, your Officer advises that, on balance, the condition requested by the applicant in this instance is acceptable. This is also in part due to the transient nature of the holiday units in question, where they are not held to be buildings in law.

Heritage

With reference to the overall treatment of the submitted application, the Council

embraces its statutory duties and responsibilities, notably; Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the Local Planning Authority to have "*special regard to the desirability of preserving [a] building or its setting or any features of special architectural or historic interest which it possesses*".

The NPPF sets out the Government's national planning policy for the conservation of the historic environment and builds upon the 1990 Act referred to above. Paragraphs 132-134 state *inter alia* that when considering the impact of works or development upon the significance of a designated heritage asset, great weight should be given to the asset's conservation; any harm requires clear and convincing justification. Where works will lead to harm to significance, Local Planning Authorities should refuse permission unless it can be demonstrated that the harm is necessary to achieve public benefits that outweigh that harm.

In this instance there is a sufficient degree of separation (distance, landscaping, boundaries and caravan scale/form) between the application site, its associated proposed use and surrounding heritage assets for there to be no harm posed to the historic environment, within the meaning provided by the NPPF.

The proposal is therefore considered favourably and would not conflict with the development plan or national guidance/policy and a positive recommendation can be given having had regard for statutory duties and responsibilities.

Impact on the Character and Visual Amenity of the Site and Area

The development proposal(s) are of a scale, form and detailed design that are not considered to be inappropriate for its siting and would appear suitably subservient to surrounding development and sit within the wider landscape setting.

When considered against the development plan and national planning policy and guidance, the development is considered acceptable in terms of its impacts upon visual amenity and the character and appearance of the area.

Impact upon Residential Amenity

One of the core planning principles within paragraph 17 of the NPPF is that Local Planning Authorities should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings, and this is also required by saved policies of the Local Plan.

As such, consideration needs to be given as to whether the proposal would be likely to give rise to any material harm to the amenity of neighbours by reason of impacts including loss of light, privacy, or outlook, or other potential impacts associated with the proposed development.

In this instance, the increase in units would not pose any unacceptable detriment in this regard, especially given separation distances and boundary treatments.

The development is therefore considered to be acceptable as it would not unduly reduce the level of amenity enjoyed by occupants of neighbouring properties.

Highway Safety and Parking Provision

It is noted that SCC as Local Highway Authority have raised no objection to the proposal and it is considered that there is a sufficient quantum of on-site parking with adequate access for there to be no harmful impacts in respect of highway safety.

Planning Balance and Conclusion

At the heart of the balancing exercise to be undertaken by decision makers is Section 38(6) of the Planning and Compulsory Purchase Act 2004; which requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, determination must be made in accordance with the plan unless material considerations indicate otherwise.

When taken as a whole, and as a matter of planning judgment, the proposal is considered to adhere to the development plan, other material planning considerations including the NPPF, and imposed statutory duties and responsibilities. The proposal is consequently considered to represent a sustainable form of development, where there exists a presumption in favour of such development.

In the absence of any justifiable or demonstrable material consideration indicating otherwise, it is considered that the proposals are therefore acceptable in planning terms and a positive recommendation is given below.

RECOMMENDATION

That Planning Permission be granted subject to conditions, including:

- Standard Time Limit;
- Development to be in Accordance with Approved Plans;
- That the Holiday Units shall meet the Definition of a 'Caravan';
- Control over Holiday Occupancy;
- Control over Occupancy of Manager Unit;
- Ongoing Maintenance of Boundary Hedging;
- Control of External Lighting;
- Retention of Parking/Turning Areas;
- Retention of Existing Bat Boxes;
- No Parking of HG Vehicles Permitted;
- Retention/Control of Emergency Access.

Philip Isbell
Professional Lead - Growth & Sustainable Planning

Steven Stroud
Senior Planning Officer

APPENDIX A - PLANNING POLICIES

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

Cor2 - CS2 Development in the Countryside & Countryside Villages
Cor11 - CS11 Supply of Employment Land

2. Mid Suffolk Local Plan

GP1 - DESIGN AND LAYOUT OF DEVELOPMENT
HB1 - PROTECTION OF HISTORIC BUILDINGS
RT19 - STATIC CARAVANS AND HOLIDAY CHALETS

3. Planning Policy Statements, Circulars & Other policy

NPPF - National Planning Policy Framework

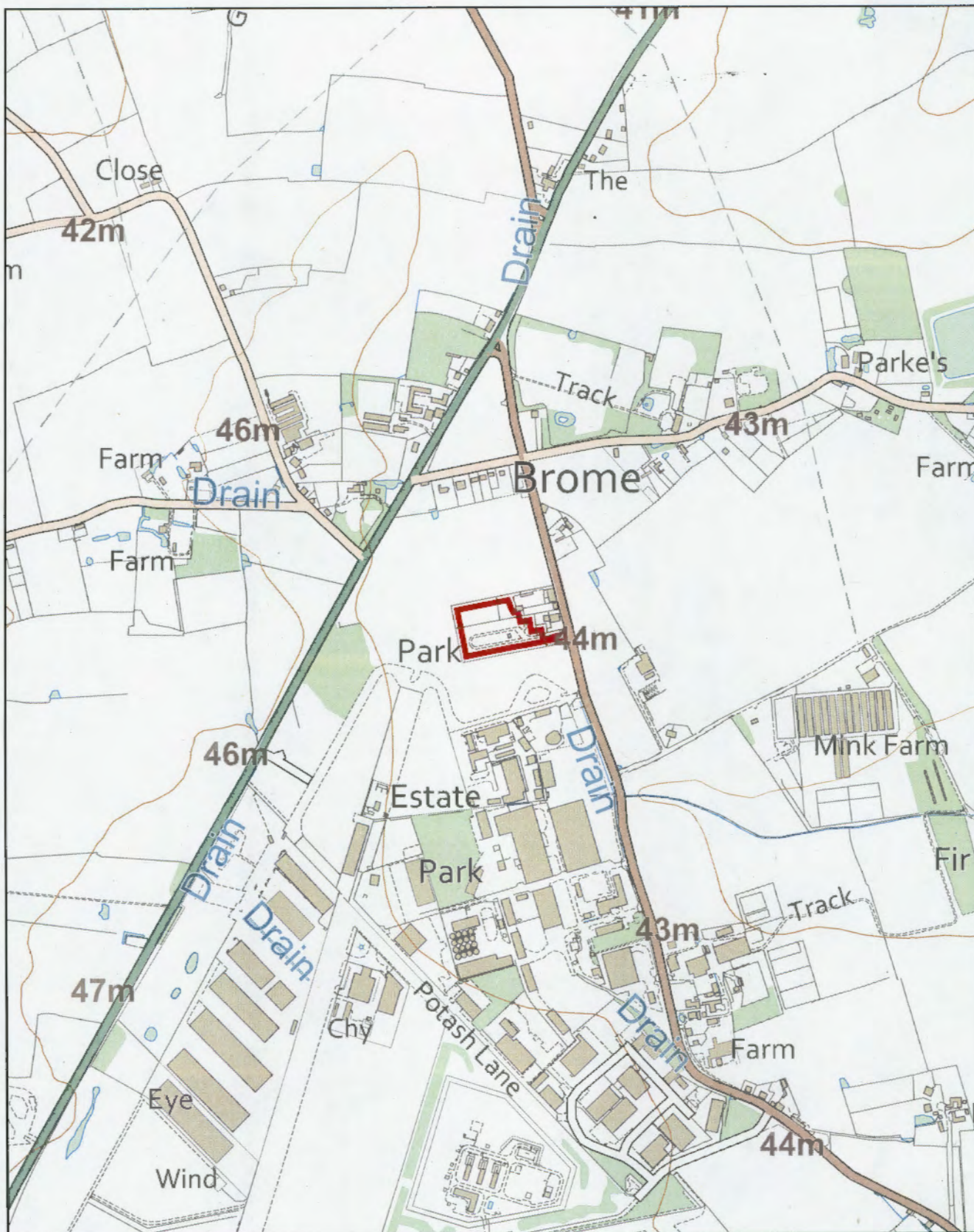
APPENDIX B - NEIGHBOUR REPRESENTATIONS

Letter(s) of representation(s) have been received from a total of **0** interested party(ies).

The following people **objected** to the application

The following people **supported** the application:

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



Title:

Reference: 4656/16

Site:



MID SUFFOLK DISTRICT COUNCIL

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



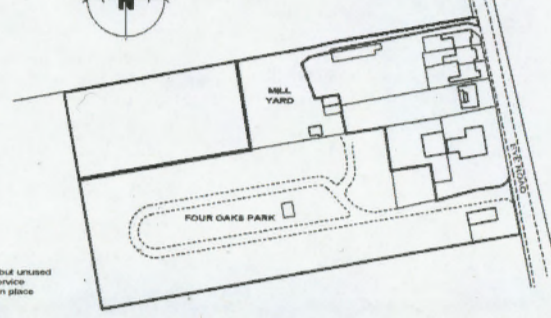
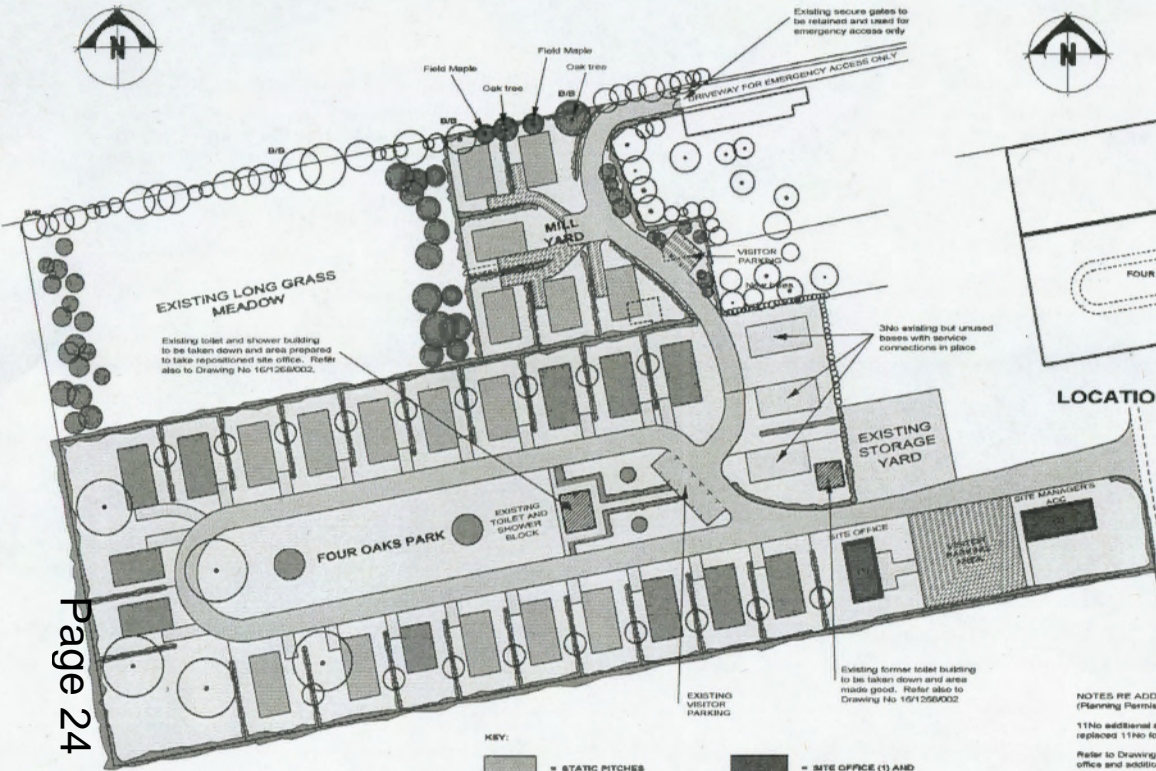
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Date Printed : 25/01/2017



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 should be referred to the Architect immediately.



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PROPOSED SITE PLAN scale 1:500

- KEY:
- [Light grey box] = STATIC PITCHES
 - [Dark grey box] = ADDITIONAL STATIC PITCHES
 - [Circle with dot] = EXISTING TREES/SHRUBS
 - [Circle with solid dot] = RECENTLY PLANTED AND/OR NEW TREES
 - [Wavy line] = NEW AND EXISTING HEDGING
 - [Dark grey box] = SITE OFFICE (1) AND MANAGER'S ACC (2)
 - [Light grey box] = ACCESS ROAD
 - [Hatched box] = PARKING AREAS
 - [Box with 'B/S'] = BAT BOX

NOTES RE ADDITIONAL STATIC PITCHES:
 (Planning Permission Ref: 2726/10 relates)
 11 No additional static pitches (shown pink on plan) replaced 11 No former fourer pitches.
 Refer to Drawing No 16/1268/002 for new location of office and additional static residential home.

THIS DRAWING TO BE READ IN CONJUNCTION WITH DRAWING No 16/1268/002 TOGETHER WITH SUPPORTING STATEMENT

ADDITIONAL STATIC MOBILE HOME & REPOSITIONED SITE OFFICE AT
 FOUR OAKS PARK EYE ROAD BROME HAY SUFFOLK

JON VENNING ARCHITECT
 Hardecks House, Ipswich Road,
 Long Stratton, Norfolk, NR13 2TF.
 Telephone and Fax: 01906-631389
 Mobile: 07988-045621

SITE PLAN AS EXISTING

Scale 1:500 / 1:1250 Date: OCTOBER 2015

16/1268/001

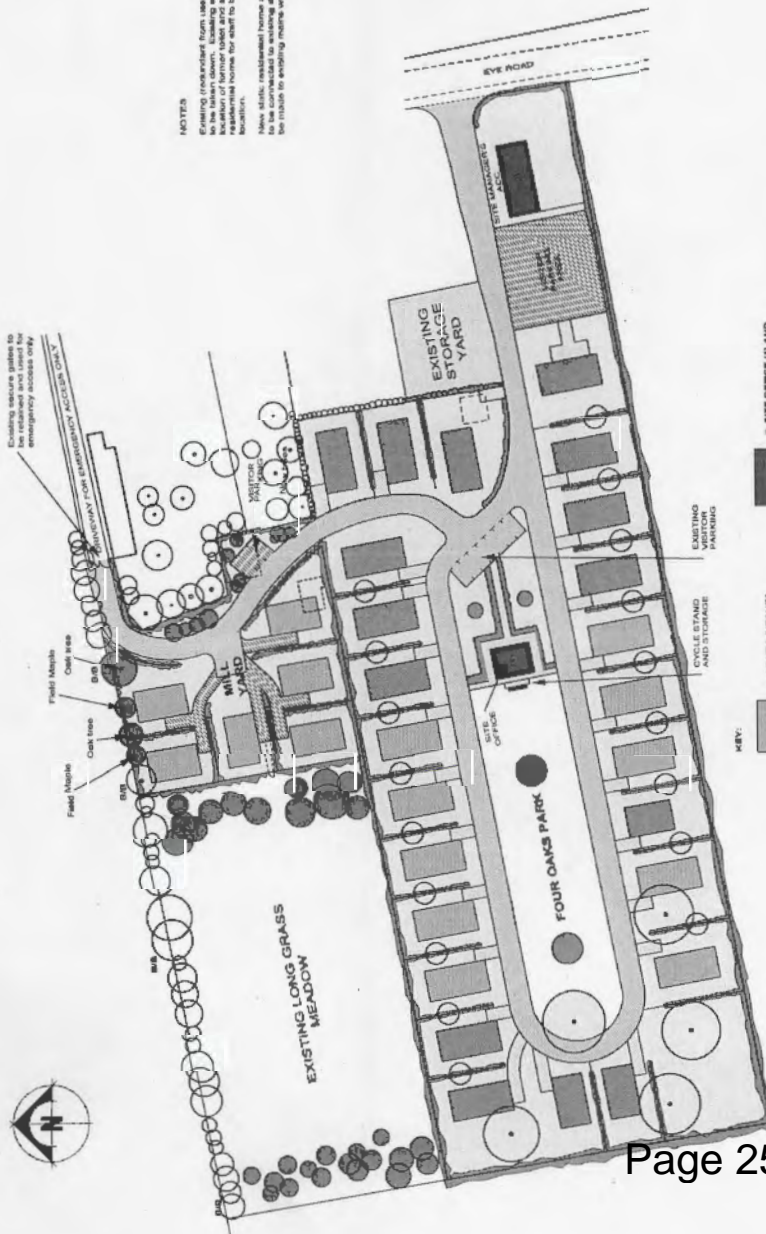
10

This drawing and supports copyright
 Drawn and checked by [Name],
 Designated by [Name],
 Date [Date]

NOTES

Existing (recovered from last) toilet and shower building
 to be demolished and replaced with a new building
 location of former toilet and shower building, show static
 residential home for staff to be added on former site office
 location.

Site office building to be demolished and replaced with a new
 building location to be shown on site plan. Connections to
 be made to existing mains water and electricity supplies.



- KEY:**
- = STATIC PITCHES
 - = SITE OFFICE (S AND MANAGER'S ACC B)
 - = ADDITIONAL STATIC PITCHES
 - = ACCESS ROAD
 - = EXISTING TREES/HURLES
 - = PARKING AREAS
 - = RECENTLY PLANTED AND/OR NEW TREES
 - = BAY BOX
 - = NEW AND EXISTING HEDGING

PROPOSED SITE PLAN

Scale 1:500

THIS DRAWING TO BE READ IN CONJUNCTION
 WITH DRAWING No 16/1258/001 TOGETHER
 WITH SUPPORTING STATEMENT

REV A - JANUARY 2017 - CYCLE STAND AND STORAGE AREA ADDED
 ADDITIONAL STATIC MOBILE HOME & REPOSITIONED SITE OFFICE AT
 FOUR OAKS PARK EYE ROAD BRIDGE BY EYE BUDDLE
 SITE PLAN AS PROPOSED

JON VENNING ARCHITECT
 16/1258/002A

Consultee Comments for application 4656/16

Application Summary

Application Number: 4656/16

Address: Four Oaks Park, Eye Road, Brome And Oakley

Proposal: Use of land for stationing of 31 holiday homes and relocation of site office.

Case Officer: Steven Stroud

Consultee Details

Name: Mrs Sarah Foote Clerk, Brome and Oakley Parish Council

Address: c/o Church Hill Low Street, Hoxne, Eye IP21 5AT

Email: bromeandoakleypc@hotmail.co.uk

On Behalf Of: Brome And Oakley Parish Clerk

Comments

Brome and Oakley Parish Council considered this application at a meeting on 9 January and it was unanimously recommended to SUPPORT the application.

From: Nathan Pittam
Sent: 22 December 2016 13:12
To: Planning Admin
Subject: 4656/16/FUL. EH - Land Contamination.

M3 : 188107
4656/16/FUL. EH - Land Contamination.
Four Oaks Park, Eye Road, Brome And Oakley, EYE, Suffolk.
Use of land for staioning of 31 holiday homes and relocation of site office.

Many thanks for your request for comments in relation to the above application. I have reviewed the application and can confirm that I have no objections to raise with respect to land contamination.

Regards

Nathan

Nathan Pittam BSc. (Hons.) PhD
Senior Environmental Management Officer
Babergh and Mid Suffolk District Councils – Working Together
t: 01449 724715
m: 07769 566988
e: Nathan.pittam@baberghmidsuffolk.gov.uk
w: www.babergh.gov.uk www.midsuffolk.gov.uk

From: David Harrold
Sent: 02 January 2017 11:33
To: Planning Admin
Cc: Stephen Burgess
Subject: Plan ref 4656/16/FUL Four Oakes Park, Eye Road, Brome and Oakley. EH - Other Issues

Thank you for consulting me on the above application.

I can confirm in respect of other environmental health issues that I do not have any adverse comments and no objection to the development.

You may wish to consult the Private Sector Housing team in respect of site licencing for this type of development and any requirements they have.

David Harrold MCIEH

Senior Environmental Health Officer
Babergh and Mid Suffolk Council

Consultee Comments for application 4656/16

Application Summary

Application Number: 4656/16

Address: Four Oaks Park, Eye Road, Brome And Oakley

Proposal: Use of land for staioning of 31 holiday homes and relocation of site office.

Case Officer: Stephen Burgess

Consultee Details

Name: Mrs Susan Francis

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

Email: susan.francis@midsuffolk.gov.uk

On Behalf Of: MSDC - Planning Enforcement (retention applications and existing enf case)

Comments

There is a current enforcement case relating to this application site.



Consultation Response Pro forma

1	Application Number	4656/16 Four Oaks Park, Eye Road, Brome and Oakley	
2	Date of Response	12/01/2016	
3	Responding Officer	Name:	Rebecca Styles
		Job Title:	Heritage 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 considers that the proposal would cause <ul style="list-style-type: none"> • No harm to a designated heritage asset as the scheme proposes the use of existing unused pitches at Four Oaks Park to be used as static caravan pitches, and the relocation of the site office. The proposal will have a neutral impact on the setting of the Grade II listed Mill House as the alterations as shown on the existing and proposed block plans would be negligible in the context of the existing development. No further comments. 	
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.

Your Ref: MS/4656/16
 Our Ref: 570\CON\4402\16
 Date: 05/01/2017
 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
 Ipswich
 Suffolk
 IP6 8DL

For the Attention of: Stephen Burgess

Dear Stephen

TOWN AND COUNTRY PLANNING ACT 1990 - CONSULTATION RETURN MS/4656/16

PROPOSAL: Use of land for staioning of 31 holiday homes and relocation of site office
LOCATION: Four Oaks Park, Eye Road, Brome, Eye, Suffolk

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

Whilst the current proposal would be increasing the total number of vehicle movements from the existing vehicular access it is anticipated that this would not be detrimental to highway safety at this location because visibility form the vehicular access is adequate. Additionally, upon reviewing recorded accident data for the site it is apparent that zero accidents have been recorded for the past five years (crashmap 2017).

However, the "PROPOSED SITE PLAN" has a distinct lack of secure cycle storage facilities, this should be implemented as part of the development in order to promote sustainable travelling alternatives to and from the site.

Therefore, plans should be submitted that details the aforementioned prior to the grant of permission.

Yours sincerely,

Mr Kyle Porter
Development Management Technician
 Strategic Development – Resource Management

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MID SUFFOLK DISTRICT COUNCIL
DEVELOPMENT CONTROL COMMITTEE A - 08 February 2017

AGENDA ITEM NO	2
APPLICATION NO	4714/16
PROPOSAL	Variation of Conditions 2 (Approved Plans) & 14 (Parking/turning Provision) following grant of planning permission of 3701/15. (Conversion of Kelly House to residential use, Conversion of the Old Chapel to Residential Use, Demolition of workshop adjoining the Old Chapel, Demolition of free-standing workshop building and the erection of 7No new houses
SITE LOCATION	Kerrison Conference & Training Centre, Stoke Ash Road, Thorndon IP23 7JG
SITE AREA (Ha)	
APPLICANT	Witnesham Ventures Ltd.
RECEIVED	November 17, 2016
EXPIRY DATE	February 17, 2017

REASONS FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason :

(2) it is a "Major" application for:-

- a residential land allocation for 15 or over dwellings

PRE-APPLICATION ADVICE

1. Pre-application advice as to need for Section 73 variation of condition.

SITE AND SURROUNDINGS

2. The application site forms part of what was The Kerrison School, subsequently becoming a community home and then a conference centre.

This red line site forms the main Kelly House, Old Chapel and workshop buildings, but does not encompass Settles House, the nursery or The Principles House, these forming part of the original Kerrisons site, but being outside the ownership of the applicant.

Kelly House forms the main building on the site, with the Old Chapel situated to the northern part of the site, fronting Stoke Road. To the rear (north-east) of Kelly House are workshop buildings.

The immediately surrounding area formed part of the original Kerrison School site but has subsequently been redeveloped for housing, with the northern and eastern boundaries to the site adjoining existing residential properties. The exceptions in this regard are the nursery and Activities Unlimited, part of the Mid Suffolk Holiday Opportunity Play Scheme at Settles House which runs activity

days.

Both the application site and these surrounding neighbouring properties are within the settlement boundary of Thorndon as a secondary village.

HISTORY

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

3413/16	Non material amendment sought following grant of planning permission 3701/15. Widen the access road in front of the Old Chapel to 4m to adoptable standard. Additional information added regarding outbuildings. The boundary fence to plot 19 amended to ensure adequate area for outbuilding facilities. Root protection areas added to site plan drawings. Kelly House floor plans amended to internal layout. Elevations amended window and rooflight positions.	19/09/2016
3701/15	Conversion of Kelly House to residential use, Conversion of the Old Chapel to Residential Use, Demolition of workshop adjoining the Old Chapel, Demolition of free-standing workshop building and the erection of 7No new houses.	Granted 08/04/2016
2195/07	Change of use from Leisure and Recreation to Leisure, Recreation and Child care combined.	Granted 15/11/2007
3024/15	Conversion of Kelly House to Residential Use, Conversion of the Old Chapel from Industrial Use to Residential Use, Demolition of Workshop Adjoining The Old Chapel, Demolition of Free-Standing Workshop Building and the Erection of 7No. New Houses (Plot 1, 3 to 7 and 28). Please also refer to Planning Application Ref No. PP-04245016: Conversion of Existing Premises from B1a Office Use To Use Class 3 Dwelling houses at Kelly House, Stoke Road, Thorndon.	04/09/2015

PROPOSAL

4. Following grant of planning permission 3701/15 this application is to relocate visitor parking to keep development within the ownership boundary and subsequently amend the landscaping plan accordingly.

The red line site plan of 3701/15 included land within different ownerships and notice was served appropriately to the relevant owners. However, part of the actual development would be on land outside the applicants control and as such the plans need amending to allow for all development to take place on their land.

POLICY5. **Planning Policy Guidance**

See Appendix below.

CONSULTATIONS6. **Thorndon Parish Council**

Support this application.

SCC Highways

I confirm that the Highway Authority has no objections to the proposed variations to Conditions 2 and 14 of approval 3701/15 as the variations relate to substitution of updated drawings. The minor revisions to the drawings are considered acceptable and have no overall detrimental highway impact.

SCC Floods Planning

Flood and Water Management have no comment to make.

MSDC Tree Officer

Tree survey and Arboricultural Assessment acceptable.

LOCAL AND THIRD PARTY REPRESENTATIONS

7. This is a summary of the representations received.

None received.

ASSESSMENT

8. There are a number of considerations which will be addressed as follows.

- Principle of Development
- Highway and Access
- Landscape
- Planning Obligations and Viability

● PRINCIPLE OF DEVELOPMENT**National Planning Policy Framework**

The National Planning Policy Framework (NPPF) was published on 27th March

2012. It provides that the NPPF "does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise".

Development Plan

The application site is situated within Thorndon as a secondary village. The principle of the provision of residential development within the settlement boundary of Thorndon as a secondary village is considered to be acceptable in principle, with Core Strategy policy CS2 allowing for the provision of housing and affordable housing in secondary villages. As such the proposal is considered to be acceptable in principle subject to detailed compliance with Policies GP1, H3, H10, H13, H14, H15, H16, HB13, CL2, CL8, T9 and T10 of the saved Mid Suffolk Local Plan (1998), Policy CS1, CS3 and CS5 of the Core Strategy (2008) and Policies FC1 and FC1.1 of the Core Strategy Focused Review (2012) and other material considerations.

However paragraph 49 of the NPPF states that:

"Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites."

Mid Suffolk District Council does not have this housing land supply at this time and as such the relevant policies set out above are not considered to be up to date. Paragraph 14 of the NPPF states in this respect:

"For decision-taking this means:

approving development proposals that accord with the development plan without delay; and

where the development plan is absent, silent or relevant policies are out of date, granting permission unless:

any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted"

The application site by way of the extant consent 3701/15 has been considered to achieve sustainable development within the roles set out by the NPPF and the proposed amendments do not affect this principle.

- **DESIGN AND LAYOUT**

The proposal does not include any alterations to the design or appearance of the proposal compared to the extant scheme. The only amendment to the layout proposed is the alteration to one parking space, which is not considered to have an unacceptable impact.

- **HIGHWAY AND ACCESS**

The proposal includes the alteration of the location of one parking space, from adjacent to the parking spaces to Plot 6, to the lay-by area adjacent to the parking spaces for Plot 17.

This has no overall effect on the level of parking provision, turning or manoeuvring and SCC Highways have raised no objection to this minimal alteration.

- **LANDSCAPE**

The amendments to the proposal extend the lay-by area located towards the eastern boundary and results in a reduction in the area for landscaping to the north of plots 6 and 7, facing Kerrisons Cottages. However, the overall impact is minimal, sufficient areas for landscaping are still included and the proposed amendment is not considered to risk harm or warrant refusal in this regard.

- **PLANNING OBLIGATIONS AND VIABILITY**

The extant consent secured obligations under S106, including 8% affordable housing contribution.

The obligations would now be the subject of CIL. Due to this change in regulations the viability of the proposal has been changed and taking account of the change between S106 and CIL has allowed an increase in the commuted sum for affordable housing to be sought.

The affordable housing contribution will be 35%, equating to a sum of £456,512.00

- **CONCLUSION**

The proposed amendments do not affect the in principle or detailed considerations of this proposal, which is considered to be sustainable development in keeping with the existing site and surroundings, not risking harm to the landscape, residential amenity, highway safety or biodiversity. The development is considered to be in accordance with the relevant Local Plan, Core Strategy and Core Strategy Focused Review policies and the objectives of the NPPF.

RECOMMENDATION

Subject to the prior agreement of a Section 106 Planning Obligation on appropriate terms to the satisfaction of the Corporate Manager - Development Management to secure:

- Affordable housing contribution
- Estate management

That the Professional Lead - Growth and Sustainable Planning be authorised to grant the variation of conditions 2 and 14, subject to conditions including:

- Standard time limit
- Approved plans
- Tree protection plan and method statement
- Assessment and mitigation of activities around retained trees
- Engineering and construction methods for any works required within Root Protection Areas
- Auditable system of arboricultural site monitoring
- Hard and soft landscaping
- Demolition carried out in full prior to first occupation
- Land contamination
- Biodiversity enhancement measures
- Carrying capacity of pumping/high reach appliances
- Vehicular access surfaced prior to first occupation
- Means to prevent the discharge of surface water from the development onto the highway
- Construction of carriageways and footways
- Provision of parking and manoeuvring areas
- Cycle parking and storage
- Removal of permitted development rights Schedule 2 Part 1 Class A, B, C, D, E and G
- Construction management to include demolition management and construction working hours
- Provision of walls and fences prior to first occupation and subsequently retained
- Materials to include road surfaces
- Details lighting column and bollards
- Foul and surface water drainage

That, in the event of the Planning Obligation referred to above not being secured the Corporate Manager - Development Management be authorised to refuse planning permission, for reason(s) including:-

- Inadequate provision/contribution towards infrastructure and management contrary to policy CS6 of the Core Strategy 2008 without the requisite S106 obligation being in place.

Philip Isbell
Professional Lead - Growth & Sustainable Planning

Gemma Walker
Senior Planning Officer

APPENDIX A - PLANNING POLICIES

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

Cor1 - CS1 Settlement Hierarchy

Cor5 - CS5 Mid Suffolks Environment

CSFR-FC1 - PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

CSFR-FC1.1 - MID SUFFOLK APPROACH TO DELIVERING SUSTAINABLE DEVELOPMENT

2. Mid Suffolk Local Plan

- GP1 - DESIGN AND LAYOUT OF DEVELOPMENT
- HB13 - PROTECTING ANCIENT MONUMENTS
- H17 - KEEPING RESIDENTIAL DEVELOPMENT AWAY FROM POLLUTION
- CL2 - DEVELOPMENT WITHIN SPECIAL LANDSCAPE AREAS
- CL8 - PROTECTING WILDLIFE HABITATS
- H3 - HOUSING DEVELOPMENT IN VILLAGES
- H15 - DEVELOPMENT TO REFLECT LOCAL CHARACTERISTICS
- H14 - A RANGE OF HOUSE TYPES TO MEET DIFFERENT ACCOMMODATION NEEDS
- H10 - DWELLINGS FOR KEY AGRICULTURAL WORKERS
- H16 - PROTECTING EXISTING RESIDENTIAL AMENITY
- T9 - PARKING STANDARDS
- T10 - HIGHWAY CONSIDERATIONS IN DEVELOPMENT

3. Planning Policy Statements, Circulars & Other policy

- NPPF - National Planning Policy Framework

APPENDIX B - NEIGHBOUR REPRESENTATIONS

Letter(s) of representation(s) have been received from a total of **0** interested party(ies).

The following people **objected** to the application

The following people **supported** the application:

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

This page is intentionally left blank



Title: Committee Site Plan

Reference: 4714/16

Site: Kerrison Conference & Training Centre
Stoke Ash Road Thorndon



MID SUFFOLK DISTRICT COUNCIL

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



SCALE 1:2500

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Drawings: 1. Planning Application 2. Landscape Plan 3. Elevation 4. Section 5. Plan 6. Detail	Site: 1. Site Plan 2. Section 3. Detail 4. Elevation 5. Plan 6. Detail	Structural: 1. Foundation 2. Wall 3. Floor 4. Roof 5. Column 6. Beam 7. Slab 8. Truss 9. Girder 10. Joist 11. Lintel 12. Sill 13. Gable End 14. Head 15. Footing 16. Subgrade 17. Level	Services: 1. Electrical 2. Mechanical 3. Plumbing 4. Drainage 5. Gas 6. Fire 7. Lift 8. Stairs 9. Escalator 10. Ramps 11. Access 12. Signage 13. Fencing 14. Boundary 15. Easement 16. Right of Way 17. Road 18. Footway 19. Sidewalk 20. Path 21. Cycleway	Notes: 1. All dimensions are in meters. 2. All levels are in meters above sea level. 3. All materials are to be of standard quality unless otherwise specified. 4. All work is to be in accordance with current building regulations. 5. All work is to be completed by the date specified.
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barefoot & gilles

The Kerison Trust
Stoke Road, Thornston, Sursok
Wirresham Ventures Ltd.
Landscape Plan

1:250 @ A1
27-10-2016

1884 DE 10-04
C

PLANNING APPLICATION



ASBESTOS REGISTER

Reference	Location	Date of Survey	Asbestos Type	Condition	Action	Priority
1	Roof	10/10/16	Asbestos Cement	Good	Monitor	Low
2	Roof	10/10/16	Asbestos Cement	Good	Monitor	Low
3	Roof	10/10/16	Asbestos Cement	Good	Monitor	Low
4	Roof	10/10/16	Asbestos Cement	Good	Monitor	Low
5	Roof	10/10/16	Asbestos Cement	Good	Monitor	Low
6	Roof	10/10/16	Asbestos Cement	Good	Monitor	Low
7	Roof	10/10/16	Asbestos Cement	Good	Monitor	Low
8	Roof	10/10/16	Asbestos Cement	Good	Monitor	Low
9	Roof	10/10/16	Asbestos Cement	Good	Monitor	Low
10	Roof	10/10/16	Asbestos Cement	Good	Monitor	Low
11	Roof	10/10/16	Asbestos Cement	Good	Monitor	Low
12	Roof	10/10/16	Asbestos Cement	Good	Monitor	Low
13	Roof	10/10/16	Asbestos Cement	Good	Monitor	Low
14	Roof	10/10/16	Asbestos Cement	Good	Monitor	Low
15	Roof	10/10/16	Asbestos Cement	Good	Monitor	Low
16	Roof	10/10/16	Asbestos Cement	Good	Monitor	Low
17	Roof	10/10/16	Asbestos Cement	Good	Monitor	Low
18	Roof	10/10/16	Asbestos Cement	Good	Monitor	Low
19	Roof	10/10/16	Asbestos Cement	Good	Monitor	Low
20	Roof	10/10/16	Asbestos Cement	Good	Monitor	Low
21	Roof	10/10/16	Asbestos Cement	Good	Monitor	Low
22	Roof	10/10/16	Asbestos Cement	Good	Monitor	Low
23	Roof	10/10/16	Asbestos Cement	Good	Monitor	Low
24	Roof	10/10/16	Asbestos Cement	Good	Monitor	Low
25	Roof	10/10/16	Asbestos Cement	Good	Monitor	Low
26	Roof	10/10/16	Asbestos Cement	Good	Monitor	Low
27	Roof	10/10/16	Asbestos Cement	Good	Monitor	Low
28	Roof	10/10/16	Asbestos Cement	Good	Monitor	Low
29	Roof	10/10/16	Asbestos Cement	Good	Monitor	Low
30	Roof	10/10/16	Asbestos Cement	Good	Monitor	Low

PLANNING APPLICATION

1. INTRODUCTION

This application is for the proposed development of 20 new residential units (10 flats and 10 houses) on the site of the former Kerison Cottages. The development is proposed on a site of 0.25 hectares, bounded to the north by Stoke Road, to the east by a public footpath, to the south by the existing kerston cottages, and to the west by an electric sub-station.

2. SITE DESCRIPTION

The site is a rectangular plot of land, measuring 100m by 25m. It is currently vacant and is surrounded by residential properties. To the north is Stoke Road, a single-track road. To the east is a public footpath. To the south are the existing kerston cottages, which are a group of 10 small, one-story houses. To the west is an electric sub-station, which is a large, rectangular structure with a flat roof.

3. PROPOSED DEVELOPMENT

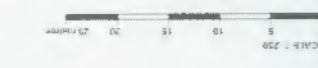
The proposed development consists of 20 new residential units, arranged in two rows of 10 units each. The units are arranged in a U-shape, with the open end of the U facing Stoke Road. The units are proposed to be built on a raised platform, which is 1.5m higher than the surrounding ground level. The units are proposed to be built with a red brick exterior and a white render finish. The units are proposed to be built with a flat roof and a concrete floor. The units are proposed to be built with a double glazing system and a gas central heating system. The units are proposed to be built with a parking space for each unit. The units are proposed to be built with a storage area for each unit. The units are proposed to be built with a garden area for each unit. The units are proposed to be built with a communal area for each unit. The units are proposed to be built with a communal garden area for each unit. The units are proposed to be built with a communal parking area for each unit. The units are proposed to be built with a communal storage area for each unit. The units are proposed to be built with a communal garden area for each unit. The units are proposed to be built with a communal parking area for each unit. The units are proposed to be built with a communal storage area for each unit.

4. ACCESS AND PARKING

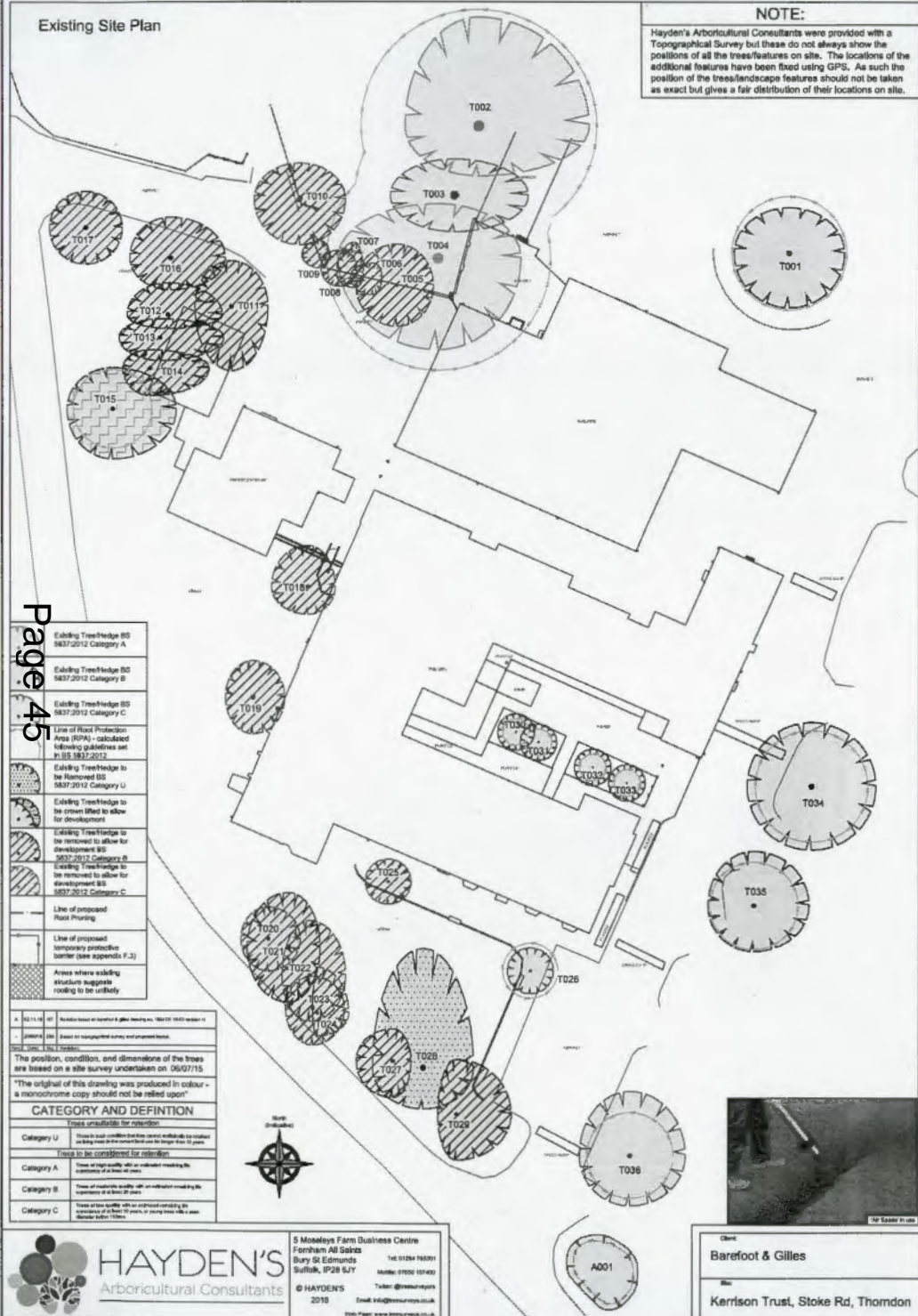
Access to the site is proposed to be provided from Stoke Road. A new access road is proposed to be built from Stoke Road to the site. The access road is proposed to be 3m wide and to be surfaced with tarmac. The access road is proposed to be built with a double glazing system and a gas central heating system. The access road is proposed to be built with a parking space for each unit. The access road is proposed to be built with a storage area for each unit. The access road is proposed to be built with a garden area for each unit. The access road is proposed to be built with a communal area for each unit. The access road is proposed to be built with a communal garden area for each unit. The access road is proposed to be built with a communal parking area for each unit. The access road is proposed to be built with a communal storage area for each unit.

5. ENVIRONMENTAL IMPACTS

The proposed development is considered to have a low impact on the environment. The development is proposed to be built with a red brick exterior and a white render finish, which is considered to be a high-quality material. The development is proposed to be built with a flat roof and a concrete floor, which is considered to be a durable material. The development is proposed to be built with a double glazing system and a gas central heating system, which is considered to be an energy-efficient system. The development is proposed to be built with a parking space for each unit, which is considered to be a convenient facility. The development is proposed to be built with a storage area for each unit, which is considered to be a useful facility. The development is proposed to be built with a garden area for each unit, which is considered to be a pleasant amenity. The development is proposed to be built with a communal area for each unit, which is considered to be a social facility. The development is proposed to be built with a communal garden area for each unit, which is considered to be a pleasant amenity. The development is proposed to be built with a communal parking area for each unit, which is considered to be a convenient facility. The development is proposed to be built with a communal storage area for each unit, which is considered to be a useful facility.



Existing Site Plan



NOTE:
Hayden's Arboricultural Consultants were provided with a Topographical Survey but these do not always show the positions of all the trees/features on site. The locations of the additional features have been fixed using GPS. As such the position of the trees/features should not be taken as exact but gives a fair distribution of their locations on site.

Page 45

- Existing Tree Hedge BS 5837:2012 Category A
- Existing Tree Hedge BS 5837:2012 Category B
- Existing Tree Hedge BS 5837:2012 Category C
- Line of Root Protection Area (RPA) - calculated following guidelines set in BS 5837:2012
- Existing Tree Hedge to be Removed BS 5837:2012 Category U
- Existing Tree Hedge to be removed to allow for development
- Existing Tree Hedge to be removed to allow for development BS 5837:2012 Category B
- Existing Tree Hedge to be removed to allow for development BS 5837:2012 Category C
- Line of proposed Root Pruning
- Line of proposed temporary protection barrier (see appendix F.3)
- Area where existing situations suggest roading to be unlikely

CATEGORY AND DEFINITION
Trees unsuitable for retention

Category U	Trees to be removed to allow for development
Category A	Trees of high quality with an excellent standing condition
Category B	Trees of moderate quality with an excellent standing condition
Category C	Trees of low quality with an excellent standing condition



HAYDEN'S
Arboricultural Consultants

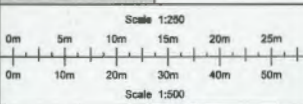
5 Moseley Farm Business Centre
Farnham, Surrey GU14 7JH
Bury St Edmunds Suffolk, IP28 6JY
Tel: 01284 765351
Mobile: 01206 107430
Email: info@haydens.co.uk
Web: www.haydens.co.uk

Proposed Site Plan



Method Statement Flow Chart

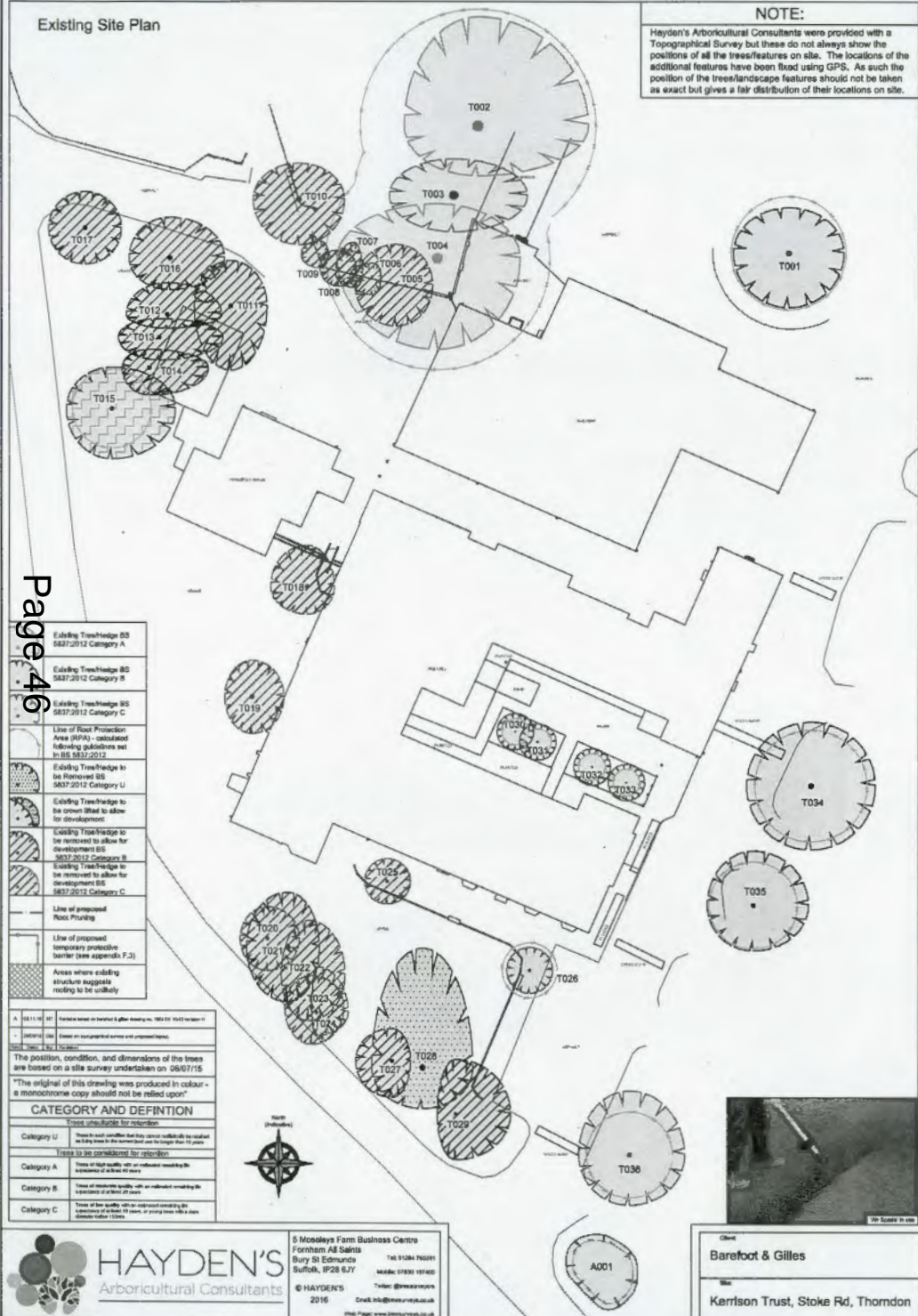
Pre Development	1 Pre Commencement Site Meeting
Demolition	2 Undertake Tree Felling/Surgery
	3 Erect Protective Fencing Critical Monitoring Point
	4 Demolition of Existing Structures
Construction	5 Undertake Root Pruning Critical Monitoring Point
Post-Development/Completion	6 Main Phase of Construction
	7 Remove Protective Fencing /Ground Protection Critical Monitoring Point
Project Completion	8 Post Development Tree Survey



Client	Barefoot & Gilles	Drawing No	5647-D	Drawing Title	AMS	Date	02/11/16	Doc No/Scale	1:250@A1
Site	Kerrison Trust, Stoke Rd, Thomdon	Drawn By	NT	Checked By	DC	Rev	A		

29

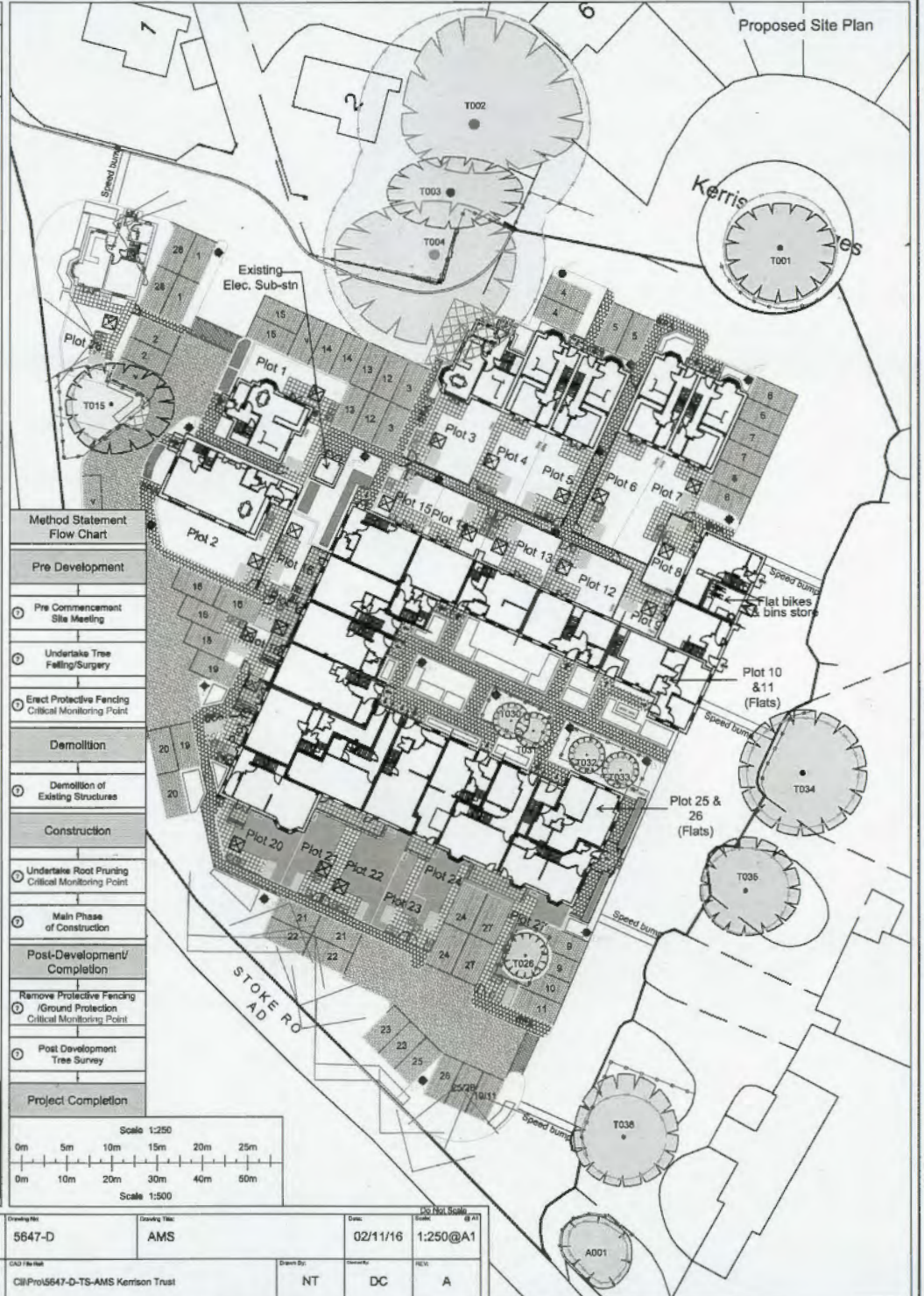
Existing Site Plan



NOTE:

Hayden's Arboricultural Consultants were provided with a Topographical Survey but these do not always show the positions of all the trees/features on site. The locations of the additional features have been fixed using GPS. As such the position of the trees/landscape features should not be taken as exact but gives a fair distribution of their locations on site.

Proposed Site Plan



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HAYDEN'S
Arboricultural Consultants

1 Woodlows Farm Business Centre
Farnham All Saints
Bury St Edmunds
Suffolk, IP28 6JY
Mobile: 01783 197400
Email: info@haydens.co.uk
Web: www.haydens.co.uk

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2016

Client: **Barefoot & Gilles**

Site: **Kerrison Trust, Stoke Rd, Thorndon**

Drawing No: **5647-D** Drawing Title: **AMS** Date: **02/11/16** DCP No: **#21**

Scale: **1:250 @ A1**

Drawn By: **NT** Checked By: **DC** Rev: **A**

CD/ File No: **C:\P\5647-D-TS-AMS Kerrison Trust**

From: ttt3t@aol.com [mailto:ttt3t@aol.com]
Sent: 02 December 2016 10:36
To: Planning Admin
Subject: Re: Consultation on Planning Application 4714/16

Dear Sirs

Following a meeting of Thorndon Parish Council last evening at which this application was discussed. I am writing to confirm that Councillors voted to **SUPPORT** this application.

Regards

Amanda Thompson
Clerk to Thorndon Parish Council

Your Ref: MS/4714/16
 Our Ref: 570\CON\4047\16
 Date: 6th December 2016
 Highways Enquiries to: martin.egan@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: Gemma Walker

Dear Sir,

**TOWN AND COUNTRY PLANNING ACT 1990
 CONSULTATION RETURN MS/4714/16**

PROPOSAL: Variation of conditions 2 (Approved Plans) & 14 (Parking/turning Provision) following grant of planning permission of 3701/15. (Conversion of Kelly House to residential use, Conversion of the Old Chapel to Residential Use, Demolition of workshop adjoining the Old Chapel, Demolition of free-standing workshop building and the erection of 7No new houses

LOCATION: Kerrison Conference & Training Centre, Stoke Ash Road, Thorndon

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

I confirm that the Highway Authority has no objections to the proposed variations to Conditions 2 and 14 of approval 3701/15 as the variations relate to substitution of updated drawings. The minor revisions to the drawings are considered acceptable and have no overall detrimental highway impact.

Yours faithfully

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

From: RM Floods Planning
Sent: 28 November 2016 08:00
To: Planning Admin
Cc: Gemma Walker
Subject: 2016-11-28 JS Reply Kerrison Conference and Training Centre, Stoke Ash Road, Thorndon, Eye, IP23 7JG 4714/16

Suffolk County Council, Flood and Water Management have no comment to make.

Kind Regards

Jason Skilton
Flood & Water Engineer
Suffolk County Council

Tel: 01473 260411
Fax: 01473 216864

34

Gemma Walker

From: David Pizzey
Sent: 10 January 2017 10:26
To: Gemma Walker
Subject: RE: 4714/16 Kerrison Conference Centre, Thorndon.

Hi Gemma

Yes, now acceptable.

Thanks

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
Babergh and Mid Suffolk District Councils - Working Together

From: Gemma Walker
Sent: 09 January 2017 12:43
To: David Pizzey
Subject: FW: 4714/16 Kerrison Conference Centre, Thorndon.

Hi

You requested survey and AIA amendments for this one, which are attached. Can you confirm if this is now ok please?

Thank you
Gemma

Gemma Walker BSc (Hons), MA, MRTPI
Senior Planning Officer - Planning Services

Normally based at Mid Suffolk District Council | Council Offices | 131 High Street | Needham Market | IP6 8DL | Tel 01449 724521

Babergh and Mid Suffolk District Councils – Working Together

Mid Suffolk Planning Email: planningadmin@midsuffolk.gov.uk

Mid Suffolk Council Website: www.midsuffolk.gov.uk

Babergh Planning Email: planning.control@babergh.babergh.gov.uk

Babergh District Council Website: www.babergh.gov.uk

Guides on Permitted Development, General Planning and Submitting Planning Applications online:
www.planningportal.gov.uk/

IMPORTANT SERVICE DOWNTIME ANNOUNCEMENT

We will be introducing a new planning software system in Spring 2017. There will be some service disruption but we will keep you updated with specific dates closer to the time. Thank you for your patience.

35

Please be advised that any comments expressed in this email are offered as a informal professional opinion unless otherwise stated and are given without prejudice to any decision or action the Council may take in the future. Please check with the email's author if you are in any doubt about the status of the content of this email. Any personal information contained in correspondence shall be dealt with in accordance with Mid Suffolk and Babergh District Council's Data Protection policy and the provisions of the Data Protection Act as found on both Council's websites.

From: Monika Sudirgo | Barefoot & Gilles [<mailto:monika.sudirgo@barefootgilles.com>]
Sent: 09 January 2017 12:36
To: Gemma Walker
Cc: Roger Gilles | Barefoot & Gilles
Subject: RE: 4714/16 Kerrison Conference Centre, Thorndon.

Dear Gemma

Responding your email to Roger, please find attached revised drawing from Haydens (drawing No. 5647-D AMS Rev.A). They confirmed that the report will not require any updating, they only need to amend the drawing as per our latest layout. For clarity we also attached the Report from Haydens for your records (as per our Discharge Planning App submission that already approved).

Regards

Monika Sudirgo

Please note I only work on Tuesday, Wednesday and Thursday. If your email is urgent please contact our Practice Manager Sarah Watts sarah.watts@barefootgilles.com

barefoot & gilles

2 Cromwell Court
16 St Peters Street
Ipswich, Suffolk, IP1 1XG
Tel: 01473 257474 Fax: 01473 251540

See our website at: www.barefootgilles.com Nowadays it is even more important to make a planning application count.

Also at:
CB1 Business Centre, 20 Station Road, Cambridge, CB1 2JD Tel: 01223 653068
Third Floor, Eldon House, 2 Eldon Street, London, EC2M 7LS Tel: 020 7422 7800

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Barefoot & Gilles Limited Registered in England and Wales No. 07188902
Registered Address: Fitzroy House, Crown Street, Ipswich, Suffolk, IP1 3LG

From: Roger Gilles | Barefoot & Gilles
Sent: 09 January 2017 12:14
To: Monika Sudirgo | Barefoot & Gilles <monika.sudirgo@barefootgilles.com>
Subject: FW: 4714/16 Kerrison Conference Centre, Thorndon.

Monika

From: David Pizze
Sent: 30 November 2016 10:29
To: Gemma Walker
Cc: Planning Admin
Subject: 4714/16 Kerrison Conference Centre, Thorndon.

Gemma

This variation of condition will need to be accompanied by a revised Tree Protection Plan and Arboricultural Impact Assessment. It will be worth checking that if works have commenced on site then arboricultural monitoring, subject to condition, should be ongoing.

Regards

David

David Pizze

Arboricultural Officer

Hadleigh office: 01473 826662

Needham Market office: 01449 724555

david.pizze@baberghmidsuffolk.gov.uk

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

Babergh and Mid Suffolk District Councils - Working Together

MID SUFFOLK DISTRICT COUNCIL
DEVELOPMENT CONTROL COMMITTEE - A 08 February 2017

AGENDA ITEM NO	3
APPLICATION NO	4402/16
PROPOSAL	Erection of detached single storey dwelling with detached garage utilising existing vehicular access.
SITE LOCATION	The Little House, High Street, Gislingham, IP23 8JG
SITE AREA (Ha)	0.1
APPLICANT	Burgess Homes Ltd
RECEIVED	October 25, 2016
EXPIRY DATE	December 21, 2016

REASONS FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason :

The applicant's agent is currently employed by the Local Authority on a consultancy basis.

PRE-APPLICATION ADVICE

1. None

SITE AND SURROUNDINGS

2. This application relates to part of the rear garden area of The Little House, Finningham Road, Gislingham. The Little House is a grade II listed building which is a timber framed house with rendered walls and thatched roof. Trees within the garden are protected by a Tree Preservation Order. Vehicular access to the site is proposed via an existing access from High Street which is shared with Poplar House, a neighbouring property. This property was granted planning permission in September 2001 (0845/01). To the north-west of the plot is The Old Rectory a large detached house which is Grade II listed (listed as Suryodaya).

HISTORY

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

4402/16	Erection of detached single storey dwelling with detached garage utilising existing vehicular access.	
0845/01/	ERECT DETACHED HOUSE AND GARAGE WITH NEW VEHICULAR ACCESS.	Granted 11/09/2001
0047/00/OL	ERECTION OF DWELLING WITH GARAGE	Granted

	AND CONSTRUCTION OF NEW VEHICULAR ACCESS.	15/09/2000
0036/96/LB	REPLACE WINDOWS ON FRONT ELEVATION; REPLACE FRONT AND SIDE DOOR; DEMOLISH EXISTING THATCHED PORCH; ERECT NEW PORCH.	Granted 08/05/1996
86/0581	Erection of four two storey dwellings with garages, construction of access and private drive	12/09/1986
0581/86	Erection of four two storey dwellings with garages, construction of access and private drive	Granted 12/09/1986
0004/79/LB	Retention of demolition of former garage.	Granted 03/04/1979
0068/79	Retention of domestic garage (replacing one recently demolished)	Granted 03/04/1979

PROPOSAL

4. Planning permission is sought for the erection of a detached single storey three bedroom dwelling with a detached single garage. It is proposed to be constructed with a finished mix of timber boarding and brick work with a brick plinth and a clay pantile roof. The detached garage block would be finished with timber boarding and clay pantiles. Vehicular access to the site is proposed via an existing access from High Street which is shared with Poplar House, a neighbouring property.

POLICY

5. **Planning Policy Guidance**

See Appendix below.

CONSULTATIONS

6. **Heritage Officer**

- considers that the proposal would cause less than substantial harm to a designated heritage asset because it would detract seriously from its setting.
- Earlier this year the Heritage team advised a different agent that erection of a dwelling on this site would not be supported because of harm to the setting of Little House and of Suryodaya.
- Little House is a thatched house of medieval date, originally with an open hall, subsequently floored over. It was extended to the rear in the 1600s but is unusually small in scale, having at some point been shortened at the west side. It stands close to the road with garden to its rear and east. Its plot has been curtailed by insertion of a dwelling to the north-east following a permission granted in 2001 (without objection from Conservation).
- To the west the cottage is flanked by a wall along the drive to Suryodaya, a

large detached house of 1791 in red brick, which served as the Rectory. The house is flanked by short lengths of garden wall, making an imposing architectural statement to the south frontage. The drive, flanking brick wall, and layout to the south combine to give a formal character to the setting complementing the strict classical symmetry of the house's architecture.

- Insertion of a further dwelling at the application site would adversely affect the setting of both listed buildings. For Little House, it would lose its last remaining direct relationship with surrounding countryside. Instead it would become enveloped as part of the continuous 1900s tandem development of the growing village. For these reasons this further subdivision is far more harmful than the first. The house's plot was unchanged from about 1900 up to 2001, and is likely to represent its historic plot; the proposal would further separate the house from its associated land.
- The encroachment of denser, tandem development up to the drive of Suryodaya would also detract from the sense of spacious detachment which is part of the designed layout to the south frontage.
- Harm to the significance of the heritage assets would be moderate in degree. There are no evident benefits to the listed buildings, and other public benefits are limited and could be achieved by other means with less harm.
- Harm to the heritage assets is therefore considered not to be justified in the terms of the NPPF.

In response to the applicant's agent challenging these views the Heritage Officer has offered the following observations:

- The agent has submitted a critique of the Heritage comment which requires correction. The Heritage comment is unchanged.
- Taking the agent's points in turn, pre-application advice stands whether or not the present applicant or agent saw fit to seek it. There seems to be an implication that a more favourable view would have been given to this scheme at pre-application stage.
- The agent's approach to setting is not in accordance with the established approach set out in Historic England's guidance, which has been endorsed in the Barnwell Manor case by the High Court. That case turned on (among other things) the Inspector's inadequate approach to the assessment of setting and the proposal's impact on setting.
- Nowhere does that guidance propose a fundamental distinction between the experience of an asset from public areas and that from private areas in understanding the extent of setting or any impacts. To assert that setting is limited to what can be seen from public viewpoints is a serious error, although when referring to Suryodaya the agent seems to acknowledge that the site does lie within its setting, despite not being in private or public view. In fact Historic England's guidance on setting leaves no doubt that to rely solely on visibility in either defining setting or assessing impact is an inadequate approach.
- Little House's relationship with undeveloped countryside to the front is compromised by the road and is not considered immediate. The land to the north has the character and amenity of a field and as such makes a contribution to the setting of the listed buildings.
- The erection of fencing and lack of maintenance on the site reflect the occupants' own preferences, and are not matters that deserve weight in a planning decision.
- It is well known that list entries are intended to identify the building listed, not

to define its significance, special interest or setting, which is the duty of the applicant in any relevant application.

- "Moderate" harm is greater than little and less than great. The Heritage team rates the degree of harm above "low". While there is not an official glossary for the rating of harm, we would avoid the word "significant" as it is used in different contexts to mean 'just enough to register but not material' and 'quite a lot', and because of the special use of the word 'significance' in heritage matters. "Demonstrable" does not seem to usefully describe the degree of harm, which should all be demonstrable.
- The more important point about harm is that it has been explicitly established by the courts that the statutory duties in the PLBCAA 1990 amount to a strong presumption against any harm to a listed building or its setting; even low harm is to be given 'great or considerable' weight, as is stated in the NPPF. The provision of a single dwelling has some public benefit, but in Heritage's view considerably short of outweighing harm to designated heritage assets.
- In Heritage's view, the design of the dwelling would not offer enough mitigation to outweigh harm.
- The existing dwelling would lose much of its remaining plot, would become part of a continuous 1900s/2000s urbanising development, and would no longer dominate the land associated with it. According to the Tree Officer the proposal would also pose a risk to trees, further eroding the rural character of the setting of the two listed buildings.

Landscape Officer

- The tree survey accompanying this application provides a generally accurate record of the trees on site. However, it does not assess the impact of the development on the trees or identify appropriate methods for their protection. Whilst such measures might minimise the likelihood of damage during construction I am also concerned that the proximity of the dwelling to the trees could result in undesirable living conditions for future occupiers, particularly domination of garden space and levels of light to the rear of the property.
- Furthermore, a number of trees affected by the proposal are subject to a TPO (Ref: MS 283) and I note that one of these, Ash T8, is not shown on the site layout plan, presumably intended for removal? This tree should be retained unless good reason is provided to justify its felling.
- Having visited site my concerns remain regarding the proximity of this proposal to the protected trees at the rear of the plot. Whilst the accompanying arboricultural report identifies measures to help lessen direct impact upon the trees I am not satisfied that it adequately addresses their above ground attributes which will have an adverse impact on living conditions and usability of the garden. Furthermore, Oak T9 has a low broad spreading crown and will not have adequate space for future growth without significant pruning. Accordingly in my view the layout design of this proposal does not provide suitable integration of new development with the natural environment and is likely to result in pressure to fell or ongoing pruning. Such requests will be difficult for the Council to resist and would threaten the value of the trees and consequently the character and appearance of the local area. As a result I am unable to support the application in its current form.

SCC Archaeology

- This site lies in an area of archaeological potential recorded on the County Historic Environment Record, in close proximity to an Anglo-Saxon cemetery and Roman and medieval artefact scatter (GSG 010). As a result, there is high potential for the discovery of below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.
- There are no grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets. However, in accordance with the National Planning Policy Framework (Paragraph 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.
- In this case investigation conditions would be appropriate.

SCC Highways

- The County Council as Highway Authority recommends that any permission which that Planning Authority may give should include the conditions shown below:
- Condition: The use shall not commence until the area(s) within the site shown on Drg No. 10A 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

Land Contamination Officer

- no objection to the proposed development from the perspective of land contamination. 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

Gislingham Parish Council

- At a Parish Council meeting held on 21st November 2016 it was unanimously decided to support the application.

LOCAL AND THIRD PARTY REPRESENTATIONS

7. One representation received from a neighbouring resident:
 - I live at Poplar House. My drive will be used for access to the new build. Presently there is Right-of-Way access for The Little House but that has never been exercised until now. As the only access to the new build will be using the (now) shared driveway we need to ensure that:

- During the build there is no obstruction to vehicular access to Poplar House.
- The driveway is made good following completion of the build.
- Fencing separating the properties is adequate and coherently standardised.
- Shared maintenance costs for the shared driveway are legally established

ASSESSMENT

8. Principle of development

Gislingham is Primary Village as defined in the Core Strategy, defined as a village capable of limited growth where local need has been established.

The site is located within the defined Housing Settlement Boundary where generally there is a presumption in favour of new residential development subject to there being no significant conflict with policies which aim to protect and the appearance and character of the village, with particular regard to the context of heritage assets and landscaping.

As Members are aware, the Council currently has a shortfall in the five year supply of housing land. In such circumstances, where the Council's adopted policies for the supply of housing cannot be considered up of date. The NPPF provides a presumption in favour of sustainable development which by definition has economic, social and environmental dimensions.

Paragraph 49 of the NPPF states that:

"Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites."

Mid Suffolk District Council does not have this housing land supply at this time and, as such, the Council's housing supply policies are not considered to be up to date. Paragraph 14 of the NPPF states in this respect:

"For decision-taking this means:

approving development proposals that accord with the development plan without delay; and

where the development plan is absent, silent or relevant policies are out of date, granting permission unless:

any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted"

In light of this, as the development plan is considered out of date in terms of the Council's housing supply policies, it is necessary to consider that, nevertheless, the NPPF requires that development be sustainable and assess whether the adverse impacts outweigh the benefits when considered in the whole.

Assessment of the detail provided against other material planning considerations considered most relevant to the development proposal are given below:

Design and Layout

The proposed dwelling is designed in a single storey form intended to be subservient to The Little House. It has been designed to reflect traditional vernacular architecture with the use of a mix of render, timber boarding and clay pantiles. The proposal represents development of approximately 50% of the existing curtilage of The Little House, a curtilage which has already been subdivided with the construction of Poplar House. The proposed layout of the site raises concerns with regard to the impact upon the setting of the neighbouring listed buildings and protected trees, as set out below.

Impact on Heritage Assets (Listed Buildings)

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The Heritage officer does not support the application and considers that the site contributes significantly to the character, setting, significance and experience of the Grade II listed buildings. He is of the opinion that the insertion of a further dwelling on the application site would adversely affect the setting of the listed buildings The Little House and, to the rear, Suryodaya (The Old Rectory). For The Little House, it would lose its last remaining direct relationship with surrounding countryside, and would become enveloped as part of the continuous 1900s tandem development of the growing village. For these reasons this further subdivision is far more harmful than the first. The house's plot was unchanged from about 1900 up to 2001, and is likely to represent its historic plot; the proposal would further separate the house from its associated land.

The Heritage Officer also considers that the encroachment of denser, tandem development up to the drive of Suryodaya would also detract from the sense of spacious detachment which is part of the designed layout to the south frontage. Although harm to the significance of the heritage assets would be moderate in degree, there are no evident benefits to the listed buildings. Other public benefits are limited and could be achieved by other means with less harm. Harm to the heritage assets is therefore considered not to be justified in the terms of the NPPF.

The applicant's agent has challenged the Heritage Officer's views with regard to impact upon the setting of The Little House as the proposed dwelling would not be visible from a public viewpoint. In response to this the Heritage Officer, having regard to Historic England guidance, maintains his view that there would be harm to the setting of The Little House and this view does not rely solely on visibility in either defining setting or assessing impact.

The proposal is considered to therefore significantly affect the character,

setting, significance and experience of the grade II listed Little House and the neighbouring Suryodaya by eroding the existing openness currently afforded to their setting, without providing any significant public benefit, contrary to chapter 12 of the National Planning Policy Framework, and policies HB1 and HB8 of the Local Plan and policy CS5 of the Core Strategy.

Impact upon Archaeology

The Suffolk County Council Archaeological Service have commented that the site is located in an area of potential archaeological interest and have requested that an investigation of the site is undertaken prior to any development commencing.

Landscape Impact and Trees

The proposal results in the development of a significant proportion of the rear garden of The Little House. Historically, part of the rear garden has been previously developed with the granting of planning permission for Poplar House in September 2001 (application 0845/01). At that time a Tree Preservation Order was applied to two trees along the rear boundary of Little House, an Oak tree and an Ash tree. The application is supported by an Arboricultural Assessment which has been considered by the Council's Tree Officer.

It is his considered opinion that whilst the accompanying arboricultural report identifies measures to help lessen direct impact upon the trees he is not satisfied that it adequately addresses their above ground attributes which will have an adverse impact on living conditions and usability of the garden. Furthermore, Oak tree (T9) has a low broad spreading crown and will not have adequate space for future growth without significant pruning. Accordingly it is the view of the Landscape Officer that the layout design of this proposal does not provide suitable integration of new development with the natural environment and is likely to result in pressure to fell or ongoing pruning. Such requests will be difficult for the Council to resist and would threaten the value of the trees and consequently the character and appearance of the local area. Policy CL6 in the Local Plan states that Tree Preservation Orders are used where the removal of trees would be detrimental to the visual amenity of the surrounding area.

Highway Safety (Parking, Access, Layout)

It is proposed that the site would be accessed via an existing vehicular access from High Street which currently serves Poplar House, with a new section of driveway formed across the frontage of Poplar House to serve the development plot. The Highway Authority have raised no objections to the proposal subject to a condition requiring the provision of a parking and manoeuvring area within the site.

Residential Amenity

The single storey design of the proposed dwelling limits the extent of potential overlooking of neighbouring properties and impact upon privacy. The proposed access into the site would be via a shared driveway which currently serves the neighbouring property Poplar House. The applicant has a right of access over this driveway but it is not used as a primary access for The Little House. Vehicle

use of this driveway with the associated driveway extension into the plot would have some impact upon the residential amenity of the occupiers of Poplar House, however it is considered that this would be limited and insufficient to justify refusal on those grounds. It would be the responsibility of the applicant or developer to ensure that the legal position with regard to rights of access and responsibility for maintenance of the driveway is in place.

Flood Risk

The site is not located within an area of identified flood risk.

Environmental Issues (Land Contamination)

The application is supported by a Land Contamination Assessment. The Land Contamination Officer raises no objection to the proposal.

Conclusion

It is considered that the proposal would result in harm to the character, setting and significance of the grade II listed Little House and Suryodaya, and that this identified harm is not outweighed by any public benefit that would be achieved should the proposed development be granted. The proposal is therefore contrary chapter 12 of the NPPF (2012), and policies HB1 and HB8 of the Local Plan and policy CS5 of the Core Strategy. Additionally, the development he proposed dwelling would be positioned in close proximity to an Oak tree (T9) and an Ash tree (T8) at the rear of the plot which are protected by a Tree Preservation Order. It is considered that the layout design of this proposal does not provide suitable integration of new development with the natural environment and is likely to result in pressure to fell or ongoing pruning. Such requests will be difficult for the Council to resist and would threaten the value of the trees and consequently the character and appearance of the local area. It is therefore recommended that planning permission be refused.

RECOMMENDATION

That Full Planning Permission be refused for the following reasons:

1. The proposed dwelling would be positioned in close proximity to an Oak tree (T9) and an Ash tree (T8) at the rear of the plot which are protected by a Tree Preservation Order (No. MS 283). Whilst the accompanying arboricultural report identifies measures to help lessen direct impact upon the trees the Local Planning Authority is not satisfied that it adequately addresses their above ground attributes which will have an adverse impact on living conditions and usability of the garden. Furthermore, the Oak tree (T9) has a low broad spreading crown and will not have adequate space for future growth without significant pruning. Accordingly, it is considered that the layout design of this proposal does not provide suitable integration of new development with the natural environment and is likely to result in pressure to fell or ongoing pruning. Such requests will be difficult for the Council to resist and would threaten the value of the trees and consequently the character and appearance of the local area. Consequently it is considered that the proposal does not relate well or secure the protection of these important natural features. The proposal is contrary to policies GP1 and H13 of the Mid Suffolk Local Plan 1998, policy CS5 of the Core Strategy and paragraphs 56-66 of the National Planning Policy Framework.

2. The proposal would result in harm to the character, setting and significance of the Grade II listed properties Little House and Suryodaya by eroding the existing openness currently afforded to their setting, without providing any significant public benefit. This identified harm is not outweighed by any public benefit that would be achieved should the proposed development be granted. The proposal is therefore contrary to Chapter 12 of the National Planning Policy Framework (2012), and Policies HB1 and HB8 of the Mid Suffolk Local Plan (September 1998), and Policy CS5 of the Mid Suffolk Core Strategy (September 2008).

Philip Isbell
Professional Lead - Growth & Sustainable Planning

Stephen Burgess
Planning Officer

APPENDIX A - PLANNING POLICIES

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

Cor1 - CS1 Settlement Hierarchy

Cor5 - CS5 Mid Suffolks Environment

CSFR-FC1 - PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

CSFR-FC1.1 - MID SUFFOLK APPROACH TO DELIVERING SUSTAINABLE DEVELOPMENT

2. Mid Suffolk Local Plan

HB13 - PROTECTING ANCIENT MONUMENTS

GP1 - DESIGN AND LAYOUT OF DEVELOPMENT

CL8 - PROTECTING WILDLIFE HABITATS

HB1 - PROTECTION OF HISTORIC BUILDINGS

CL6 - TREE PRESERVATION ORDERS

H3 - HOUSING DEVELOPMENT IN VILLAGES

H15 - DEVELOPMENT TO REFLECT LOCAL CHARACTERISTICS

3. Planning Policy Statements, Circulars & Other policy

NPPF - National Planning Policy Framework

APPENDIX B - NEIGHBOUR REPRESENTATIONS

Letter(s) of representation(s) have been received from a total of 1 interested party(ies).

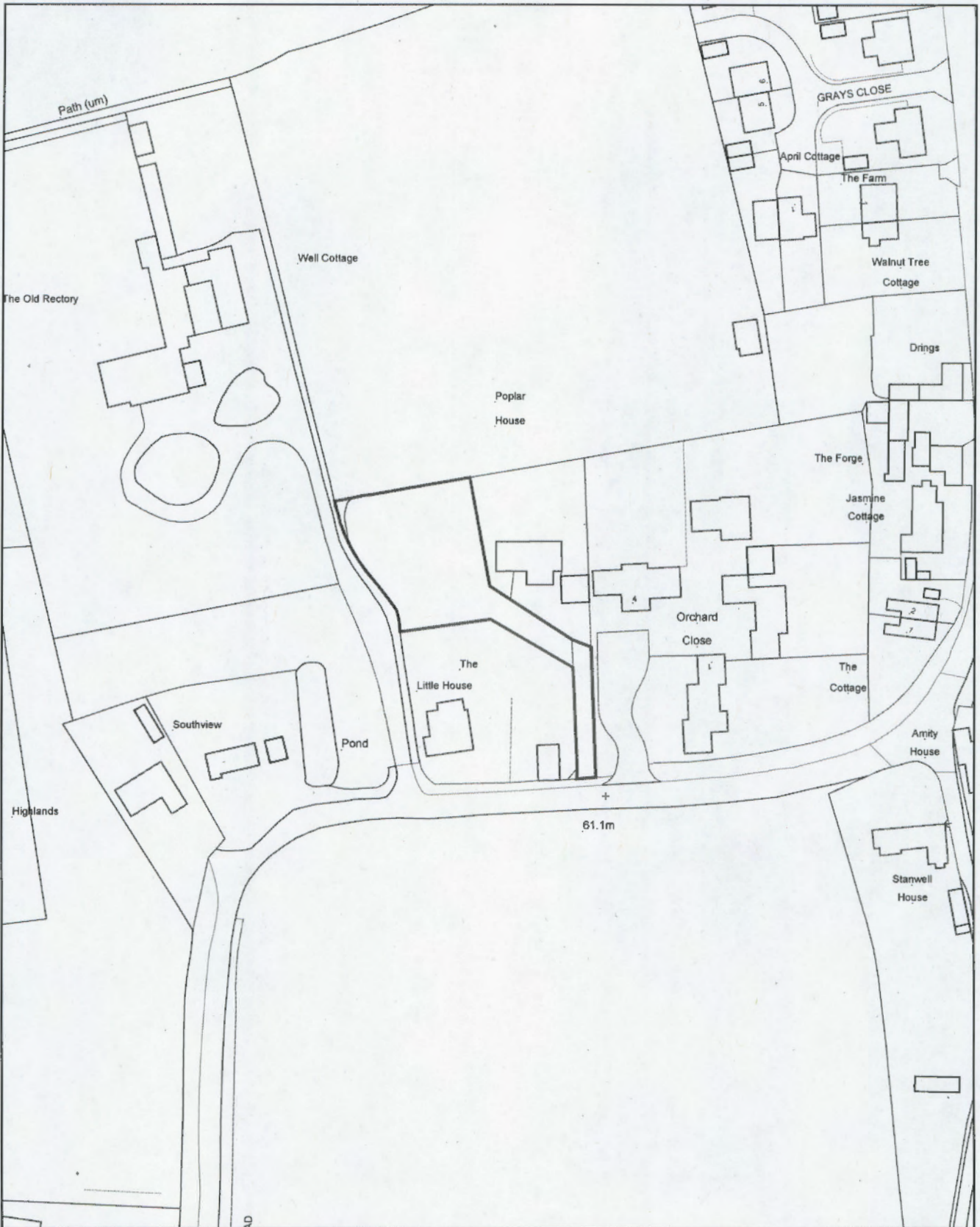
The following people **objected** to the application

The following people **supported** the application:

47

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

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Title:

Reference:

Site:



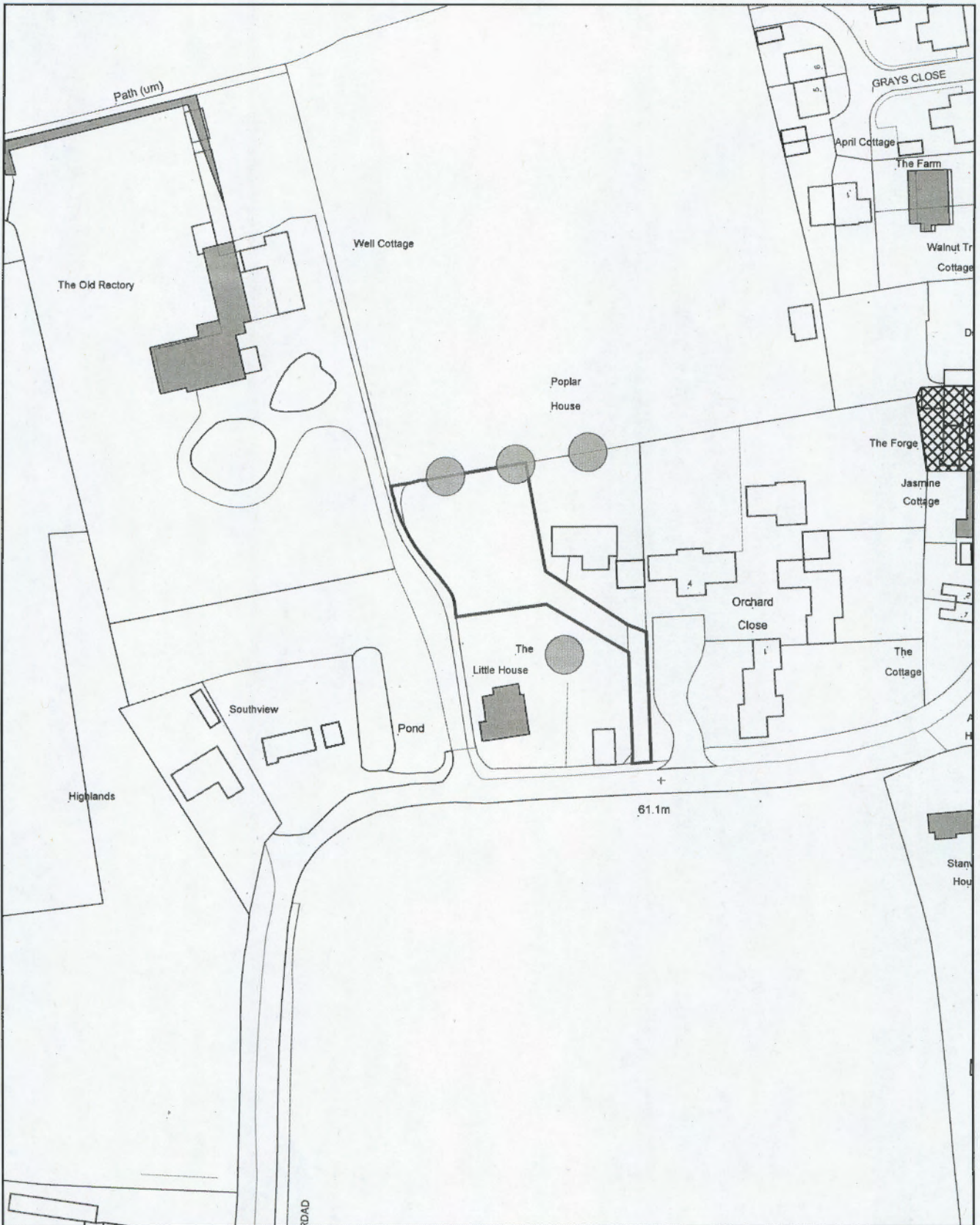
MID SUFFOLK DISTRICT COUNCIL

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



SCALE 1:1250

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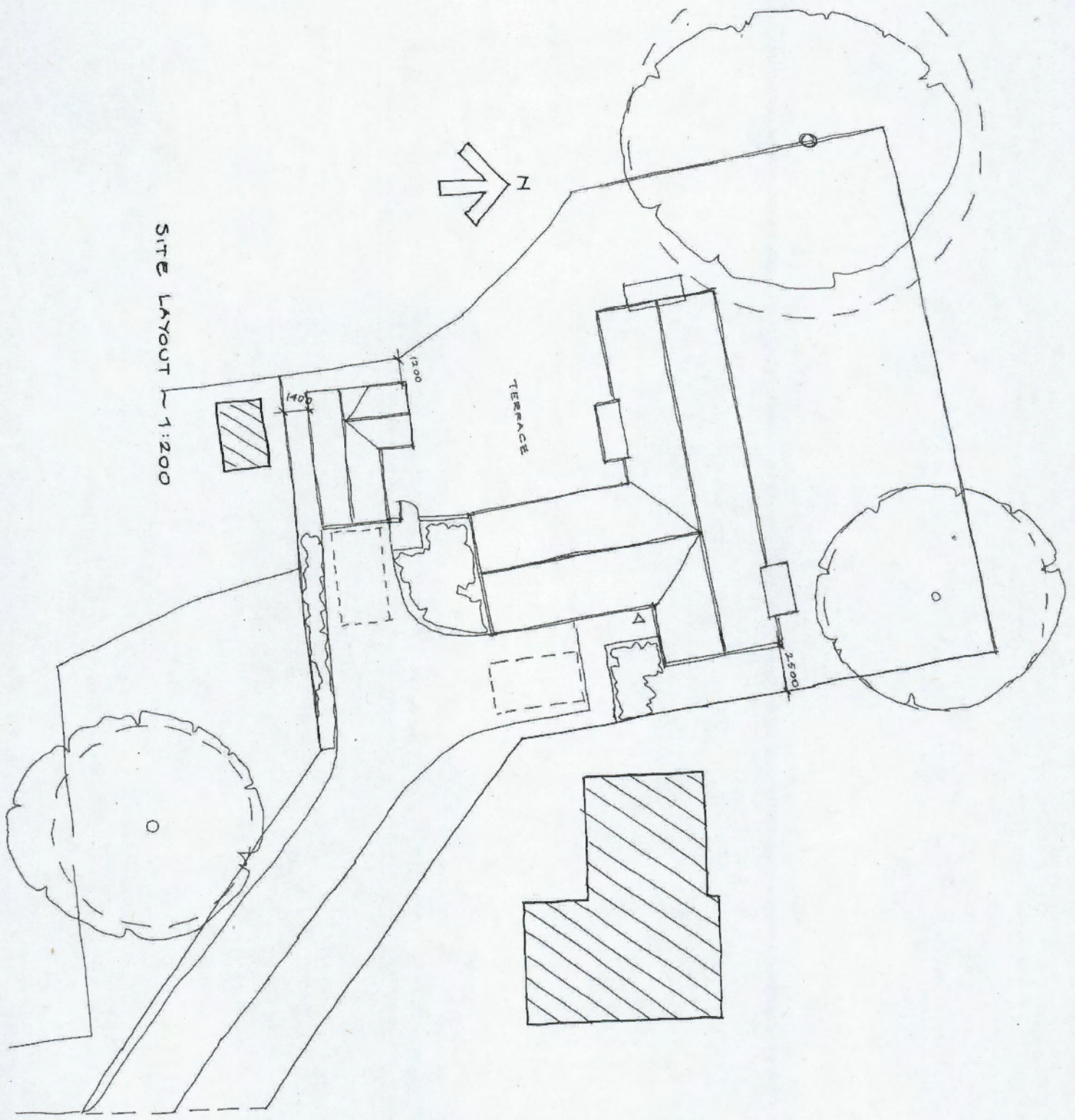
**PHIL COBBOLD
PLANNING LTD**

42 BEATRICE AVENUE FELIXSTOWE IP11 9HB Tel: 07775962514 Email: philipcobbold@btinternet.com

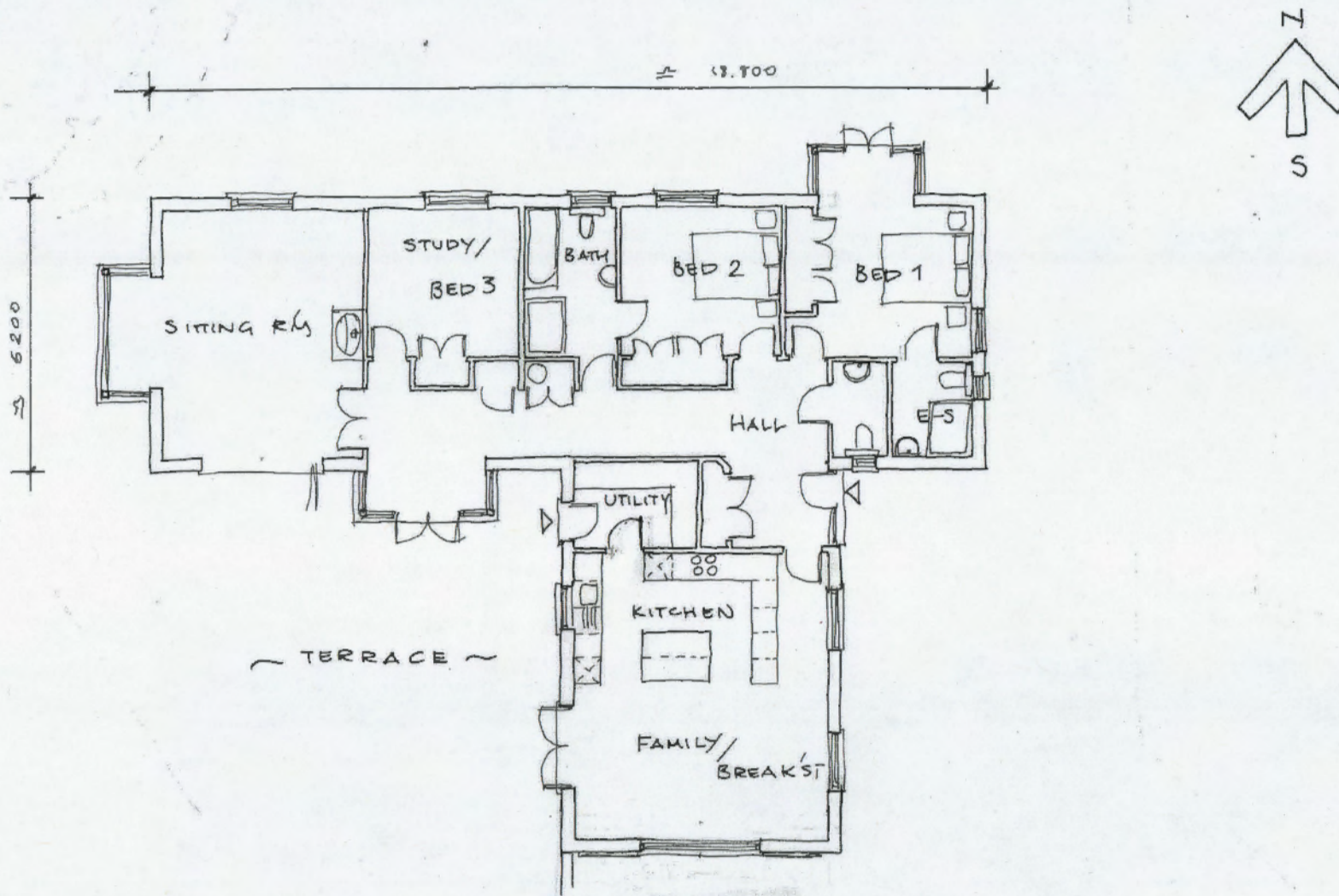


**ERECTION OF SINGLE-STOREY DWELLING WITH GARAGE
LAND ADJACENT LITTLE HOUSE, FINNINGHAM ROAD, GISLINGHAM.
Location Plan Scale 1:1250**

 Phil Cobbold BA PGDip MRTPI - Member of the Royal Town Planning Institute - Chartered Town Planner



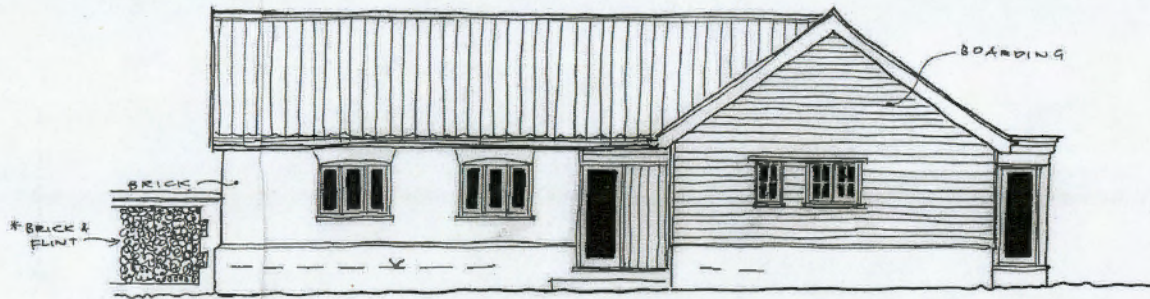
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Project:	PROPOSED NEW DWELLING LAND ADJACENT LITTLE HOUSE, FINNINGHAM ROAD, GISLINGHAM	Date:	AUG 2016	
Drawing:	DETAILS FINNINGHAM	Contract:	4194 Drg No. 10 ^	



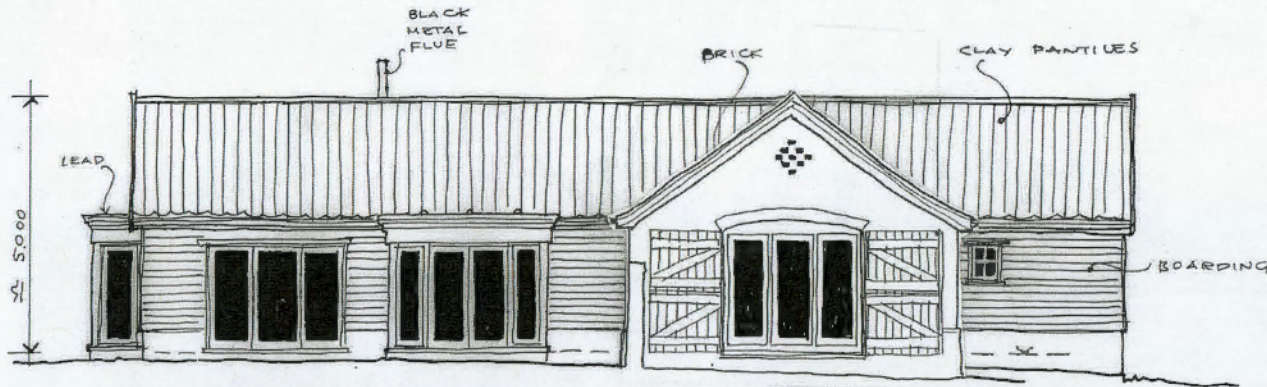
FLOOR PLAN ~ 1:100

52

Client	BURGESS HOMES LTD	Scale:	1:100	BROWN & SCARLETT ARCHITECTS 1 Old Hall Barns, Thurston Road Pakenham, IP31 2NG Tel: 01284 768800 info@brownandscarlett.co.uk
Project:	PROPOSED NEW DWELLING LAND ADJACENT LITTLE HOUSE, FINNINGHAM ROAD, GISLINGHAM	Date:	AUG 2016	
Drawing:	DETAILED PLANNING	Contract:	4194 Drg No. 11	



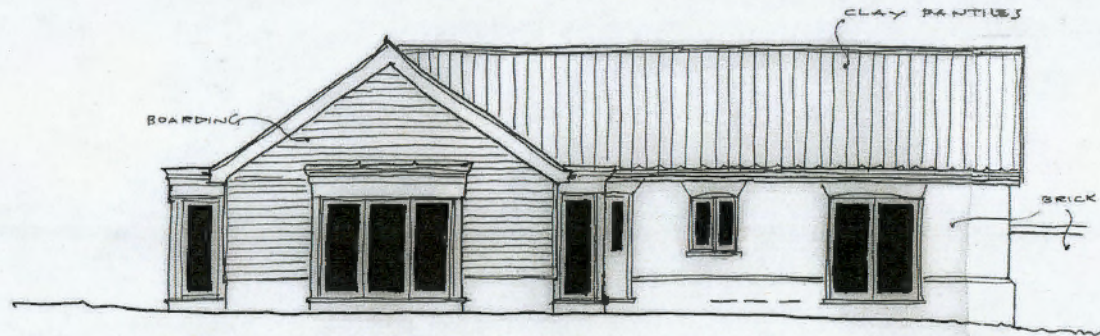
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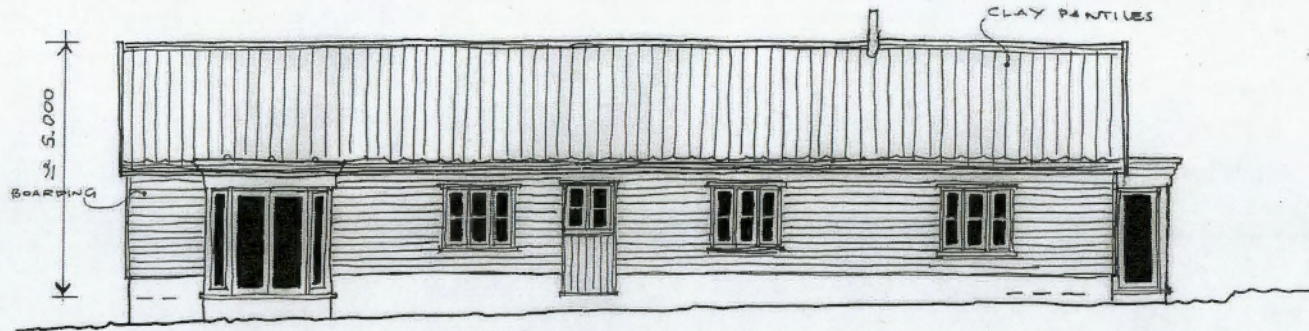
SOUTH ELEVATION ~ 1:100

53

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Project:	PROPOSED NEW DWELLING LAND ADJACENT LITTLE HOUSE, FINNINGHAM ROAD, GISLINGHAM	Date:	AUG 2016	
Drawing:	DETAILED PLANNING	Contract:	4194 Drg No. 12	



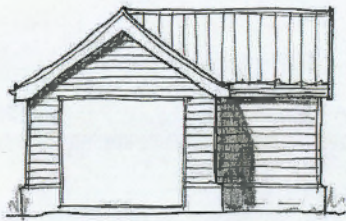
WEST ELEVATION ~



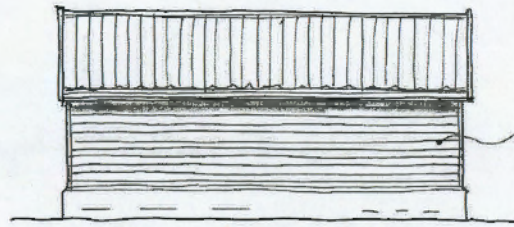
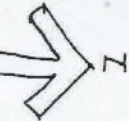
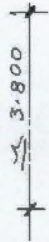
NORTH ELEVATION ~ 1:100

54

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Project:	PROPOSED NEW DWELLING LAND ADJACENT LITTLE HOUSE, FINNINGHAM ROAD, GISLINGHAM	Date:	AUG 2016	
Drawing:	DETAILED PLANNING	Contract:	4194 Drg No. 13	

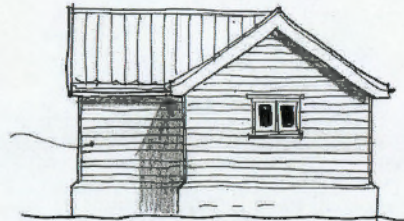


EAST ELEVATION ~

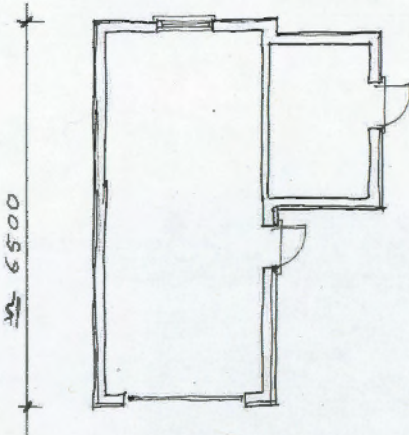


SOUTH ELEVATION ~

BOARDING

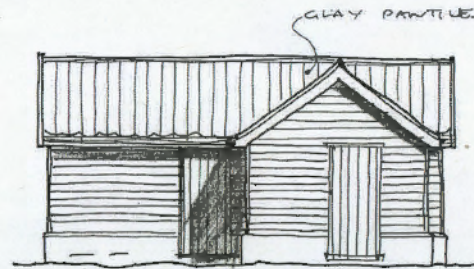


WEST ELEVATION ~



0059

GARAGE PLAN ~ 1:100



CLAY PANTILES

NORTH ELEVATION ~

55

Client	BURGESS HOMES LTD	Scale:	1:100	BROWN & SCARLETT ARCHITECTS 1 Old Hall Barns, Thurston Road Pakenham, IP31 2NG Tel: 01284 768800 info@brownandscarlett.co.uk
Project:	PROPOSED NEW DWELLING LAND ADJACENT LITTLE HOUSE, FINNINGHAM ROAD, GISLINGHAM	Date:	AUG 2016	
Drawing:	DETAILED PLANNING	Contract:	4194 Drg No. 14	

ARBORICULTURAL REPORT

- CONTENTS:**
 1. INTRODUCTION
 2. TREE SURVEY
 3. ARBORICULTURAL IMPLICATIONS & IMPACT ASSESSMENT
 4. TREE PROTECTION

1. INTRODUCTION

Background: LSDP were appointed to prepare an Arboricultural Survey & Report to satisfy Local Authority requirements in respect of the proposed development at 'Little House', Finningham Rd, Gillingham. The survey results were recorded in June 2016.

The Site: The site comprises the northern part of the garden curtilage of 'Little House'. To the north the site is bordered by an open field, to the east by a neighbouring residential property and to the west by a drive-way serving 'The Rectory'.

2. TREE SURVEY

Generally: Ten individual trees and four groups of trees were recorded in the survey; the rationale for their categorisation in accordance with BS 5837: 2012 is outlined below.

'A' Category Trees & Hedges: (Trees of high quality with an estimated remaining life expectancy of at least 40 years):

- T7 Goat Willow: This is a mature multi-stemmed tree located on the edge of the neighbouring Rectory site. The tree has a low, broad crown which provides a good level of screening and enclosure to the site. The tree is also unusually large for its species, and it is therefore recorded as 'A1 / A2' category (high arboricultural and landscape value).
- T9 Oak: This tree is located on the northern boundary and appears, along with the T8 ash, to be a remnant of a former agricultural field boundary. The tree provides screening and enclosure to the site and contributes to local landscape character; it is recorded as 'A2' category (high landscape value).

'B' Category Trees (Trees of moderate quality with an estimated remaining life expectancy of at least 20 years):

- T1 Walnut: This tree is located in the garden area to the east of 'Little House' where it contributes to the leafy, mature character of the surroundings; it is recorded as 'B2' category (moderate landscape value).
- G3 Laurel: This group/thicket is located mostly on the edge of the neighbouring Rectory site. It has produced rooted layers extending into the edge of site. The group provides low level screening and enclosure and is recorded as 'B2' category (moderate landscape value).

'C' Category Trees (Trees of low quality with an estimated remaining life expectancy of at least 10 years):

- T8 Ash: This is a large mature tree, located on the northern boundary. This tree makes a similar scope contribution to the adjacent T9 Oak, however it is in declining condition, apparently as a result of Chalara ash die back. Its remaining contribution is anticipated to be less than 20 years, therefore it is recorded as 'C' category (low landscape value), rather than 'A' or 'B' category.
- Remaining trees are mixture of piecemeal domestic plantings and natural generation; none are considered to be of any particular arboricultural, landscape or conservation merit.

3. ARBORICULTURAL IMPLICATIONS & IMPACT ASSESSMENT

Removal of Trees: As part of the development it is proposed to remove trees T2, T4, T5, G2 and G4. These are 'C' category trees of no special merit and their removal will not have any significant adverse impact on the arboricultural quality of the site, or its contribution to the surrounding landscape.

Proximity of Development to Root Protection Areas (RPA's): The proposal will require some minor encroachment into the RPA's of T8 Ash and T3 Silver birch; to accommodate building and paving construction. Given the limited extent of the encroachments it is considered that the construction will not have any significant impact on the trees.

Proximity of Development to Tree Canopies: As part of the development proposal, the canopy of the T8 ash will be reduced by approximately 2m spread and 4m height; the outer canopy of the tree is becoming sparse, apparently as a result of Chalara ash die back and the reduction will improve the appearance of the tree in the short term and will also significantly reduce the existing potential hazard of having a declining tree overhanging domestic garden.

The proposed layout allows adequate space around trees indicated for retention, to accommodate future growth and minimise potential issues with shading / perception of hazard in relation to dwellings and amenity spaces. The garden area to the north of the building should receive reasonable levels of sunlight, particularly through summer months; the proposed building is a bungalow and as such it will cast a limited shadow; given appropriate consideration to design and layout of the space, it is considered that the external areas can provide attractive and useable domestic amenity spaces as indicated on the drawing.

4. TREE PROTECTION

Generally

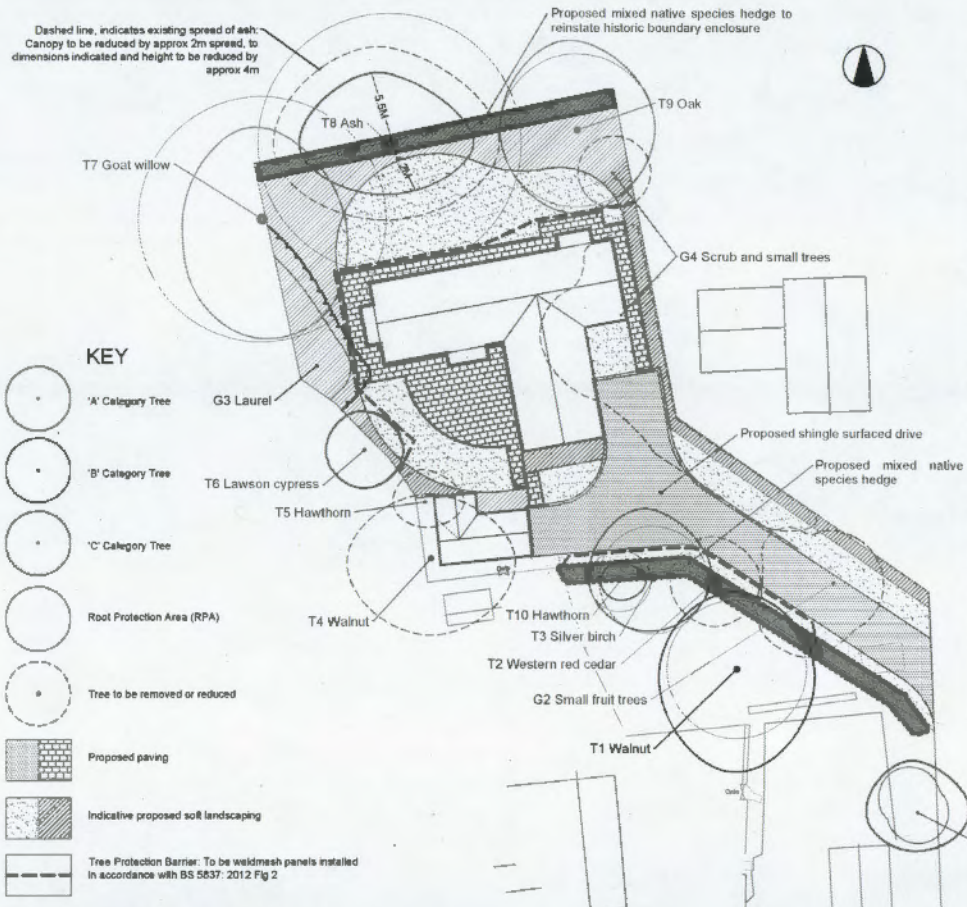
Before any machinery or materials are brought onto site and before any demolition, development or stripping of soil commences, the Root Protection Area (RPA) indicated on the drawing shall be set out and the Protective Barriers must be installed as shown on the drawing. The Protective Barriers shall not be removed or altered without prior recommendation by an arboricultural and approval of the local planning authority.

The areas protected by fencing and ground protection shall be subject to the following restrictions:

- Existing soil levels within the protected areas shall not be altered.
- No excavation of any kind shall take place within the protected areas.
- The protected areas shall not be used for storage of any kind.
- No vehicles or machinery shall be allowed into the areas protected by fencing.
- Should the developer require the above restrictions to be breached for unforeseen reasons, an appropriate method of works must be agreed with the Local Authority prior to any works taking place within the protected areas.

Protective Barriers

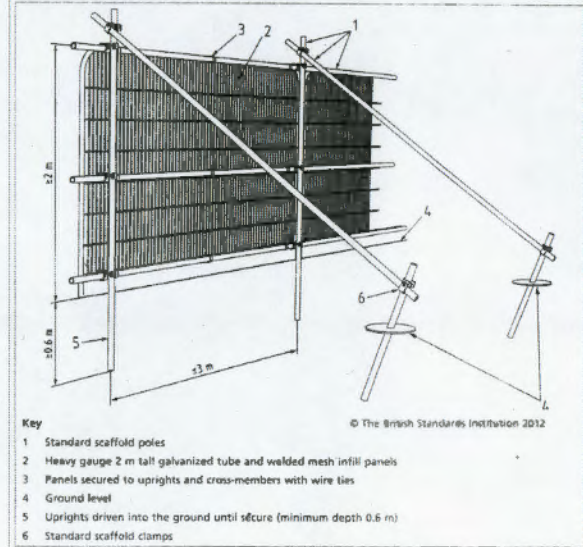
Protective Barriers shall be erected to prevent access into designated areas around retained trees. Once installed, all weather notices shall be attached to the each barrier with words such as: "Construction Exclusion Zone - No Access". Protective Barriers shall be erected in accordance with BS5837: 2012 - See Fig 2.



Ref	Species	Stem Dia (mm)	Height (m)	Can. other (m)	Bir. clear (m)	Age Class	Physiology	Structural Condition	Arboricultural Value	Landscape Value	Cultural / Conservation Value	General observations	Useful Life	Grade	
T1	Walnut	450	10	2.5	3S	MA	N	F	L	M	L	Located in lawn area. Stem leans approximately 20 degrees west. Some decay in stem associated with pruning cuts.	20+	B2	
T2	Western red cedar	950	15	3	N/A	M	N	F	L	L	L	Located in lawn area.	40+	C2	
T3	Silver birch	350	15	3	1W	M	N	F	L	L	L	Located on edge of cleared area. Sparse canopy.	40+	C2	
T4	Walnut	400	10	3	4W	M	N	F	L	L	L	Located adjacent to garden wall.	20+	C2	
T5	Hawthorn	200	8	0.5	N/A	Y	N	F	L	L	L	Located adjacent to garden wall.	40+	C2	
T6	Lawson cypress	250	8	2	N/A	M	N	F	L	L	L	Located on edge of neighbouring garden.	20+	C2	
T7	Goat willow	800	13	4	N/A	N/A	N	F	L	H	M	Located on edge of neighbouring garden, approximate dimensions recorded.	40+	B2	
T8	Ash	850	18	5	5S	M	N	F	L	H	M	Located on northern boundary, adjacent to arable field. Stem bifurcates at 1.5m height, with vegetative growth below union, by dist. Sub leader on eastern side has fallen. Signs of 'Chalara' die back disease.	10+	C2	
T9	Oak	500	10	1.5	1.5	W	M	N	F	L	H	M	Located on northern boundary, adjacent to arable field.	40+	A2
T10	Hawthorn	200	7	2	N/A	Y	N	F	L	L	L	Young tree located adjacent to T3 silver birch.	40+	C2	
G1	Himalayan birch	200	8	2	N/A	Y	N	F	L	L	L	Three young trees planted together, adjacent to drive-way.	40+	C2	
G2	Small fruit trees	200	8	1	N/A	M	N	F	L	L	L	Group of small trees; species include pear, blackthorn and elder located on garden boundary.	20+	C2	
G3	Laurel	200	4	7	0	2N	M	N	F	L	M	L	Parent plant located on edge of neighbouring site, with layered (rooted) growth spreading into site.	40+	B2
G4	Scrub and small trees	150	3	5	0	N/A	Y	N	F	L	L	L	Over growing group of trees on north east boundary. Includes laurel, holly, elder, apple and Leyland cypress.	20+	C2

BS 5837: 2012

Figure 2 Default specification for protective barrier



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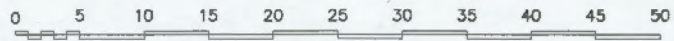
The original of this drawing was produced in colour - a monochrome copy should not be relied upon.

Revisions:
 A. 08.12.16 Minor alterations

Land & Sculpture Design Partnership
 LANDSCAPE ARCHITECTURE · SCULPTURE · ARBORICULTURE

CLIENT: Burgess Homes Ltd
 SITE: Little House, Gillingham
 DRG: Tree Survey & Constraints Plan
 DRN BY: GH
 SCALE: 1:200 @ A1
 DATE: July 2016
 No: LSDP 11391.01 Rev A

OCTAGON HOUSE, THE WATER RUN, HITCHAM, IPWICH, IP17 7LN
 T. 01493 740272 E. LSDP@hitcham.com



Consultee Comments for application 4402/16

Application Summary

Application Number: 4402/16

Address: The Little House, High Street, Gislingham, IP23 8JG

Proposal: Erection of detached single storey dwelling with detached garage utilising existing vehicular access.

Case Officer: Stephen Burgess

Consultee Details

Name: Mr Terry Williams

Address: Meadow View 4 Sunnybrook Close, Gislingham, Eye IP23 8BG

Email: terry.williams1947@gmail.com

On Behalf Of: Gislingham Parish Clerk

Comments

At a Parish Council meeting held on 21st November 2016 it was unanimously decided to support the application.

From: David Pizzey
Sent: 16 December 2016 11:01
To: Stephen Burgess
Subject: 4402/16 The Little House, High Street, Gislingham.

Stephen

Having visited site my concerns remain regarding the proximity of this proposal to the protected trees at the rear of the plot. Whilst the accompanying arboricultural report identifies measures to help lessen direct impact upon the trees I am not satisfied that it adequately addresses their above ground attributes which will have an adverse impact on living conditions and usability of the garden. Furthermore, Oak T3 has a low broad spreading crown and will not have adequate space for future growth without significant pruning. Accordingly in my view the layout design of this proposal does not provide suitable integration of new development with the natural environment and is likely to result in pressure to fell or ongoing pruning. Such requests will be difficult for the Council to resist and would threaten the value of the trees and consequently the character and appearance of the local area. As a result I am unable to support the application in its current form.

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
Babergh and Mid Suffolk District Councils - Working Together

From: Stephen Burgess
Sent: 13 December 2016 09:33
To: BMSDC Planning Area Team Blue; David Pizzey
Subject: FW: Planning application 4402/16 - Erection of detached single storey dwelling with detached garage utilising existing vehicular access. The Little House, High Street, Gislingham, IP23 8JG

Michelle,

Please log this revised plan.

David,

Any comments ?

Thanks

Stephen Burgess
Planning Officer - Development Management
Mid Suffolk & Babergh District Councils - Working Together

MSDC Tel. 01449 724531

From: David Pizzev
Sent: 10 November 2016 11:40
To: Stephen Burgess
Cc: Planning Admin
Subject: 4402/16 The Little House, Gislingham.

Stephen

The tree survey accompanying this application provides a generally accurate record of the trees on site. However, it does not assess the impact of the development on the trees or identify appropriate methods for their protection. Whilst such measures might minimise the likelihood of damage during construction I am also concerned that the proximity of the dwelling to the trees could result in undesirable living conditions for future occupiers, particularly domination of garden space and levels of light to the rear of the property.

Furthermore, a number of trees affected by the proposal are subject to a TPO (Ref: MS 283) and I note that one of these, Ash T8, is not shown on the site layout plan, presumably intended for removal? This tree should be retained unless good reason is provided to justify its felling.

Please let me know if you require any additional information.

David

David Pizzev
Arboricultural Officer
Hadleigh office: 01473 826662
Needham Market office: 01449 724555
david.pizzev@babberghmidsuffolk.gov.uk
www.babergh.gov.uk and www.midsuffolk.gov.uk
Babergh and Mid Suffolk District Councils - Working Together

From: planningadmin@midsuffolk.gov.uk [mailto:planningadmin@midsuffolk.gov.uk]
Sent: 09 November 2016 10:29
To: David Pizzev
Subject: Consultation on Planning Application 4402/16

Correspondence from MSDC Planning Services.

Location: The Little House, High Street, Gislingham, IP23 8JG

Proposal: Erection of detached single storey dwelling with detached garage utilising existing vehicular access.

We have received an application on which we would like you to comment. A consultation letter is attached. To view details of the planning application online please click [here](#)

From: Philippa Stroud
Sent: 09 November 2016 16:59
To: Planning Admin
Cc: Stephen Burgess
Subject: 4402/16/FUL The Little House. High Street, Gislingham - Land Contamination

WK/186430

Ref: 4402/16/FUL EH - Land Contamination
Location: The Little House, High Street, Gislingham, IP23 8JG
Proposal: Erection of detached single storey dwelling with detached garage utilising existing vehicular access.

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

I have no objection to the proposed development from the perspective of land contamination. 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.

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

Consultation Response Pro forma

1	Application Number	4402/16 Little House, Gislingham	
2	Date of Response	6.12.16	
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.	<p>1. The Heritage Team considers that the proposal would cause</p> <ul style="list-style-type: none"> less than substantial harm to a designated heritage asset because it would detract seriously from its setting. 	
5	Discussion Please outline the reasons/rationale behind how you have formed the recommendation. Please refer to any guidance, policy or material considerations that have informed your recommendation.	<p>Earlier this year the Heritage team advised a different agent that erection of a dwelling on this site would not be supported because of harm to the setting of Little House and of Suryodaya.</p> <p>Little House is a thatched house of medieval date, originally with an open hall, subsequently floored over. It was extended to the rear in the 1600s but is unusually small in scale, having at some point been shortened at the west side. It stands close to the road with garden to its rear and east. Its plot has been curtailed by insertion of a dwelling to the north-east following a permission granted in 2001 (without objection from Conservation).</p> <p>To the west the cottage is flanked by a wall along the drive to Suryodaya, a large detached house of 1791 in red brick, which served as the Rectory. The house is flanked by short lengths of garden wall, making an imposing architectural statement to the south frontage. The drive, flanking brick wall, and layout to the south combine to give a formal character to the setting complementing the strict classical symmetry of the house's architecture.</p> <p>Insertion of a further dwelling at the application site would adversely affect the setting of both listed buildings. For Little House, it would lose its last remaining direct relationship with surrounding countryside. Instead it would become enveloped as part of the continuous 1900s</p>	

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

		<p>tandem development of the growing village. For these reasons this further subdivision is far more harmful than the first. The house's plot was unchanged from about 1900 up to 2001, and is likely to represent its historic plot; the proposal would further separate the house from its associated land.</p> <p>The encroachment of denser, tandem development up to the drive of Suryodaya would also detract from the sense of spacious detachment which is part of the designed layout to the south frontage.</p> <p>Harm to the significance of the heritage assets would be moderate in degree. There are no evident benefits to the listed buildings, and other public benefits are limited and could be achieved by other means with less harm. Harm to the heritage assets is therefore considered not to be justified in the terms of the NPPF.</p>
6	<p>Amendments, Clarification or Additional Information Required (if holding objection)</p> <p>If concerns are raised, can they be overcome with changes? Please ensure any requests are proportionate</p>	
7	<p>Recommended conditions</p>	

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

Consultation Response Pro forma

1	Application Number	4402/16 additional comment Little House, Gislingham	
2	Date of Response	18.1.17	
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.	<p>1. The Heritage Team considers that the proposal would cause</p> <ul style="list-style-type: none"> • less than substantial harm to a designated heritage asset because it would detract seriously from its setting. 	
5	Discussion Please outline the reasons/rationale behind how you have formed the recommendation. Please refer to any guidance, policy or material considerations that have informed your recommendation.	<p>The agent has submitted a critique of the Heritage comment which requires correction. The Heritage comment is unchanged.</p> <p>Taking the agent's points in turn, pre-application advice stands whether or not the present applicant or agent saw fit to seek it. There seems to be an implication that a more favourable view would have been given to this scheme at pre-application stage.</p> <p>The agent's approach to setting is not in accordance with the established approach set out in Historic England's guidance, which has been endorsed in the Barnwell Manor case by the High Court. That case turned on (among other things) the Inspector's inadequate approach to the assessment of setting and the proposal's impact on setting.</p> <p>Nowhere does that guidance propose a fundamental distinction between the experience of an asset from public areas and that from private areas in understanding the extent of setting or any impacts. To assert that setting is limited to what can be seen from public viewpoints is a serious error, although when referring to Suryodaya the agent seems to acknowledge that the site does lie within its setting, despite not being in private or public view. In fact Historic England's guidance on setting leaves no doubt that to rely solely on visibility in either defining setting or assessing impact is an inadequate approach.</p>	

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

		<p>Little House's relationship with undeveloped countryside to the front is compromised by the road and is not considered immediate. The land to the north has the character and amenity of a field and as such makes a contribution to the setting of the listed buildings.</p> <p>The erection of fencing and lack of maintenance on the site reflect the occupants' own preferences, and are not matters that deserve weight in a planning decision.</p> <p>It is well known that list entries are intended to identify the building listed, not to define its significance, special interest or setting, which is the duty of the applicant in any relevant application.</p> <p>"Moderate" harm is greater than little and less than great. The Heritage team rates the degree of harm above "low". While there is not an official glossary for the rating of harm, we would avoid the word "significant" as it is used in different contexts to mean 'just enough to register but not material' and 'quite a lot', and because of the special use of the word 'significance' in heritage matters. "Demonstrable" does not seem to usefully describe the degree of harm, which should all be demonstrable.</p> <p>The more important point about harm is that it has been explicitly established by the courts that the statutory duties in the PLBCAA 1990 amount to a strong presumption against <u>any</u> harm to a listed building or its setting; even low harm is to be given 'great or considerable' weight, as is stated in the NPPF. The provision of a single dwelling has some public benefit, but in Heritage's view considerably short of outweighing harm to designated heritage assets.</p> <p>In Heritage's view, the design of the dwelling would not offer enough mitigation to outweigh harm.</p> <p>The existing dwelling would lose much of its remaining plot, would become part of a continuous 1900s/2000s urbanising development, and would no longer dominate the land associated with it. According to the Tree Officer the proposal would also pose a risk to trees, further eroding the rural character of the setting of the two listed buildings.</p>
6	<p>Amendments, Clarification or Additional Information Required (if holding objection)</p>	

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

	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.

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Your Ref: MS/4402/16
Our Ref: 570\CON\3784\16
Date: 25/11/2016
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
Ipswich
Suffolk
IP6 8DL

For the Attention of: Stephen Burgess

Dear Stephen

TOWN AND COUNTRY PLANNING ACT 1990 - CONSULTATION RETURN MS/4402/16

PROPOSAL: Erection of detached single storey dwelling with detached garage utilising existing vehicular access

LOCATION: The Little House, High Street, Gislingham, IP23 8JG

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 P 1

Condition: The use shall not commence until the area(s) within the site shown on Drg No. 10A for the purposes of [LOADING, UNLOADING,] manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

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

Yours sincerely,

Mr Kyle Porter
Development Management Technician
Strategic Development – Resource Management

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

Philip Isbell
Corporate Manager - Development Manager
Planning Services
Mid Suffolk District Council
131 High Street
Needham Market
Ipswich IP6 8DL

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

Our Ref: 2016_4402
Date: 29 November 2016

For the Attention of Stephen Burgess

Dear Mr Isbell

Planning Application 4402_16 The Little House High Street Gislingham: Archaeology

This site lies in an area of archaeological potential recorded on the County Historic Environment Record, in close proximity to an Anglo-Saxon cemetery and Roman and medieval artefact scatter (GSG 010). As a result, there is high potential for the discovery of below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.

There are no grounds to consider refusal of permission in order to achieve preservation *in situ* of any important heritage assets. However, in accordance with the *National Planning Policy Framework* (Paragraph 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.

In this case the following two conditions would be appropriate:

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

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

- a. The programme and methodology of site investigation and recording
- b. The programme for post investigation assessment
- c. Provision to be made for analysis of the site investigation and recording
- d. Provision to be made for publication and dissemination of the analysis and records of the

site investigation

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

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

REASON:

To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Core Strategy Objective SO 4 of Mid Suffolk District Council Core Strategy Development Plan Document (2008) and the National Planning Policy Framework (2012).

INFORMATIVE:

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

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

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

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

Yours sincerely,

James Rolfe

Archaeological Officer
Conservation Team

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**PHIL COBBOLD
PLANNING LTD**

42 BEATRICE AVENUE FELIXSTOWE IP11 9HB Tel: 07775962514 Email: philipcobbold@btinternet.com

Mr S Burgess
Planning Services
Mid Suffolk District Council
131 High Street
Needham Market
IP6 8DL

Your Ref: 4402/16

My Ref: 924

12 December 2016

Dear Stephen,

Erection of detached single storey dwelling with detached garage utilising existing vehicular access.

The Little House, High Street, Gislingham, IP23 8JG

I refer to Paul Harrison's (PH) comments regarding the above planning application.

I understand that PH may have given pre-application advice, however that advice was not to the applicant and it was not in relation to the current scheme which has been carefully and sensitively designed to respect the character and setting of its locality.

I do not agree that the development would cause material harm to the setting of Suryodaya (Old Rectory) or Little House. It is an established principle, confirmed in the NPPF, that the 'setting' of a listed building (heritage asset) is defined by the surroundings in which it is experienced.

Photograph No1 (overleaf) illustrates the main setting (public experience) of Little House which is the view of the property from Finningham Road. The proposed dwelling would not be visible in this setting.



Phil Cobbold BA PGDip MRTPI - Member of the Royal Town Planning Institute - Chartered Town Planner

Photo 1



Photograph No2 illustrates the experience of Suryodaya from the public realm. The proposed dwelling will have no impact whatsoever on this experience as it will be screened from view by Little House and the walled entrance to Suryodaya.

Photo 2



Photo 3



Photograph No3 is taken from the application site looking north-west towards Suryodaya and illustrates the enclosure and landscaping features which will separate the listed building from the proposed dwelling. This photograph clearly demonstrates that anyone experiencing Suryodaya from within its curtilage would not have that experience affected by the proposed dwelling.

PH alleges that the proposed dwelling would mean that Little House “*would lose its last remaining direct relationship with surrounding countryside*”. This is not true. Little House has a direct and open relationship with the countryside to the front (south) which is agricultural land. Its ‘connection’ with the fields to the front is more important than the land at the rear as the land to the rear is not readily visible in the public’s experience of the building. Furthermore, the land to the rear of Little House is not open countryside, it is an area of maintained and fenced amenity land.

It is also important to note that the application site itself has been fenced off from Little House for some time, it is overgrown and not used as part of the garden of Little House from which it is divided. The fencing is illustrated in Photographs 4 and 5.



When considering the impact of a building on the setting of a heritage asset it is also important to assess the degree to which the setting makes a contribution to the significance of the asset. In this case, it is clear from the listing descriptions for Little House and Suryodaya that their significance arises from their age, architecture and means of construction. The listing descriptions make no reference to the space around the buildings as being of importance to their significance.

PH's concluding comments state "*Harm to the significance of the heritage assets would be moderate in degree*". Not significant or demonstrable, but moderate. Paragraph 134 of the NPPF states "*Where a development would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use*". In this case, I do not consider that there would be any material harm to the significance of the heritage assets. However, if you agree with PH, any 'moderate' harm is more than outweighed by the public benefit of providing a new family home in an area where there is currently a significant undersupply of new housing.

You will have seen from the Planning Statement that the design philosophy has been to achieve a building with the scale, form and appearance of a converted outbuilding and I note PH has not raised any objections to the design of the proposed dwelling.

Yours sincerely

Phil Cobbold

Application Comments for 4402/16

Application Summary

Application Number: 4402/16

Address: The Little House, High Street, Gislingham, IP23 8JG

Proposal: Erection of detached single storey dwelling with detached garage utilising existing vehicular access.

Case Officer: Stephen Burgess

Customer Details

Name: Mr Christopher Pitt

Address: Poplar House Finningham Road, Gislingham, Eye IP23 8JG

Comment Details

Commenter Type: Interested Party

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

Comment Reasons:

Comment: I live at Poplar House. My drive will be used for access to the new build. Presently there is Right-of-Way access for The Little House but that has never been exercised until now. As the only access to the new build will be using the (now) shared driveway we need to ensure that:

- a. During the build there is no obstruction to vehicular access to Poplar House.
- b. The driveway is made good following completion of the build.
- c. Fencing separating the properties is adequate and coherently standardised.
- d. Shared maintenance costs for the shared driveway are legally established.