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COMMITTEE:	DEVELOPMENT CONTROL COMMITTEE A
DATE:	WEDNESDAY, 9 MARCH 2022 9.30 AM
VENUE:	KING EDMUND CHAMBER, ENDEAVOUR HOUSE, 8 RUSSELL ROAD, IPSWICH

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

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AGENDA

PART 1

MATTERS TO BE CONSIDERED WITH THE PRESS AND PUBLIC PRESENT

Page(s)

- 1 **APOLOGIES FOR ABSENCE/SUBSTITUTIONS**
- 2 **TO RECEIVE ANY DECLARATIONS OF PECUNIARY OR NON-PECUNIARY INTEREST BY MEMBERS**
- 3 **DECLARATIONS OF LOBBYING**
- 4 **DECLARATIONS OF PERSONAL SITE VISITS**
- 5 **NA/21/23 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 12 JANUARY 2022** 7 - 14
- 6 **NA/21/24 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 09 FEBRUARY 2022** 15 - 28
- 7 **TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION SCHEME**

Webcasting/ Live Streaming

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https://www.youtube.com/channel/UCSWf_0D13zmegAf5Qv_aZSg

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- Cold water is also available outside opposite the room.
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2. Follow the signs directing you to the Fire Exits at each end of the floor.
3. Do not enter the Atrium (Ground Floor area and walkways). If you are in the Atrium at the time of the Alarm, follow the signs to the nearest Fire Exit.
4. Use the stairs, not the lifts.
5. Do not re-enter the building until told it is safe to do so.

Mid Suffolk District Council

Vision

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

Strategic Priorities 2016 – 2020

1. Economy and Environment

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

2. Housing

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

3. Strong and Healthy Communities

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

Strategic Outcomes

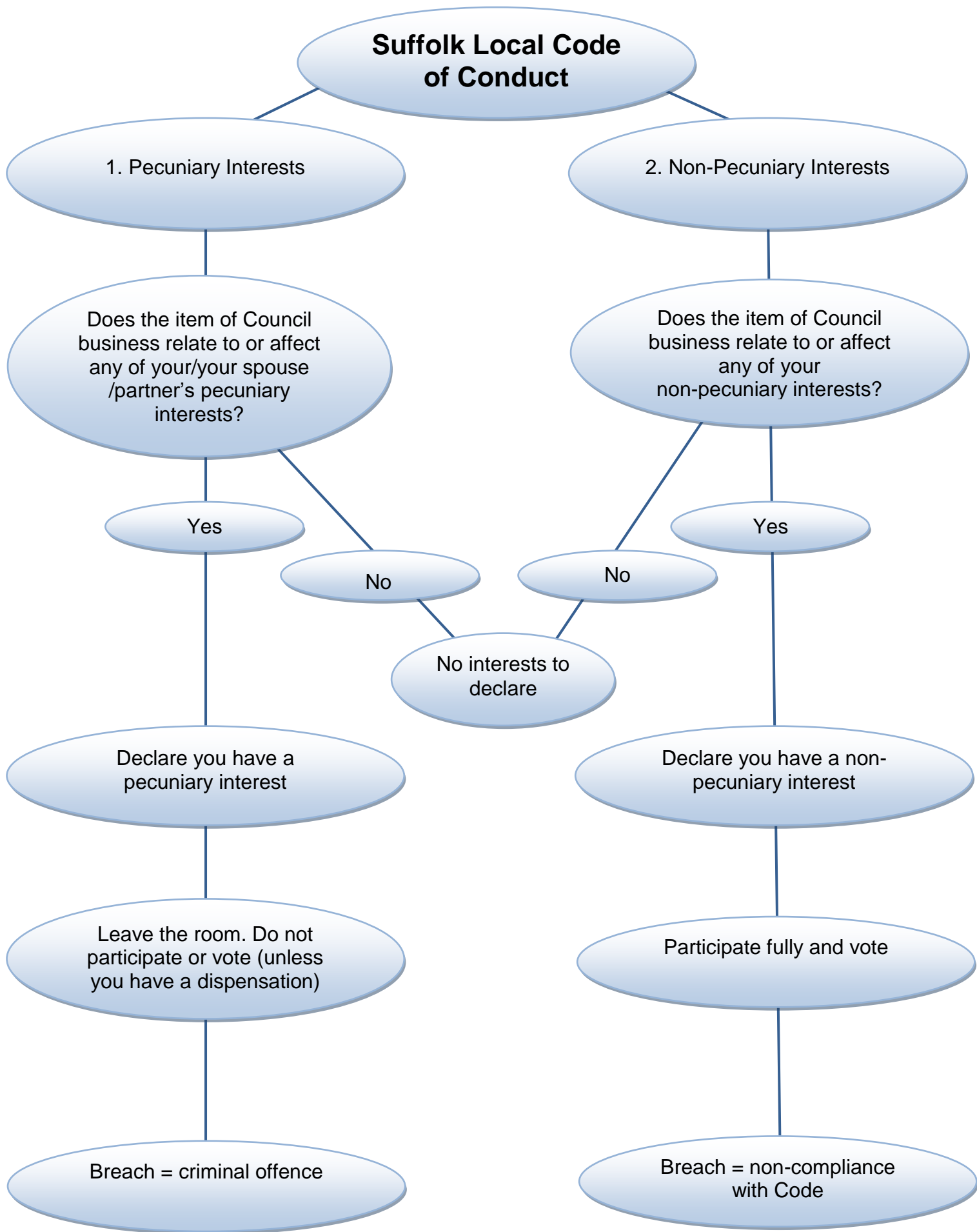
Housing Delivery – More of the right type of homes, of the right tenure in the right place

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

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

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

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



Materials Plan’.

113.2 It was agreed that the minutes would be amended accordingly and return to the next available meeting for approval.

114 TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION SCHEME

114.1 None received.

115 NA/21/19 SCHEDULE OF PLANNING APPLICATIONS

In accordance with the Council’s procedure for public speaking on Planning applications, representations were made as detailed below:

Application Number	Representations From
DC/21/01132	Julia Ewans (Parish Council Representative) James Alflatt (Agent) Councillor Sarah Mansel (Ward Member) Councillor Helen Geake (Ward Member)
DC/21/02927	Martin Last (Agent) Councillor Mike Norris (Ward Member)

116 DC/21/01132 LAND OFF BURY ROAD, WOOLPIT, SUFFOLK

116.1 Item 7A

Application Proposal	DC/21/01132 Submission of details under Reserved Matters following Outline Approval DC/18/04247 dated 21/08/2020 Appearance, Landscaping, Layout and Scale for - Erection of up to 300 dwellings, construction of a new spine road, land for a new primary school, burial ground extension, village car park and associated infrastructure.
Site Location	WOOLPIT – Land Off Bury Road, Woolpit, Suffolk
Applicant	Hopkins Homes Limited

116.2 The Case Officer introduced the application to the Committee outlining the proposal before Members including the location and layout of the site, the approved outline planning permission, the proposed housing mix, proposed parking plans, access routes to the site, the responses received from statutory consultees, and the officer recommendation of approval.

116.3 A break was taken from 10:00am until 10:20am.

116.4 The Case Officer and the Area Planning Manager responded to questions from Members on issues including: drainage on site and the permeability of driveways, the details of the CIL contribution to the NHS, the expected completion date for the development, the proposed heating systems, the position with regard to the emerging Joint Local Plan, the provision of

footpaths and cycle paths, adoption of the roads, the housing mix, the height of the buildings, the number of existing three storey dwellings in the village, and pedestrian crossings.

- 116.5 Members considered the representation from Julia Ewans who spoke on behalf of Woolpit Parish Council.
- 116.6 The Parish Council representative responded to questions from Members on issues including: the landscaping areas which the Parish Council wished to be retained.
- 116.7 A short break was taken from 10:57am until 11:01am.
- 116.8 The Area Planning Manager provided clarification of the details included within the outline planning permission and the details under consideration at the meeting.
- 116.9 The Area Planning Manager responded to a question regarding the land ownership in relation to the proposed cycle lanes.
- 116.10 The Parish Council representative responded to further questions from Members on issues including: the imprecise language which the Parish Council felt should be avoided.
- 116.11 Members considered the representation from James Alflatt who spoke as the agent.
- 116.12 The agent and the applicant, Johnathan Lieberman, responded to questions from Members on issues including: the installation of air source heat pumps, the permeability of surfaces, the revised energy strategy, the proposed number of properties complying with M4(3) and M4(2) Building Regulations, the location of the public car park, the rationale behind the inclusion of three storey dwellings, and the use of management companies.
- 116.13 The Area Planning Manager responded to questions regarding the conditions relating to pathways and disability access.
- 116.13 Members considered the representation from Councillor Helen Geake who spoke as the Ward Member.
- 116.14 Members considered the representation from Councillor Sarah Mansel who spoke as the Ward Member.
- 116.15 Members debated the application on issues including: the design of the dwellings, the installation of solar panels, the layout of the site, and the amendments made to the original proposal to ensure the development is more sustainable.
- 116.16 Councillor Passmore proposed that the application be approved as detailed in the officer recommendation with the inclusion of a condition relating to the

permeability of surfaces.

116.17 Members continued to debate the application on issues including: the cycle path, the location of the car park, the provision of open spaces, and protection of landscaping.

116.18 Councillor Humphreys MBE seconded the proposal and proposed an additional condition relating to landscaping.

116.19 Members debated the application further on issues including: the proposed location for the school, access for cycles, the electricity supply, and The Future Homes Standard.

116.20 Councillor Passmore and Councillor Humphreys MBE agreed to the following conditions and informative notes:

- Hardstanding shall be permeable for private drives unless otherwise agreed.
- Protection of hedge (area including access to white elm road) to be agreed
- Condition on swift boxes to include house martin nest boxes
- Informative – Encourage applicant to discuss open space adoption with Parish.

By a vote of 6 votes for and 1 against

It was RESOLVED:

That the reserved matters are APPROVED subject to the following summarised conditions and those as may be deemed necessary by the Chief Planning Officer

- **Reserved matters permission given in accordance with the terms of the outline planning permission relating to this site and the conditions attached thereto remain in force, except where discharged or superseded by the reserved matters approval.**
- **Approved Plans (plans submitted and as subsequently amended that form this application).**
- **Final details of external materials, boundary treatments and hard surfacing to be approved.**
- **Provision of fire hydrants**
- **Swift nest bricks**
- **Hedgehog permeable boundaries**
- **Conditions as may be recommended by the Highway Authority, Landscape and Ecology consultants**

And the following informative notes as summarised and those as may be deemed necessary:

- **Proactive working statement**
- **SCC Highways notes**
- **Support for sustainable development principles**

And the following additional conditions and informative notes:

- **Hardstanding shall be permeable for private drives unless otherwise agreed.**
- **Protection of hedge (area including access to white elm road) to be agreed**
- **Condition on swift boxes to include house martin nest boxes as well**
- **Informative – Encourage applicant to discuss open space adoption with Parish**

117 DC/21/02927 LAND NORTH WEST OF, HILL HOUSE LANE, NEEDHAM MARKET, SUFFOLK, IP6 8EA

117.1 Item 7B

Application Proposal	DC/21/02927 Application for approval of reserved matters following approval of Outline application DC/17/05549 Town and Country Planning (General Management Procedure) (England) Order 2015 - Appearance, Landscaping, Layout and Scale for Erection of 64 No dwellings (including 22 No. affordable homes) with vehicular access from Stowmarket Road and additional 2 No. dwellings accessed from Hill House Lane.
Site Location	NEEDHAM MARKET – Land North West of, Hill House Lane, Needham Market, Suffolk, IP6 8EA
Applicant	HHF (EA) Ltd

117.2 A break was taken between 12:01pm and 12:07pm, after application number DC/21/01132 and before the commencement of application number DC/21/02927.

117.3 The Case Officer introduced the application to the committee outlining the proposal before Members including: the location and layout of the site, the proposed parking plans, the housing mix, and the officer recommendation of approval.

117.4 The Case Officer and the Area Planning Manager responded to questions from Members on issues including: the proposed pedestrian access to the site, the potential loss of existing landscaping, permeability of driveways, adoption of roads, waste management plans, the response received from strategic housing regarding affordable homes location within the site, sustainability measures, the potential for increased flood risk, and the

proposed landscaping scheme.

117.5 Members considered the representation from Martin Last who spoke as the agent.

117.6 The Agent and the Applicant, Mel Walton, responded to questions from Members on issues including: Electric Vehicle charging points, the ownership of the adjacent land, and the access routes to the site.

117.7 The Chair read out a statement from Ward Member Councillor Mike Norris.

117.8 The Area Planning Manager responded to questions from Members on issues including: other planning applications in the area as mentioned in the Ward Members statement, including the location and number of properties.

117.9 Members debated the application on issues including: secure cycle storage, parking plans, and the outlined planning permission and the conditions previously agreed.

117.10 Councillor Passmore proposed that the application be approved as detailed in the Officer recommendation.

117.11 Councillor Field seconded the motion.

117.12 Members continued to debate the application on issues including: landscaping, and heating sources.

117.13 Councillor Passmore and Councillor Field agreed to the following additional conditions and informative notes:

- Notwithstanding the plans submitted, details of a footpath link between Hill House Lane and the development (that may require a revision to the layout of Plots 65 and 66) shall be submitted to the LPA for approval and implemented as may be approved.
- Details of cycle storage to be agreed for all plots.
- Erection of 1.8 metre fence along boundary Chesford, Dodds Mead and Four Winds shall be secured.
- Informative note to encourage improved landscaping along boundaries.

By a unanimous vote

It was RESOLVED:

That the Chief Planning Officer be authorised to GRANT Reserved Matters, subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:

- **Approved Plans and Documents;**
- **Detailed Landscaping Scheme to be agreed prior to commencement;**

- Biodiversity Enhancement Scheme required prior to works commencing above slab level
- Those already imposed by way of the Outline Planning Permission (Ref: DC/17/05549).

(Please see appended decision notice for those already imposed as part of Outline Planning Permission Ref: DC/17/05549)

And the following additional conditions and informative notes:

- Notwithstanding the plans submitted, details of a footpath link between Hill House Lane and the development (that may require a revision to the layout of Plots 65 and 66) shall be submitted to the LPA for approval and implemented as may be approved.
- Details of cycle storage to be agreed for all plots.
- Erection of 1.8 metre fence along boundary Chesford, Dodds Mead and Four Winds shall be secured.
- Informative note to encourage improved landscaping along boundaries.

118 SITE INSPECTION

There were no requests received.

The business of the meeting was concluded at 1.26 pm.

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Chair

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Agenda Item 6

MID SUFFOLK DISTRICT COUNCIL

Minutes of the meeting of the **DEVELOPMENT CONTROL COMMITTEE A** held in the King Edmund Chamber, Endeavour House, 8 Russell Road, Ipswich on Wednesday, 9 February 2022 at 09:30am.

PRESENT:

Councillor: Matthew Hicks (Chair)

Councillors: James Caston Rachel Eburne
John Field Sarah Mansel
John Matthissen Richard Meyer
Timothy Passmore

In attendance:

Officers: Chief Planning Officer (PI)
Planning Lawyer (IDP)
Case Officers (DC/SB/VP)
Governance Officer (CP)

119 APOLOGIES FOR ABSENCE/SUBSTITUTIONS

119.1 Apologies were received from Councillor Barry Humphreys MBE.

119.2 Councillor James Caston substituted for Councillor Humphreys MBE.

120 TO RECEIVE ANY DECLARATIONS OF PECUNIARY OR NON-PECUNIARY INTEREST BY MEMBERS

120.1 Councillor Caston declared a local non-pecuniary interest in respect of application number DC/21/05587.

121 DECLARATIONS OF LOBBYING

121.1 All Members of the Committee declared that they had been lobbied in respect of application number DC/21/03292.

122 DECLARATIONS OF PERSONAL SITE VISITS

122.1 None declared.

123 NA/21/20 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 08 DECEMBER 2021

It was RESOLVED:

That the minutes of the meeting held on 08 December 2021 were confirmed and signed as a true record.

124 NA/21/21 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 12 JANUARY 2022

124.1 Councillor Eburne commented that the details of the meeting attendees were missing from the minutes.

124.2 The Governance Officer confirmed this would be corrected and the minutes would be brought back to the next available meeting.

125 TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION SCHEME

125.1 None received.

126 NA/21/22 SCHEDULE OF PLANNING APPLICATIONS

126.1 The Chair advised that application numbers DC/21/05063 and DC/20/04296 had been deferred and would not be considered at the meeting.

126.2 In accordance with the Council's procedures for public speaking on Planning applications, representations were made as detailed below:

Application Number	Representations From
DC/21/00609	Andy Robinson and Richard Berry (Eye Town Council) Robert Barber (Agent) Councillor Peter Gould (Ward Member)
DC/20/04067	Richard Berry (Eye Town Council)
DC/21/05063	Item deferred
DC/20/04296	Item deferred
DC/21/03292	Sav Patel (Agent) Councillor Andrew Mellen (Ward Member)
DC/20/05587	David Payne (Great Bricett Parish Council) Christopher Payne (Objector) Richard Boother (Agent) Councillor Daniel Pratt (Ward Member)

127 DC/21/00609 LAND TO THE SOUTH OF EYE AIRFIELD, AND NORTH OF CASTLETON WAY, EYE

127.1 Item 8A

Application	DC/21/00609
Proposal	Submission of details (Reserved Matters in Part-Phase 1)

	for Outline Planning Permission 3563/15 - Appearance, Landscaping, Layout and Scale for 138 dwellings, including affordable housing, car parking, open space provision and associated infrastructure.
Site Location	EYE – Land to the South of Eye Airfield, and North of Castleton Way, Eye
Applicant	Persimmon Homes Suffolk

- 127.2 The Case Officer presented the application to the Committee outlining the proposal before Members including: the location and layout of the site, access to the site, the proposed parking and landscaping plans, housing design, sustainability measures, the conditions applied to the application, and the officer recommendation of approval.
- 127.3 The Case Officer and the Chief Planning Officer responded to questions from Members on issues including: the housing mix, the proposed surface material of the driveways, landscaping and maintenance plans, whether the houses meet size standards, locations of emergency access and cycle routes, proposed garden sizes, the housing mix in comparison to the Eye Neighbourhood Plan, whether the electrical supply would be adequate to meet future requirements, whether future building regulations would be met, parking plans and Electric Vehicle charging points.
- 127.4 Members considered the representation from Andy Robinson and Richard Berry who spoke on behalf of Eye Town Council.
- 127.5 The Town Council representatives responded to questions from Members on issues including: what further ecological proposals the Town Council would like to be considered, the proposed design of the dwellings, parking issues, open space provision, whether the Town Council had a system in place to ensure landscaping and ecology requirements were put in place, and the cycle and pedestrian connectivity to the Town.
- 127.6 Members considered the representation from Robert Barber who spoke as the agent.
- 127.7 The Agent and the Applicant, Stuart McAdam, responded to questions from Members on issues including: cycle, pedestrian and emergency vehicle access, the number of houses expected to be completed before June 2022, the installation of gas boilers and any plans for alternative heating sources once the buildings regulations change, the comments from Suffolk Wildlife Trust, and the permeability of driveways.
- 127.8 The Case Officer responded to questions from Members regarding conditions relating to the installation of heating systems.
- 127.9 The Agent and the Applicant responded to further questions from Members on issues including: the housing mix, the proposed plans for the existing pond and surrounding trees, whether the spine roads would be to an adoptable

standard and offered to Suffolk County Council for adoption, and whether the properties would be built to comply with building regulations at the time of planning, or at the time of construction.

127.10 The Chair read out a statement from the Ward Member, Councillor Gould, who was unable to attend the meeting.

127.11 A break was taken from 11:14am until 11:23am.

127.12 Councillor Passmore proposed that the application be approved with additional conditions relating to issues including: design of the properties, and the permeability of driveways.

127.13 Members debated the application on issues including: the Eye Neighbourhood Plan, the timescales for the proposed landscaping plans, heating systems, the housing mix, pedestrian access routes, and sustainability issues.

127.14 Councillor Caston seconded the proposal.

127.15 Members continued to debate the application on issues including: the heating systems, ecology measures, and early landscaping.

127.16 The proposer and seconder accepted the following additional conditions and informative notes:

Conditions:

- Scheme of ecological "on plot" enhancements to include the installation of swift and house martin nest boxes/cups and hedgehog permeable boundaries TBA
- Scheme of permeable driveways and hard surfacing across the site TBA
- Scheme of landscape and ecological mitigation and enhancement timetabling across the site TBA which shall in particular require the planting of the boundaries of the site not later than the commencement of construction
- Scheme to safeguard the existing water features across the site TBA.

Informative Notes:

- The Committee note that the Eye NDP expects a housing mix set out in Policy EYE3 which is not yet demonstrated to have been met with this Reserved Matters application for this Phase. The Committee will expect further phases of this development to demonstrate that those further phases accord with that development plan policy so that the overall mix across the Outline permitted site accords with the development plan including the requirements of EYE3 of the Neighbourhood Development Plan

127.17 Members continued to debate the application on issues including: the provision of Electric Vehicle charging points.

By a vote of 5 votes for and 3 against

It was RESOLVED:

That authority be delegated to the Chief Planning Officer to grant the reserved matters application subject to the following conditions and informatives as recommended:

Conditions

- Reserved matters granted pursuant to 3563/15. Conditions attached to 3563/15 remain in force.
- Development to be brought forward in accordance with approved plans and documents.
- Garages to be retained as parking.
- Bicycle parking to be provided prior to occupation.
- Electric vehicle ducting to be provided prior to occupation.

Informatives

- Reminder that both the outline and reserved matters decisions form the planning permission for this site and that both continue to apply.
- Confirmation on any conditions discharged as part of this application.
- Informatives recommended by Anglian Water.
- Informative on discovery of unexpected contamination during development
- Informative on public rights of way.

For the avoidance of doubt, the conditions attached to the outline planning permission already granted remain in place, they secure the following:

- Soft landscaping scheme;
- Control of emergency access points;
- Site levels (both existing and proposed);
- Boundary treatments for individual properties;
- Design of the care home be limited to two storeys;
- Ecological mitigation;
- Restriction on use of piling;
- Implementation of the soft landscaping scheme;
- Energy and renewables strategy in accordance with policy CS3 to be submitted and agreed;
- Details of illumination within the site;
- Archaeological investigation of the site;
- Submission of post investigation report;
- Waste minimisation and recycling strategy to be submitted and agreed;
- Tree protection for retained trees and hedgerows;
- Landscape management plan to be submitted and agreed;
- Provision of fire hydrants within site;

- Construction management plan to be submitted and agreed;
- Land contamination process to be followed;
- Delivery of access on Castleton Way;
- Delivery of zebra crossing and school drop off area;
- Delivery of internal carriageways and footways;
- HGV deliveries to accord with delivery management plan which is to be submitted and agreed;
- Delivery of access to Langton Grove.

Given these will remain in force, there is no requirement to reimpose these conditions on this reserved matters application.

And the following additional conditions and informative notes put forward in the motion:

Conditions:

- Scheme of ecological "on plot" enhancements to include the installation of swift and house martin nest boxes/cups and hedgehog permeable boundaries TBA
- Scheme of permeable driveways and hard surfacing across the site TBA
- Scheme of landscape and ecological mitigation and enhancement timetabling across the site TBA which shall in particular require the planting of the boundaries of the site not later than the commencement of construction
- Scheme to safeguard the existing water features across the site TBA.

Informative Notes:

- The Committee note that the Eye NDP expects a housing mix set out in Policy EYE3 which is not yet demonstrated to have been met with this Reserved Matters application for this Phase. The Committee will expect further phases of this development to demonstrate that those further phases accord with that development plan policy so that the overall mix across the Outline permitted site accords with the development plan including the requirements of EYE3 of the Neighbourhood Development Plan.

128 DC/20/04067 LAND AT EYE AIRFIELD, CASTLETON WAY, EYE, SUFFOLK

128.1 Item 8B

Application Proposal	DC/20/04067 Submission of details (Reserved Matters in Part) for Outline Planning Permission 3563/15 - Appearance, Landscaping, Layout and Scale for Erection of 15 dwellings
Site Location Applicant	EYE – Land at Eye Airfield, Castleton Way, Eye, Suffolk Ryden Developments Ltd

- 128.2 The Case Officer presented the application to the Committee outlining the proposal before Members including: the location and layout of the site, the proposed parking plans, the sustainability statement, the design of the houses, proposed landscaping plans, provision of Electric Vehicle charging points, the proposed pedestrian and cycle routes, and the officer recommendation of approval.
- 128.3 The Case Officer responded to questions from Members on issues including: the proposed heating systems, whether there is any triple parking on site, the location of the care home and access road, landscaping issues, whether the roads would be to an adoptable standard, the installation of solar panels, the pedestrian access and any direct link to the existing public right of way network, and the visibility splays.
- 128.4 Members considered the representation from Richard Berry who spoke on behalf of Eye Town Council.
- 128.5 Members debated the application on issues including: landscaping, the design and layout of the proposal, the master plan for the development, and the conditions of the outline planning application.
- 128.6 Councillor Passmore proposed that the application be approved with additional conditions relating to loss of amenity for homes in Bothy Close, landscaping, and ecology.
- 128.7 Councillor Matthissen seconded the proposal and suggested further conditions relating to the pond, and the provision of M4(2) compliant properties.
- 128.8 Members continued to debate the application on issues including: the installation of solar panels.
- 128.8 The following additional conditions were accepted by the proposer and seconder:
- Requirement for the agreement of the revision of the master plan in relation to the future development of the care home
 - Scheme of landscaping and ecological mitigation and enhancement timetabling across the site TBA which shall in particular require the planting of the boundaries of the site not later than the commencement of construction.
 - Scheme of ecological "on plot" enhancements to include the installation of swift and house martin nest boxes/cups, hedgehog permeable boundaries and aquatic enhancements TBA
 - 50% of the bungalows shall be to M4(2) standard to ensure that the development is accessible and adaptable for all persons.

By a unanimous vote

It was RESOLVED:

That authority be delegated to the Chief Planning Officer to grant the reserved matters application subject to the following conditions and informatives as recommended:

Conditions:

- **Reserved matters granted pursuant to 3563/15. Conditions attached to 3563/15 remain in force.**
- **Development to be brought forward in accordance with approved plans and documents.**
- **Details of proposed cycle/pedestrian link to land adjacent to the south**

Informatives:

- **Reminder that both the outline and reserved matters decisions form the planning permission for this site and that both continue to apply.**
- **Confirmation on any conditions discharged as part of this application.**

And the following additional conditions put forward in the motion:

- **Requirement for the agreement of the revision of the master plan in relation to the future development of the care home**
- **Scheme of landscaping and ecological mitigation and enhancement timetabling across the site TBA which shall in particular require the planting of the boundaries of the site not later than the commencement of construction.**
- **Scheme of ecological "on plot" enhancements to include the installation of swift and house martin nest boxes/cups, hedgehog permeable boundaries and aquatic enhancements TBA**
- **50% of the bungalows shall be to M4(2) standard to ensure that the development is accessible and adaptable for all persons.**

129 DC/21/05063 LAND SOUTH OF, FOREST ROAD, ONEHOUSE, IP14 3HQ

129.1 Item 8C

Application Proposal	DC/21/05063 Application for Outline Planning Permission (some matters reserved, access, layout and scale to be considered) Town and Country Planning Act 1990 - Erection of 20No houses/bungalows (including 7 affordable) open space; sustainable urban drainage systems; and associated infrastructure.
Site Location	ONEHOUSE – Land South of, Forest Road, Onehouse, IP14 3HQ

Applicant Harris Strategic Land

129.2 This application was deferred in order to seek landscape and heritage advice.

130 DC/20/04296 STONHAM BARNES, PETTAUGH ROAD, STONHAM ASPAL, STOWMARRKET, SUFFOLK, IP14 6AT

130.1 Item 8D

Application Proposal	DC/20/04296 Planning Application - Use of land for the stationing of 18 holiday lodges
Site Location	STONHAM ASPAL – Stonham Barnes, Pettaugh Road, Stonham Aspal, Stowmarket, Suffolk, IP14 6AT
Applicant	Stonham Barnes Ltd

130.2 This application was deferred in order to review the report and recommendation.

131 DC/21/03292 SOUTH OF BIRCH AVENUE, BACTON

131.1 Item 8E

Application Proposal	DC/21/03292 Planning Application - Erection of 85no dwellings (including 30no Affordable Housing dwellings) including vehicular access from Birch Avenue, open space provision, community facility provision, soft landscaping, biodiversity enhancements, SuDS and parking provision
Site Location	BACTON – South of Birch Avenue, Bacton
Applicant	Bellway Homes

131.2 A break was taken from 12:45pm until 13:19pm, after application number DC/20/04067 and before the commencement of application number DC/21/03292.

131.3 The Chief Planning Officer advised Members that the presentation contained a revised recommendation.

131.4 The Case Officer presented the application to the Committee outlining the proposal before Members including: the update from Network Rail, connectivity and access routes relating to the railway crossing, the location and layout of the application, and the revised recommendation of approval.

131.5 The Chief Planning Officer provided further details of the recommendations from Network Rail.

131.6 The Chief Planning Officer and the Case Officer responded to questions from Members on issues including: whether a timetable had been agreed for completion of the mitigation works, and the options for mitigation works.

131.7 Members considered the representation from Sav Patel who spoke as the agent.

131.8 The Chief Planning Officer responded to questions from Members on issues including: who would be responsible for the details of the scheme.

131.9 The Agent and the Chief Planning Officer responded to questions from Members on issues including: confirmation that Bellway Homes would be constructing a safety gate and fence, the ownership of the land on each side of the railway, who would be responsible for the funding of the safety mitigations, the options available for the safety scheme, and whether the proposal put forward by Bellway Homes included a link to Network Rails signalling system.

131.10 The Chair read out a statement from the Ward Member, Councillor Andrew Mellen, who was unable to attend the meeting.

131.11 The Chief Planning Officer provided clarification to Members of the revised officer recommendation.

131.12 Members debated the application on issues including: whether a condition could be included to ensure protection is provided for both directions, the anticipated level of foot traffic using the railway crossing, the, and the timescales for the mitigation works to be completed.

131.13 Councillor Passmore proposed that the application be approved as detailed in the revised recommendation presented to Members.

131.14 Councillor Eburne seconded the proposal.

By a vote of 7 votes for and 1 abstention

It was RESOLVED:

That authority be delegated to the Chief Planning Officer that

[a] Subject to the prior agreement of a Section 106 Planning Obligation on appropriate terms to the satisfaction of the Chief Planning Officer as summarised below and those as may be deemed necessary by the Chief Planning Officer to secure:

- **Affordable housing**
- **On site open space provision and specification (including LEAP), delivery and management in perpetuity**
- **Community centre land**
- **Education**

- **Appropriate railway crossing mitigation scheme and timetable for its delivery**

and

[b] subject thereto to grant full planning permission subject to the following conditions and those as may be deemed necessary by the Chief Planning Officer:

- **Time limit**
- **Approved plans**
- **Phasing**
- **Access layout**
- **Bin storage and presentation as approved plans**
- **Estate roads and footpaths**
- **Provision of footways**
- **Parking and turning areas as approved plans**
- **Cycle storage and EV charging details to be agreed**
- **Visibility splays**
- **Residents travel pack to be agreed and provided**
- **Sound attenuation measures**
- **Construction management plan**
- **No burning on site**
- **Dust control scheme**
- **Carry out in accordance with arboricultural report**
- **Delivery of landscaping**
- **Fire hydrants**
- **Sustainability and energy scheme to be agreed**
- **Archaeology**
- **Skylark mitigation**
- **CEMP**
- **Biodiversity enhancement**
- **Wildlife sensitive lighting**
- **Implementation of SuDS in accordance with details submitted**
- **Cycle Link to Pretymen Avenue**
- **Notwithstanding details received, plans for the northern landscape buffer to achieve 5 metres depth unless otherwise agreed shall be agreed by the LPA, including detailed access arrangements and thereafter these details shall be retained on to be agreed and its management**
- **One bungalow to achieve M4(3) building regs secured for one unit.**

132 DC/20/05587 GREAT BRICETT BUSINESS PARK, THE STREET, GREAT BRICETT, SUFFOLK, IP7 7DZ

132.1 Item 8F

Application	DC/20/05587
Proposal	Revised Planning Application - Change of use of land for the siting of 69 mobile homes (following demolition of

Site Location	existing buildings) and associated facilities GREAT BRICETT – Great Bricett Business Park, The Street, Great Bricett, Suffolk, IP7 7DZ
Applicant	Birch's Park Homes

- 132.2 The Case Officer presented the application to the Committee outlining the proposal before Members including: the amendments made to the proposal since the application was deferred in May 2021, the additional consultee responses received, the location and layout of the site, public transport links to the site, the housing mix, proposed parking and landscaping plans, heating systems, and the recommendation of refusal.
- 132.3 The Case Officer responded to questions from Members on issues including: the housing mix, the type of affordable housing accepted by the Strategic Housing Team, the existing use of the site, and whether the proposed type of dwelling counts towards the Authorities housing land supply numbers.
- 132.4 Members considered the representation from David Payne who spoke on behalf of Great Bricett Parish Council.
- 132.5 The Parish Council representative responded to questions from Members on issues including: the number of dwellings located in the village of Great Bricett.
- 132.6 Members considered the representation from Christopher Payne who spoke as an objector.
- 132.7 Members considered the representation from Richard Boother who spoke as the Agent.
- 132.8 The Case Officer responded to questions from Members on whether the 69 proposed homes would contribute to the housing land supply.
- 132.9 The Chair read out a statement from the Ward Member, Councillor Daniel Pratt, who was unable to attend the meeting.
- 132.10 Members debated the proposal on issues including: the location and type of housing and whether it met the needs of the local community.
- 132.11 Councillor Eburne proposed that the application be refused as detailed in the officer recommendation.
- 132.12 Councillor Matthissen seconded the proposal.
- 132.13 Members continued to debate the application on issues including: the housing mix,

By a unanimous vote

It was RESOLVED:

(1)The application be REFUSED for the following reasons:

While the Council accepts that the proposed 69 park homes may add to consumer choice in respect of the type of new residential accommodation available for purchase in the District, they do not appropriately address the need for affordable housing across the District in a way that meets Adopted Local Plan Policy H4 and Draft Joint Local Plan Policy SP02.

The Council through the above policies and its Objectively Assessed Housing Needs Assessment expects residential developments of this scale to include a 35% component of on-site affordable housing comprising predominantly affordable rented accommodation with some affordable shared ownership. 35% of 69 is an affordable housing content of 17.8 dwellings.

In determining this application the Council has had regard to the applicant's offer contained in a signed unilateral undertaking to provide a financial contribution of £168,00 and latterly increased to 200,000 outside that Unilateral Undertaking towards off-site delivery of such affordable housing by the Council but finds it does not adequately outweigh the harm that will result from a short fall of some 15 such dwellings with a policy compliant solution.

The Council having approved outline planning permission for a 51 dwelling development comprising 35% affordable housing by way of S106 Agreement] under reference DC/17/03568 on 7 January 2019 reasonably expects 35% affordable housing delivery on this site. The fact that a valid reserved matters submission for that 51 dwelling development was received by the Council in December 2021 indicates that it is reasonable for the Council to reject the park home proposal on the ground that fails to make adequate provision for the delivery of affordable dwellings. The Reserved Matters application represents a choate alternative that accords with Adopted Council Policy. Its delivery will be prejudiced by permission for a park home development

It is the Council's opinion that being able to demonstrate that it has a 5-year housing land supply that does not rely on the inclusion of park home sites it is not imperative to approve this application in order to meet a deficiency in housing supply/delivery within the District. No overriding case for the need for park homes within the District in general and this site in particular has been provided and therefore the Council is of the opinion that there is no overriding justification to support this departure from Adopted policy.

If the extant planning permission has no realistic prospect of being delivered (and if the current proposal is assessed purely on its own merits) then the application is objectionable for the above reasons and also on account of its countryside location contrary to the spatial strategy in the development plan (inc. policies CS1, CS2, H7) and where material considerations do not outweigh the direction to refuse planning permission. Taken in the round, and accounting for the specific circumstances of the application, the most important policies for its determination are considered to be up to date in so

far as they are applicable. However even if the “tilted balance” were to apply, the harms significantly and demonstrably outweigh the benefits. However assessed, the application remains unacceptable and does not represent sustainable development.

133 SITE INSPECTION

133.1 None requested.

The business of the meeting was concluded at 3.14 pm.

.....
Chair

Agenda Item 8

MID SUFFOLK DISTRICT COUNCIL

DEVELOPMENT CONTROL COMMITTEE A

09 MARCH 2022

INDEX TO SCHEDULED ITEMS

<u>ITEM</u>	<u>REF. NO</u>	<u>SITE LOCATION</u>	<u>MEMBER/WARD</u>	<u>PRESENTING OFFICER</u>	<u>PAGE NO</u>
8A	DC/21/02956	Land East of Warren Lane and West of, Cresmedow Way, Elmswell, Suffolk	Cllr Sarah Mansel and Cllr Helen Geake/Elmswell & Woolpit	John Pateman-Gee	
8B	DC/22/00225	Land to the Rear of, The Leas, Quoits Meadow, Stonham Aspal, Suffolk	Cllr Suzie Morley	Alex Scott	
8C	DC/21/02582	Land West of, Grange Road, Wickham Skeith, Suffolk	Cllr Rowland Warboys/Gislingham	Mahsa Kavyani	

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BMSDC COVID-19 – KING EDMUND COUNCIL CHAMBER ENDEAVOUR HOUSE

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

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

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

The following specific guidance must be adhered to:

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

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

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

Cleaning

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

Fire safety and building evacuation

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

First Aid

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

Health and Hygiene

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

(unless you have an exemption) in all parts of the building (including the access routes, communal areas, cloakroom facilities, etc.). Re-useable face coverings are available from the H&S Team if you require one.

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

Agenda Item 8a

Committee Report

Item No: 8B

Reference: DC/21/02956

Case Officer: John Pateman-Gee

Ward: Elmswell & Woolpit.

Ward Member/s: Cllr Helen Geake. Cllr Sarah Mansel.

RECOMMENDATION – GRANT OUTLINE PLANNING PERMISSION

Description of Development

Application for Outline Planning Permission (Access to be considered, all other matters reserved Town and Country Planning Act 1990 - Erection of 44 dwellings, including bungalows, affordable housing, open space, landscaping; and associated infrastructure.

Location

Land East Of Warren Lane And West Of, Cresmedow Way, Elmswell, Suffolk

Expiry Date: 27/08/2021

Application Type: OUT - Outline Planning Application

Development Type: Major Small Scale - Dwellings

Applicant: JD and RJ Baker Farms Ltd

Agent: Mr James Bailey

Parish: Elmswell

Site Area: 2.88ha

Density of Development:

Gross Density (Total Site): 15.2 dwellings per ha

Details of Previous Committee / Resolutions and any member site visit: This application was presented to committee on the 8th December 2021 and resolved to defer in order to seek further information on the impact of the Quarry to the south of Elmswell (see below).

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

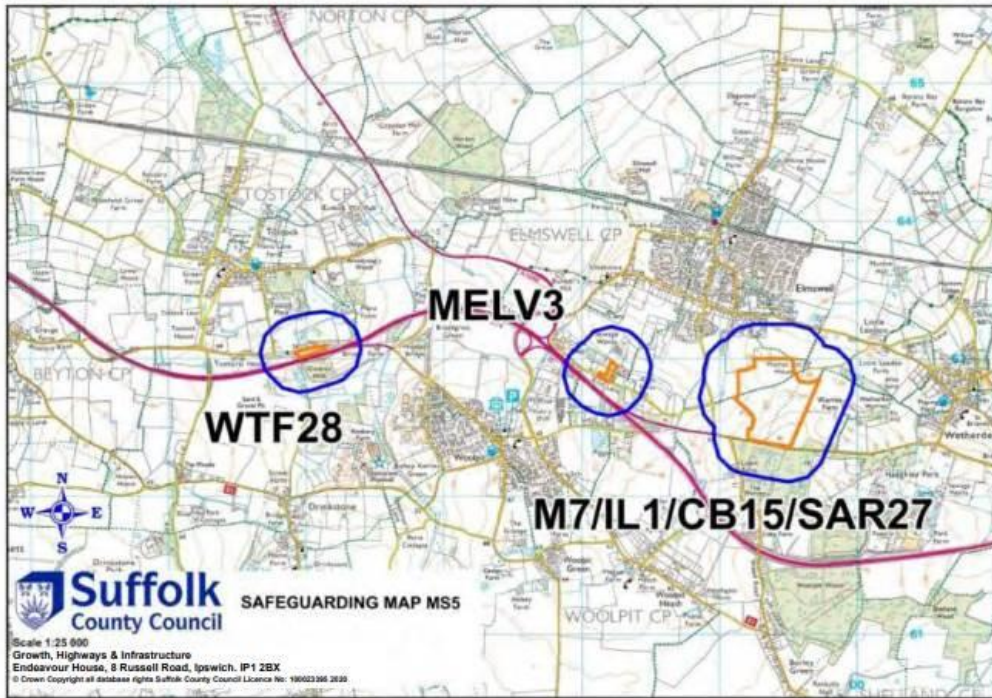
Has the application been subject to Pre-Application Advice: Yes (DC/21/00802)

Update from Committee 8th December

Impact of the Quarry

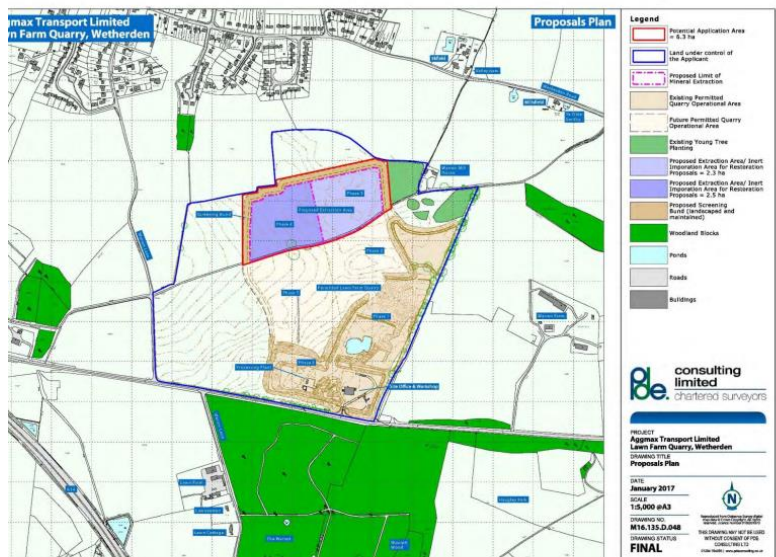
The Suffolk Minerals & Waste Local Plan, Adopted July 2020 provides policy for the expansion and safeguard of the quarry as shown below.

Map MS5

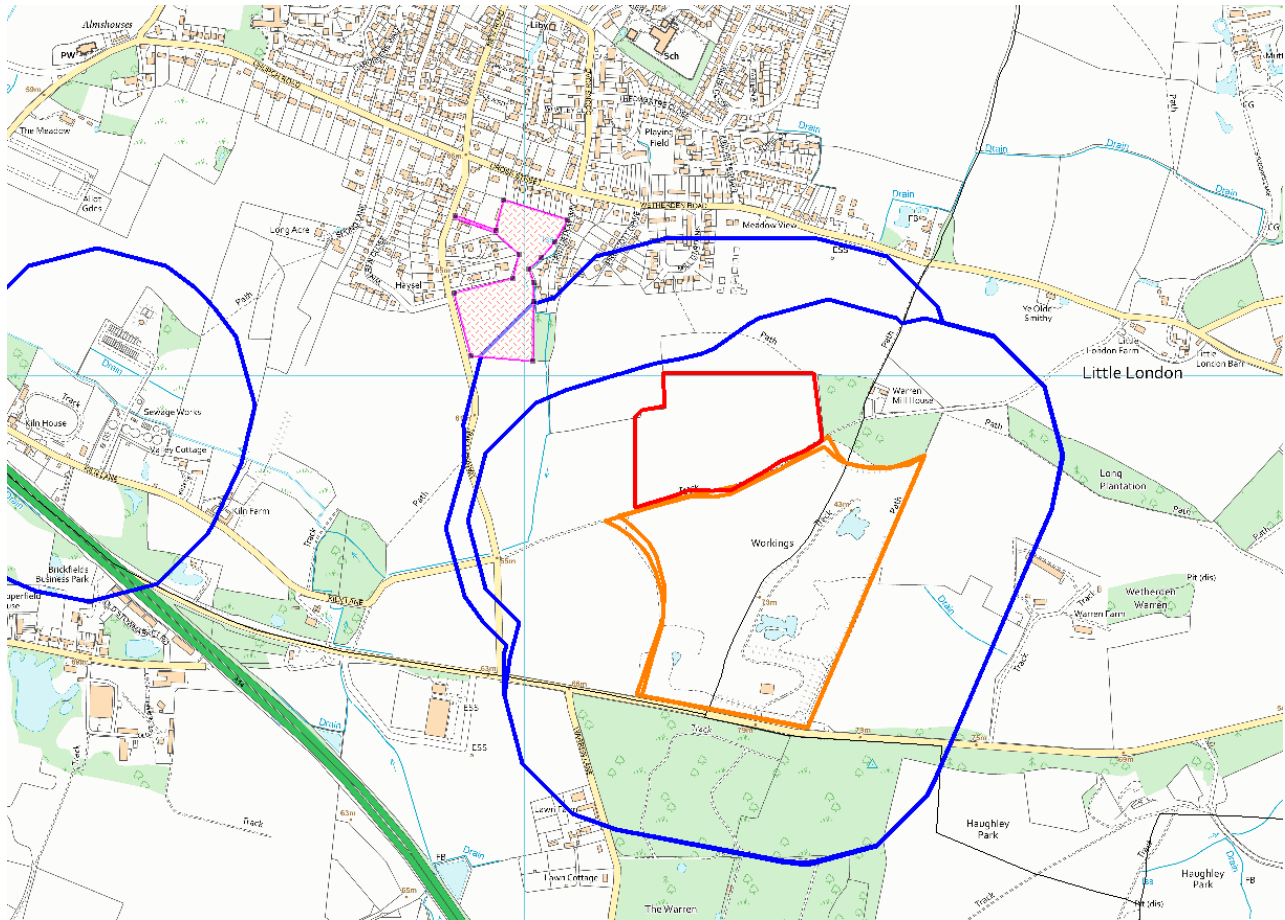


The 250m safeguard zone is not designated to stop development or refers to noise and dust impact. It is there to provide a zone to consider how a development may be prejudicial to the extraction of minerals as detailed in SCC policy MP10.

In terms of the expansion, the plan recognised the existing properties and the need for a buffer bund on all three boundaries (west, north and east). The 240 dwellings approved much closer to the quarry than this proposal also considered the quarry, and a SCC required a 100 metre buffer (much of this is the open space part of the development).



Consultation from SCC minerals and waste has been received since the last committee and includes a more detailed plan of the existing and expanded safeguarding zone (both blue).



SCC Minerals and Waste have also provided (below) a response to this application.

“A planning application on the quarry extension allocation has not yet been submitted to SCC as the minerals planning authority. There are existing properties within the safeguarding area as well as dwellings under construction off Wetherden Road in the Safeguarding area. The existing dwellings are closer to the quarry allocation than the dwellings in this application would be. The southwest corner of the application site is approximately 200m from the allocated extension with existing properties being between approximately 120m from the boundary of the allocation. When allocated it was considered that the quarry site could mitigate significant amenity impacts at this distance, therefore we do not expect that the additional housing in this application would prejudice the delivery of the quarry extension, or that new residents would be significantly impacted.”

The SCC Obligations Manager was included in the above response and went on to ask the following question:-.

“If the new housing scheme is granted planning permission and built out prior to the quarry extension, the developer will have disappeared off the scene. This would leave individual home owners/occupiers with the responsibility to mitigate (currently unknown) impacts. But you go on to say that existing homes would have any impacts mitigated by the quarry. If the new homes effectively become existing homes, then wouldn't responsibility also fall on the quarry to mitigate impacts? I'm unclear why there is a safeguarding map if we are content for development to occur inside it - won't new development inside this area potentially prejudice the future quarry extension?”

SCC Minerals response to this question was as follows and this is included to as members may have similar considerations:-

“Neil, on your point about the onus being on the developer to mitigate impacts, I was setting out the expectation of the policy as to what might be expected of a developer in a safeguarding zone – if we believed there would be additional impact on the delivery of the quarry then we would expect mitigation, but in this case we don't foresee that there will be. The safeguarding zones are not strictly speaking “no go zones” but are there to flag the presence of planning applications near minerals or waste sites. We then assess the sites in question to identify if there is any impact on amenity of new residents/users of the new development, or prejudice to the operation of the minerals and waste site. In this case we do not believe that there will be but the answer will differ depending on the circumstances.”

In conclusion your officers summaries the following:-

- That the SCC as Minerals Authority consider that the proposed housing development will not be prejudice to the operation of the quarry.**
- It will be for the future application to expand the quarry (if and when) to consider the amenity of existing residents and consider any mitigation, but SCC does not consider this being likely to be necessary. (Your officers also note that the expansion will likely continue the 3-5 metre high bund around the quarry and note the distance and woodland between)**
- The site is not withing the current safeguarding zone, but will be partly within the future expanded area that SCC has provided. The indicative plans submitted do show some housing in that area with majority of that affected area being landscaping, SuDs and highway.**

Obligations Update

Since the last committee SCC Obligation manager has updated the SCC position in respect of this application and discussions on the infrastructure requirements have taken place.

SCC will see a number of items through CIL, including local primary school expansion, secondary school expansion, sixth form expansion, Libraries improvements and household waste.

For a Section 106 the following is confirmed as sought and the recommendation is updated by officers.

- Early years new provision @ £20,508 per place. £82,032**

- Secondary school transport £42,175
 - Elmswell/Woolpit new footway/cycleway contribution @ £850 per dwelling. £37,400
-

PART ONE – REASON FOR REFERENCE TO COMMITTEE

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

The development is a major development of 15 or more residential units and outside the scope of current delegation arrangements.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

CL08 - Protecting wildlife habitats
CL09 - Recognised wildlife areas
CS01 - Settlement Hierarchy
CS02 - Development in the Countryside & Countryside Villages
CS05 - Mid Suffolk's Environment
CS09 - Density and Mix
FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
GP01 - Design and layout of development
H03 - Housing development in villages
H07 - Restricting housing development unrelated to needs of countryside
H13 - Design and layout of housing development
H14 - A range of house types to meet different accommodation needs
H15 - Development to reflect local characteristics
H16 - Protecting existing residential amenity
HB01 - Protection of historic buildings
Elmswell Neighbourhood Plan
T10 - Highway Considerations in Development
NPPF - National Planning Policy Framework
NPPG-National Planning Policy Guidance

Neighbourhood Plan Status

This application site is within a Neighbourhood Plan Area.

The Neighbourhood Plan is currently at Stage 2:-

- Stage 1: Designated neighbourhood area
 - Stage 2: Preparing a draft neighbourhood plan
 - Stage 3: Pre-submission publicity and consultation
 - Stage 4: Submission of a neighbourhood plan
 - Stage 5: Independent Examination
-

Stage 6: Referendum
 Stage 7: Adoption by LPA

Accordingly, the Neighbourhood Plan has little weight at this time.

Consultations and Representations

During the course of the application Consultation and Representations from third parties have been received. These are summarised below.

A: Summary of Consultations

Consultee	Support/Object/Holding Objection/Other
Town/Parish council (Appendix 3)	
Elmswell Parish Council	Recommend refusal and these matters are considered in the assessment.
National Consultee (Appendix 4)	
Suffolk Wildlife Trust	We have read the Ecological Assessment (Ecology Solutions, May 2021) and we are satisfied with the findings of the consultant.
Natural England	Refer to standing advice only.
Anglian Water	Advise that the foul water capacity would need to be increased and they will take steps required. No conditions recommended and no objection.
Historic England	Confirm that the LPA do not need to notify or consult Historic England under the relevant statutory provisions.
County Council Responses (Appendix 5)	
SCC Highways Authority	Recommends planning conditions. Some of these relate to layout and need to be imposed at reserved matter stage. Those that apply to this outline and the access are recommended.
SCC Obligations Manager	SCC has set out the consideration for CIL and S106 monies. This is considered further in the assessment.
SCC Archaeology Team	No objection – recommend standard archaeology condition.
SCC Fire and Rescue	Recommend standard fire hydrant condition
SCC Flood Team	SCC finds the assessment of flood risk acceptable. The method for the disposal of surface water run off is also found acceptable. SCC do have a holding objection for two reasons. 1) The scheme is not a preferred full open SuDS scheme, 2) Annotations to be added to plans

	(Officer note: These are considered unnecessary for the outline).
SCC Travel Plan Team	On reviewing the planning application documents I have no comment to make, as the size of the development does not meet the threshold of requiring a Travel Plan in accordance with the Suffolk Travel Plan Guidance.
Internal Consultee Responses (Appendix 6)	
Place Services Landscape (On behalf of MSDC)	Support – recommend conditions - Arboricultural Method Statement - Landscaping and management (not recommended as this would be a reserved matter) - Details of SuDs (This is also picked up by SCC Flood Team and recommended) - Details of play equipment (A matter for 106 agreement along with open space)
MSDC Housing	The housing team have set out what they may wish to see in terms of affordable and market housing mix. Affordable housing shall be secured via the 106 and market housing is conditioned, including tenure and size. The appearance and layout of the housing is reserved and so comments on layout can be dealt with at a later stage.
Place Services Ecology (On behalf of MSDC)	We are satisfied that there is sufficient ecological information available for determination.
MSDC Heritage	On the basis of the submitted information I consider that the proposal would not result in sufficient heritage impacts to warrant the Heritage Team's involvement.
Environmental Health - Air	I can confirm that the scale of development, at 44 dwellings, is not likely to be of a scale of that would compromise the existing good air quality at, and around the development site
Public Realm	Elmswell currently has a deficit in child play provision when compared to local standards (Babergh and Mid Suffolk Open Space Provision Report) and the location of existing provision is distant from this development. Public Realm Officers would like to see either some on site play provision provided within the planned open space or a contribution made to enhance existing play facilities located off site. (Officer note – this is secured).
Environment Health - Contamination	I have no objection to the proposed development subject to a condition to secure the provisions of the Phase I Report by Nott Group (ref : 73100/R/001 dated 6/5/21)

MSDC Tree Officer	There are no significant arboricultural features within this site. Notes mature trees along the boundary that will require protection during the course of any development works. This can be dealt with under condition via an appropriately specified Tree Protection Plan.
MSDC Waste Management	No objection

B: Representations

At the time of writing this report at least 18 letters/emails/online comments have been received. It is the officer opinion that this represents 18 objections. A verbal update shall be provided as necessary.

Views are summarised below:-

Planning Matters
Increase in traffic and related matters
Use of Warren Lane
Increase area of development beyond that set before should be resisted.
Loss of wildlife and ecology potential
Need for improvements to Warren Lane (includes zebra crossing)
Light pollution
Impact on infrastructure (school places, shops and services)
Potential loss of privacy
Potential flooding and drainage issues from new housing

Other matters include need of housing and expression of too many houses in Elmswell. Loss of views. Private legal matters.

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

PLANNING HISTORY

REF: 4909/16

Outline Planning Permission (Including access with all other matters reserved), development of up to 38 dwellings inclusive of affordable housing, with associated vehicular and pedestrian accesses and links. infrastructure, open space, landscaping and green infrastructure.

DECISION: GTD
21.06.2018

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

1.1. The proposal site comprises of agricultural land on the eastern side of Warren Lane, Elmswell. The site lies to the southern edge of the village of Elmswell and is predominately bounded by residential development to the north, east and west and agricultural land to the south. The proposal site is located within The Countryside; however, lies adjacent and opposite to the settlement boundary of Elmswell.

1.2. The red line plan below shows the location of the field. Officers have added the green line to indicate the point of the previous approval for this site that will be explained further in this report. To allow context, an aerial plan is included below and officers have added an indicative red line to assist.



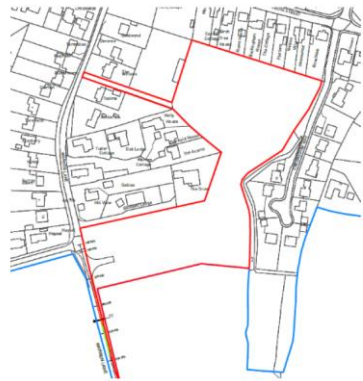


2. The Proposal



2.1. This is an outline application with access for consideration. The proposal is for 44 dwellings, including bungalows, affordable housing, open space, landscaping; and associated infrastructure. Affordable housing will be 35% in accord with policy, and this would result in 15 affordable homes.

3. The Principle Of Development

3.1. This application is required to be considered on its merits, however for the majority of the site area development has been approved previously under reference 4909/16 granted 21.06.2018 and while this expired last year it is considered by officers that should be given weight as the Local Plan and Core Strategy remain applicable. This previously site area is also an allocation within the emerging joint local plan, but that document is undergoing significant changes at this time and is given limited weight at the time of writing this report. This position may change and updated as needed. For information, the proposed area is larger than the approved development in terms of the allocation text within the JLP, but not as shown on the JLP allocation plan itself. It is likely that the intended area was 1.86ha in this regard. A comparison is considered useful.

3.2. Comparison

	Previous Approval 4909/16 Granted 21/06/2018 (outline with access)	Current Application DC/21/02956 (outline with access)	Allocation JLP (Reg 19 Latest under review)
			
No of Dwellings	38	44	38
No of Affordable Dwellings	13 secured	15 secured	35% = 13 sought
Site Area	1.86ha	2.88ha	1.86ha on map, but 2.62ha allocation text. Policy confirms this needs to be reviewed.

Density	20.43 dwellings per ha	15.28 dwellings per ha	20.43 or 14.5 dwellings per ha depending on text or map site area.
SuDS?	Yes, but elements not shown on the indicative plan and not demonstrated as achievable on plan. Would not be in accord to current guidance.	Yes, details prove SuDS can operate and shown on the indicative plan. Preference of SCC for fully open scheme is noted.	None secured via allocation and other policy only state when appropriate.
Open Space	 <p>Not secured. Indicative plan (only showing 19 of the 38 units approved) appears to show very limited open space likely available beyond landscape buffer and attenuation.</p>	 <p>Given the increased area, details of all 44 dwellings and SuDs, landscape and open space is more likely as demonstrated on indicative plan.</p>	None referenced / sought in allocation.
Obligations/ Condition	A. Junction improvements to Warren Lane with Church Road/Cross Street secured.	A. Junction improvements to Warren Lane with Church Road/Cross Street would be secured.	A. Junction improvements to Warren Lane with Church Road/Cross Street sought.
	B. Provision of passing places on Warren Lane secured.	B. Provision of passing places on Warren Lane would be secured.	B. Provision of passing places on Warren Lane sought.
	N/a	C. Contribution to change speed limit of Warren Lane would be secured.	N/a
	N/a	D. A pedestrian access to Cresmedow Way	N/a
	N/a	E. Early years new provision @ £20,508 per place. £82,032	N/a
	N/a	F. Secondary school transport £42,175	N/a

	N/a	G. Elmswell/Woolpit new footway/cycleway contribution @ £850 per dwelling. £37,400	N/a
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3.3. The previous approval is material, but this proposal is larger in site by around 1ha and increases the development by 6 units. While the number of units is slightly increased, the density of development drops significantly due to the greater area and with the prospect of a more open space, consideration of rural landscape character and SuDS compliant development demonstrated.

Policy Position

Stage 1 – What is the policy position.

3.4. Current Local Plan/Core Strat and Focussed Review: The current adopted local plan and the important policies for the provision of new (net gain) housing within the local plan area would not support housing in this location.

3.5. Neighbourhood Plan: Elmswell does not have an adopted Neighbourhood Plan.

3.6. Emerging Joint Local Plan JLP: The emerging joint local plan policy position is considered to support a development for part of the site given the allocation, but this is under review.

Stage 2 – What is the policy status, and which are most important for determining for the application?

3.7. The NPPF is a material consideration as national policy, and it has a bearing on the current development plan position. In summary, Para 11d provides “where the policies which are most important for determining the application are out-of-date”, permission shall be granted unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed;

or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Accordingly, in examination of Para 11d we must ask if the Mid Suffolk policies important for determining the application are out of date?

There are essentially two criteria to judge this:

1) The NPPF provides under Para 11 footnote 7 that the LPA must have a deliverable housing supply in excess of 5yrs (with associated criteria). Currently the LPA complies with the provisions of footnote 7 and has a sufficient housing supply above requirements of the NPPF. On this basis the current Development Plan policies important for making this decision are not out of date.

2) The NPPF provides that new development plans need to accord with the NPPF to be considered sound (ref para 35 and other paras). There is no requirement stated in the NPPF that an “old” development plan policy must conform with the NPPF.

NPPF Para 11 footnote 7 provides the criteria for considering a development plan policy as out of date “includes” the housing supply as assessed under point 1) above. However, the word “includes” implies there might be other reasons for considering policies as out of date, but these are not stated under Para 11.

Therefore, we look elsewhere in the NPPF for any provision to consider the Development Plan as out of date. Para 213 suggests that one of the reasons to consider a development plan policy as out of date could be if adopted/made prior to the publication of the NPPF. However, it also provides that this may not necessarily be the case. It is taken that due weight should be given in terms of their degree of consistency with the NPPF to form this judgement and the full text of this paragraph is copied below.

Para 213 states “However, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).”

3.8. On this basis it could be considered that the current development plan policies are out of date depending on the degree of consistency with the NPPF. If the development plan policies are judged to be so inconsistent to be out of date and these are the most important policies as a whole to judge the proposal, then the tilted balance to grant as set out in Para 11d(i)(ii) engages.

Stage 3 – Are the development plan policies consistent with the NPPF and what weight should be applied?

3.9. Inconsistent Policies which cannot therefore be given full weight:

Given the provisions of Para 213 we must consider the policies and judge their consistency with the NPPF and consider due weight in terms of the proposal. A number of appeal cases within the District have helpfully established a position on a number of policies. H7, CS1, CS2, CS5 as well as FC01 and FC01_1 that are the most important policies in terms of the principle of housing development in this proposal have been determined not to conform with the NPPF previously in a number of appeal cases that remain relevant (Woolpit Appeal APP/W3520/W/18/3194926 being one). Furthermore, policy H15 is not considered to be consistent with the NPPF nor should be given full weight as it sets prescriptive design requirement and a cap on density that could be considered to limit housing.

3.10. Consistent Policies which attract full weight:

GP1 as a general design policy has been previously judged at appeal (Woolpit Appeal APP/W3520/W/18/3194926) to be consistent with the NPPF and so is given full weight. H13 provides design criteria for housing development that is considered to accord to the design aspirations of the NPPF and so is considered consistent and given full weight. H16 and T10 seek to protect the amenity and highway safety and with consideration of the provisions of the NPPF are considered to be consistent and given full weight.

Stage 4 – Engagement of the Tilted Balance

3.11. Based on the assessment above given the inconsistent policies important for this application, the tilted balance is considered to engage. On this basis, despite any development plan position not to support the development, we must instead consider granting permission unless:-

Para 11D (i). the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed;

or Para 11D (ii). any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

On this basis, we must look at these elements.

3.12. Firstly, Para 11D(i) is not considered to apply. Protected area or assets of particular importance are identified by Para 11D Footnote 6 and related to habitats sites, sites listed in NPPF paragraph 176, and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63); and areas at risk of flooding or coastal change. None of these apply to this site.

3.13. Looking at Para 11D (ii) the NPPF advises that we should grant 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. Lastly, the definition of isolation in the context of this policy has been shown within court judgements to relate to physical isolation only. The subject land is not physically isolated, and it must follow that paragraph 79 of the NPPF does not engage.

Stage 5 – Impacts and Benefits considered against the policies of the NPPF.

3.14. The case officer has reviewed the NPPF as a whole and these elements are assessed within this report in the sections below. The NPPF seeks sustainable development taken as a whole and the principle of development in this location abutting a key sustainable centre for economic and social services is considered acceptable subject to the material considerations below. It is noted that there could be an aspect of sustainability that a development may not be able to achieve, but other aspects may be more significant and then on balance it is concluded to be sustainable.

4. Site Access, Parking And Highway Safety Considerations

4.1. Policy T10 of the Local Plan requires the Local Planning Authority to consider a number of highway matters when determining planning applications, including the provision of safe access, the safe and free flow of traffic and pedestrian safety, safe capacity of the road network and the provision of adequate parking and turning for vehicles. Policy T10 is a general transport policy which is generally consistent with Section 9 of the NPPF on promoting sustainable transport, and therefore is afforded considerable weight.

4.2. Paragraph 111 of the NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

4.3. The main vehicular access will be to Warren Lane and pedestrian accesses to both Warren Lane and Cresmedow Way (a pedestrian access to Cresmedow Way was not included in the previous scheme). The Highways Authority does not object to the proposed access arrangement that is the same vehicular access as the previous approval for 38 dwellings. The proposal also includes a package of measures for improvements to Warren Lane/Church Road junction (included previously) as well as a further provision to extend the speed limit on Warren Lane to the south as the site access location coincides with the existing limit of the speed limit. This will reduce the speed limit for part of the road and was not secured previously for the 44 units now proposed. The access arrangements are considered safe and suitable for all users, consistent with paragraph 110 of the NPPF.

4.4. Sufficient parking and manoeuvring space is demonstrated in the indicative plan as possible and can avoid potential issues such as triple parking once reserved matters are put forward. There are no public rights of way affected.

4.5. The SCC obligations team has requested 106 monies for a range of matters and this has been updated since Committee to reflect the adopted "Babergh and Mid Suffolk CIL and S106 Guidance Note, September 2019". Also, since the last committee there has been a significant change in the policy

position of the emerging local plan and this is under review. However, the housing allocations are to be reviewed much later and so are considered to have less weight at this time and do not conflict as they did previously with the requests sought by SCC. In this regard, your officers have reviewed the SCC obligations sought and agree to all requests including the cycle link monies given the further justification received.

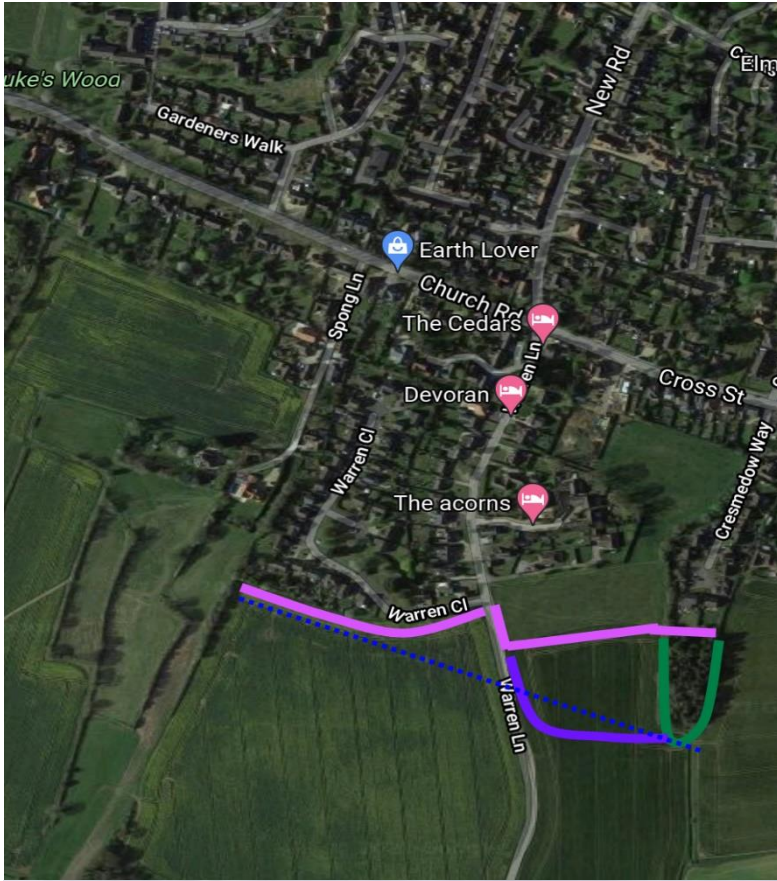
5. Design And Layout [Impact On Street Scene]

5.1. The indicative plan helpfully provides clear detail on layout to demonstrate that 44 dwellings can be accommodated that would have a low density, good landscaping buffers, reasonable distance from neighbours and considers the constraints of the site. Appearance and layout are reserved matters, but the principle of good design potential is demonstrated to be very achievable and more likely to be achieved compared to the smaller site area previously approved for similar numbers of dwellings. The scheme proposes a very low density of development, half that the Council's policy CS9 that seeks at least 30 dwellings per ha.

5.2. The purpose of indicative plans should be to demonstrate at least one arrangement that can in principle be possible to demonstrate the number of dwellings can be achieved and without significant detriment. It is considered that this is demonstrated in this case, especially given the unusual shape of the site. More land compared to the previous outline allows the development to move housing away from existing housing reducing risk of harm to amenity and increase open space provision within the site.

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

6.1. The development will extend further into the countryside than the previous approval for 38 units in terms of area. This is one of the points the Parish Council makes and is agreed. However, the proposal for 44 units does not extend past the woodland copse on the eastern boundary and is considered to be generally in line with parts of Warren Close.



View from Warren Lane to Warren Close (centre) and Site (right).



The edge of Warren Close.

6.2. Housing along Warren Close with little landscaping are seen the landscape for a long distance. Officers consider the previously approved development for 38, that also intrudes into the countryside, would likely be similar in landscape impact to those existing along Warren Close given the limited area for siting of the 38 units approved and reduced landscape potential. While the current proposal for 44

does intrude further, the proposal demonstrates the siting of all 44 dwellings as possible and could be set back from a significant landscape buffer at the same time. While this landscaping will need time to establish, this landscape and the space available for it will be able to blend the housing into the landscape. In conclusion, there is intrusion and change views for both the approved scheme and the proposal, but the planning harm to the landscape is considered less and opportunity for landscaping is far greater with this proposal and is considered a benefit. There are no objections in terms of trees matters or ecology given the current open field.

7. Land Contamination, Flood Risk, Drainage and Waste

7.1. The site is not in flood risk zone 2/3 and there are no known drainage, contamination or waste concerns for this site. SCC Flood Team have recommended a holding objection in respect their design preference of the SuDS scheme, but confirm that the SuDS proposals themselves are suitable.

Essentially their objection relates to two matters:-

1. Amend the proposed indicative surface water management scheme to utilise a full above ground open SuDS system for collection, conveyance, storage, and discharge (removing all potential pips and culverts), unless there is clear evidence why this is not appropriate for this site due to site constraints.

Provision of SuDS is a policy requirement under CS4 "The Council will seek the implementation of Sustainable Urban Drainage Systems into all new developments where technically feasible.". However, as yet the district does not have a policy requirement for elements of SuDS to be 100% open at this time. The SCC point is noted for consideration of ease of maintenance, but maintenance will be a private legal matter.

In this case, the scheme meets water quality and volume control criteria (cleaning runoff and releasing it at a slow rate so as not to increase off-site flooding or pollution) The shape of the site, levels, landscaping and consideration of distance to neighbours are all constraints and despite this the proposal is significantly open

2. Amend the cross sections to depict max side slopes of 1:4, 1.5m width benches and a 3 m maintenance strip

The side slope, depth, and bench annotations were added to drawing ZC331-PL-SK-301 revision P01 and uploaded to the application 13/08/2021. It should be noted that the maintenance strip around the top of the basin incorporates a road and is therefore in excess of 3 m wide.

In conclusion, the details at outline stage are considered to be sufficient to determine the principle of development and flood risk can be adequately mitigated in principle.

8. Impact On Residential Amenity

8.1 There is nothing in the application that suggests the residential amenity of neighbouring residents would not be appropriately safeguarded and can be addressed as needed in the layout, scale and appearance as reserved matters. The previously approval for 38 already included the land nearest to existing residents and while this includes additional land, this is further from existing residents. The additional land provides opportunity to better distancing from existing residents than the previous approval would have likely achieved and so is considered overall to be an improvement in this regard.

9. Biodiversity

9.1 Regulation 9(5) of the Conservation of Habitats and Species Regulations 2010 (Implemented 1st April 2010) requires all 'competent authorities' (public bodies) to 'have regard to the Habitats Directive in the exercise of its functions.' For a Local Planning Authority to comply with regulation 9(5) it must 'engage' with the provisions of the Habitats Directive.

9.2 Officers consider that the site exhibits limited ecological value, attributed to the position of existing development and physical characteristics of the site. The residential use and scale of the development is such that lighting will be limited and of a typically domestic nature and for much of the site has been approved previously.

10. Conclusion

10.1 The development plan when taken as a whole does have some policies that prevent development in the countryside (Local Plan and Core Strat), but these important policies for determining the application are deemed out-of-date. Irrespective of Council's five year housing supply position, the weight to be attached to these policies has to be commensurately reduced and the default position at paragraph 11d of the NPPF engages.

10.2 The adverse effects of granting planning permission are insignificant, outweighed by the scheme benefits, most notably the improved landscape character outcome and improved potential for a suitable low density scheme for this location. Accordingly, the proposal would deliver sustainable development.

RECOMMENDATION

That authority be delegated to the Chief Planning Officer to approved this application:-

(1) Subject to the prior agreement of a Section 106 Planning Obligation on appropriate terms to the satisfaction of the Chief Planning Officer as summarised below and those as may be deemed necessary by the Chief Planning Officer to secure. (Officers may consider it appropriate to change requirement to form a planning condition on any further legal advice):

- Affordable housing 35%
- Properties shall be built to current Housing Standards Technical requirements March 2015 Level 1. All ground floor 1 bed flats to be fitted with level access showers, not baths.
- The council is granted 100% nomination rights to all the affordable units on initial lets and 75% on subsequent lets
- All affordable units to be transferred freehold to one of the Councils preferred Registered providers.
- Adequate parking provision is made for the affordable housing units including cycle storage for all units.
- Commuted sum option available to be paid instead of on site provision should the LPA agree to such request.

- On site open space and includes management of the space to be agreed and requirement for public access at all times.
- Junction improvements to Warren Lane with Church Road/Cross Street would be secured.
- Provision of passing places on Warren Lane would be secured.
- Contribution to change speed limit of part of Warren Lane would be secured.
- A cycle/pedestrian access to Cresmedow Way and Warren Lane would be secured
- Early years new provision @ £20,508 per place. £82,032
- Secondary school transport £42,175
- Elmswell/Woolpit new footway/cycleway contribution @ £850 per dwelling. £37,400

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

- 1) Standard time limit (Outline and Reserved Matters)
- 2) Approved Plans (Plans submitted that form this application)
- 3) Phasing Condition (To allow phasing of the development and allows spreading of payments under CIL)
- 4) Swift/Bat and/or Owl boxes installation scheme to be agreed for each dwelling/building
- 5) A scheme for Bee bricks shall be agreed for the development.
- 6) Hedgehog fencing scheme to be agreed (Concurrent with reserved matters)

- 7) Provision for a composting bin for each dwelling shall be provided
- 8) SuDS conditions
- 9) Market mix of dwellings to be agreed, including no of bed and space standards prior to or concurrent with reserved matters to be agreed
- 10) Energy, Water and Resource scheme to be agreed (Concurrent with reserved matters)
- 11) Rainwater harvesting for each separate building to be agreed
- 12) Construction Plan including operation hours of work to be agreed.
- 13) A scheme of level access, to enable wheelchair access for all dwellings/buildings (Concurrent with reserved matters).
- 14) Highways - Before the access is first used visibility splays shall be provided as shown on Drawing No.S761/240/A and no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.
- 15) Highways - The layout to be agreed at reserved matters shall avoid the create of triple parking for each dwelling/building.
- 16) Ecology - All mitigation measures and/or works shall be carried out in accordance with the details contained in the Ecological Assessment (Ecology Solutions Ltd, May 2021),
- 17) Ecology - A Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the local planning authority, following the details contained within the Ecological Assessment (Ecology Solutions Ltd, May 2021).
- 18) Ecology - A lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority.
- 19) Contamination – Development shall accord to Phase I Report by Nott Group (ref : 73100/R/001 dated 6/5/21) submitted with the application.
- 20) Removal of permitted development (extensions and alterations)
- 21) Programme of Archaeology Works
- 22) Provision of fire hydrants

(3) That in the event of the Planning obligations or requirements referred to in Resolution (1) above not being secured and/or not secured within 6 months that the Chief Planning Officer be authorised to refuse the application on appropriate ground



Application No: DC/21/02956

Location: Land East Of Warren Lane And West Of Cresmedow Way, Elmswell, Suffolk

Page No.

Appendix 1: Call In Request	N/a	
Appendix 2: Details of Previous Decision	4909/16 - Outline Planning Permission (Including access with all other matters reserved), development of up to 38 dwellings inclusive of affordable housing.	
Appendix 3: Town/Parish Council/s	Elmswell parish council	
Appendix 4: National Consultee Responses	Suffolk Wildlife Trust Natural England Anglian Water Historic England	
Appendix 5: County Council Responses	SCC Highways Authority SCC Obligations Manager SCC Archaeology Team SCC Fire and Rescue SCC Flood Team SCC Travel Plan Team	
Appendix 6: Internal Consultee Responses	Place Services Landscape (On behalf of MSDC) MSDC Housing Place Services Ecology (On behalf of MSDC) MSDC Heritage Environmental Health - Air Public Realm Environment Health - Contamination MSDC Tree Officer MSDC Waste Management	



Babergh and Mid Suffolk District Councils



Appendix 7: Any other consultee responses	N/a	
Appendix 8: Application Site Location Plan	Yes	
Appendix 9: Application Plans and Docs	Yes	
Appendix 10: Further information	N/a	

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



Application for Outline...44dwellings...land east of Warren Lane

Elmswell Parish Council urges rejection of this application which seeks to make an incursion into the countryside beyond the development boundary due to be set in the emerging Joint Local Plan by virtue of Preferred Option Site Allocation LAO63 which has permission ref 4909/16 for 38 dwellings. This is confirmed in the emerging Elmswell Neighbourhood Development Plan which, similarly, recognises the southern extremity of the current permitted site as representing the limit of development.

The proposed development-creep would make future extensions to the village's development envelope to the east the more difficult to resist as a case might be made for infill to the south of Cresmedow Way, Prescott Drive and Mill Gardens to link in with the emerging estate south of Wetherden Road. The hammerhead shown on the indicative layout from the estate road along the eastern boundary would, clearly, facilitate this undesirable expansion.

Presented as a small increase in built area, this proposal represents 0.96ha of extra building land, an increase of 50% over the existing site. It seeks to provide homes ever-nearer to the constantly problematic environment of Lawn Farm Quarry and the emerging industrial estate at Lawn Farm Business Centre and, on these counts alone, should be resisted.

In reaching these conclusions, Councillors had reference to Local Plan policies SB1, H7, H17 to Core Strategy Policy CS2 and NPPF paragraphs 15

Peter Dow
Clerk to Elmswell Parish Council
22.06.2021



Suffolk Wildlife Trust

Brooke House
Ashbocking
Ipswich
IP6 9JY

01473 890089
info@suffolkwildlifetrust.org
suffolkwildlifetrust.org



John Pateman-Gee
Planning Department
Babergh and Mid Suffolk District Council
Endeavour House
8 Russell Road
Ipswich, IP1 2BX

10th June 2021

Dear John,

RE: DC/21/02956 - Application for Outline Planning Permission (some matters reserved, access to be considered) Town and Country Planning Act 1990 - Erection of 44 dwellings (inc. 9 bungalows) and 15 No affordable housing; open space; landscaping; and associated infrastructure. Land East Of Warren Lane And West Of Cresmedow Way, Elmswell

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

We have read the Ecological Assessment (Ecology Solutions, May 2021) and we are satisfied with the findings of the consultant. We request that the recommendations made within the report are implemented in full, via a condition of planning consent, should permission be granted.

As foraging and commuting bats have been identified as potentially using hedgerows and trees adjacent to the site, then it is important that there is no light spill from external lighting and that dark corridors are retained around the site for the foraging and commuting bats. Therefore, a lighting strategy in accordance with current guidelines¹ should be designed. This should be implemented as a condition of planning consent, should permission be granted.

A Biodiversity Enhancement Strategy should be produced, detailing the how the enhancements made within the Ecological Assessment are to be incorporated within the development, including their locations. A Landscape and Ecological Management Plan should also be produced, to detail how the habitats and open spaces on site are to be appropriately managed for biodiversity. These should be implemented as conditions of planning consent, should permission be granted.

In order to maximise the potential for biodiversity, the new tree and hedgerow planting onsite should comprise of a diverse range of native species. The site layout should be designed so that the planting provides wildlife networks and connectivity around the site for species, including foraging and commuting bats. The planting specifications should then be detailed within a plan which should be implemented as a condition of planning consent, should permission be granted. The SuDS and open spaces onsite should be sown or planted with appropriate wildflower mixes, to maximise potential for biodiversity.

¹ ILP, 2018. Bat Conservation Trust Guidance Note 08/18: Bats and artificial lighting in the UK

We recommend that integral swift nest bricks should be incorporated into buildings that are of minimum two storeys. The incorporation of swift nest bricks is an established way to enhance biodiversity within a development and provide net gain. Therefore, we request that this is done to provide enhancement to this Suffolk Priority Species, whose numbers have seen a dramatic decline in recent years.

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

Yours sincerely

Jacob Devenney
Planning and Biodiversity Adviser

DC/21/02956

Dear Sir/Madam

Application ref: DC/21/02956

Our ref: 354203

Natural England has no comments to make on this application.

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

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

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

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

Yours faithfully

Dawn Kinrade

Consultations Team

Operations Delivery

Natural England

Hornbeam House, Electra Way

Planning Applications – Suggested Informative Statements and Conditions Report

If you would like to discuss any of the points in this document please contact us on 07929 786955 or email planningliaison@anglianwater.co.uk

AW Site Reference: 174834/1/0122995

Local Planning Authority: Mid Suffolk District

Site: Land East Of Warren Lane And West Of Cresmedow Way Elmswell Suffolk

Proposal: Application for Outline Planning Permission (some matters reserved, access to be considered) Town and Country Planning Act 1990 - Erection of 44 dwellings (inc. 9 bungalows) and 15No affordable housing; open space; landscaping; and associated infrast

Planning application: DC/21/02956

Prepared by: Pre-Development Team

Date: 7 June 2021

ASSETS

Section 1 - Assets Affected

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

WASTEWATER SERVICES

Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Elmswell Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.

Section 3 - Surface Water Disposal

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

Section 4 - Suggested Planning Conditions

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

Used Water Sewerage Network (Section 3)

We have no objection subject to the following condition: Condition Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme. Reason To prevent environmental and amenity problems arising from flooding

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

Next steps

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

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

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

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

Foul water:

- Feasible drainage strategy agreed with Anglian Water detailing the discharge solution including:
 - Development size
 - Proposed discharge rate (Should you require a pumped connection, please note that our minimum pumped discharge rate is 3.8l/s)
 - Connecting manhole discharge location (No connections can be made into a public rising main)
- Notification of intention to connect to the public sewer under S106 of the Water Industry Act (More information can be found on our website)
- Feasible mitigation strategy in agreement with Anglian Water (if required)

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

From: East of England Region

Sent: 21 May 2021 17:32

To: BMSDC Planning Area Team Yellow

Subject: RE: MSDC Planning Consultation Request - DC/21/02956

Good afternoon,

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

Address: Land East Of Warren Lane And West Of, Cresmedow Way, Elmswell, Suffolk

Application: DC/21/02956

Thank you for your letter dated 20th May 2021 regarding the above application. On the basis of the information available to date, in our view you do not need to notify or consult us on this application under the relevant statutory provisions, details of which are attached. If you consider that this application does fall within one of the relevant categories, or you have other reasons for seeking our advice, please contact us to discuss your request.

Yours sincerely

Hannah

Your Ref:DC/21/02956
Our Ref: SCC/CON/3649/21
Date: 9 August 2021
Highways Enquiries to: Highways.DevelopmentControl@suffolk.gov.uk



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

Email: planning@babberghmidsuffolk.gov.uk

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

For the attention of: John Pateman-Gee - MSDC

Dear John,

TOWN AND COUNTRY PLANNING ACT 1990

CONSULTATION RETURN: DC/21/02956

PROPOSAL: Application for Outline Planning Permission (Access to be considered, all other matters reserved Town and Country Planning Act 1990 - Erection of 44 dwellings, including bungalows, affordable housing, open space, landscaping; and associated infrastructure.

LOCATION: Land East Of Warren Lane And West Of, Cresmedow Way, Elmswell, Suffolk

Further to the submission of amended plans and further information from the LPA, notice is hereby given that the County Council as Highway Authority recommends that any permission which that Planning Authority may give should include the conditions shown below:

Condition: Before any other development commences the junction of Warren Lane with Church Road/Cross Street shall be improved generally in accordance with Drawing Number S761/235 as submitted.

Reason: To improve the visibility at the junction for development traffic for an improvement in road safety.

Condition: Before any dwelling is first occupied passing places shall be provided on Warren Lane to the south of the application site in the locations generally shown on Drawing Number S761/246/B as submitted. The passing places shall be constructed in accordance with details that shall first have been submitted to and approved in writing by the LPA.

Reason: To widen Warren Lane in places to allow vehicles to pass safely.

Condition: The new vehicular access and other improvements to Warren Lane shall be laid out and completed in all respects in accordance with Drawing No. S761/240/A; and made available for use prior to occupation. Thereafter the access shall be retained in the specified form.

Reason: To ensure that the access and pedestrian infrastructure is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety.

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

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

Condition: No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least Binder course level or better in accordance with the approved details except with the written agreement of the Local Planning Authority.

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

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

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

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

Reason: To ensure the provision and long term maintenance of adequate on-site space for the parking and manoeuvring of vehicles in accordance with Suffolk Guidance for Parking (2019) where on-street parking and manoeuvring would be detrimental to highway safety.

Condition: Before the access is first used visibility splays shall be provided as shown on Drawing No. S761/240/A with an X dimension of 2.4 metres and a Y dimension of 43 metres and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Reason: To ensure vehicles exiting the drive would have sufficient visibility to enter the public highway safely, and vehicles on the public highway would have sufficient warning of a vehicle emerging to take avoiding action.

Notes:

The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification.

The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding

arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing.

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

Speed Limit:

In order to relocate the speed limit as proposed on Drawing S761/240/A (and necessary for the access proposal and visibility splays to be acceptable), a Section 106 contribution of £11,500 will be required to cover the cost of the necessary legal order and the associated statutory requirements of the process.

Yours sincerely,

Ben Chester
Senior Transport Planning Engineer
Growth, Highways and Infrastructure

Your Ref:DC/21/02956
Our Ref: SCC/CON/3024/21
Date: 15 July 2021
Highways Enquiries to: Highways.DevelopmentControl@suffolk.gov.uk



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

Email: planning@babberghmidsuffolk.gov.uk

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

For the attention of: John Pateman-Gee - MSDC

Dear John

TOWN AND COUNTRY PLANNING ACT 1990

CONSULTATION RETURN: DC/21/02956

PROPOSAL: Application for Outline Planning Permission (some matters reserved, access to be considered) Town and Country Planning Act 1990 - Erection of 44 dwellings (inc. 9 bungalows) and 15No affordable housing; open space; landscaping; and associated infrastructure

LOCATION: Land East Of Warren Lane And West Of, Cresmedow Way, Elmswell, Suffolk

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

Whilst it is noted that a very similar proposal (4909/16) benefits from planning consent, there are several matters that require amendment and/or consideration before the Highway Authority can provide a positive response:

Access layout:

Although noted that this is an outline application and subsequently, the proposed site layout is indicative only, the access layout shown on drawing no. OUT02 B does not accord with the previously approved access drawing no. S761/240 A. The footway provision and crossing point conflict one another, potentially making conditioning a specific access drawing difficult. The Highway Authority prefers and has previously accepted the layout on drawing no. S761/240 A. It is also noted that if the estate roads are to be adopted by the Highway Authority, the access junction should benefit from footways on both sides of the road.

Speed Limit:

In order to relocate the speed limit as proposed (and necessary for the access proposal and visibility splays to be acceptable), a Section 106 contribution of £11,500 will be required to cover the cost of the necessary legal order and the associated statutory requirements of the process.

Cycle link between Elmswell and Woolpit:

In order to help mitigate the impact of the development and promote sustainable travel, it is necessary for new and existing residents of Elmswell to gain safe sustainable access to school and the health centre in Woolpit. Subsequently, Suffolk County Council and Sustrans are working together to deliver a cycle route between Woolpit and Elmswell. It will also provide safe route for residents in Woolpit to access Elmswell train station. This scheme will be a sustainable solution as outlined in the NPPF and Mid Suffolk Core Strategies S03 and S06.

By requesting contributions from developments, this will enable their plans for sustainable access to come to fruition. To construct the cycle link between Elmswell and Woolpit, SCC has estimated the design and construction will be approximately £850/dwelling. Therefore, we would be seeking a contribution of £37,400 for the scheme.

SCC Passenger Transport team comments/ S106 contribution request:

The non-school bus routes turn up Cooks Road and aim for School Road so come very close but not quite past the site. The stops in Cooks Road are unmarked so it would be necessary to get some built there via S278 or a payment for us to do it. To carry out this work it will cost £15,000.

Yours sincerely,

Ben Chester

Senior Transport Planning Engineer

Growth, Highways and Infrastructure

Your ref:DC/21/02956/OUT
 Our ref: Land East Of Warren Lane and West Of
 Cremedow Way, IP30 9DT
 Matter No: 60156
 Date: 29 June 2021
 Enquiries to: Isabel Elder
 Tel: 01473 265040
 Email: isabel.elder@suffolk.gov.uk



By e-mail only:

planningyellow@baberghmidsuffolk.gov.uk
john.pateman-gee@baberghmidsuffolk.gov.uk

Dear John

Elmswell: Land east of Warren Lane and West of Cresmedow Way IP30 9DT, Planning Reference DC/21/02956/OUT – developer contributions.

I refer to the above proposal for Outline Planning Permission (some matters reserved, access to be considered) Town and Country Planning Act 1990 - Erection of 44 dwellings (inc. 9 bungalows) and 15 No affordable housing; open space; landscaping; and associated infrastructure.

This letter sets out the infrastructure requirements which arise for Suffolk County Council, which need to be considered by Babergh and Mid Suffolk District Councils, most of which will be covered by CIL apart from site-specific mitigation.

The County Council will need to be a party to any sealed Section 106 legal agreement if it includes obligations which are its responsibility as service provider. Without the following contributions being agreed between the applicant and the local planning authority, the development cannot be considered to accord with relevant policies.

Summary table of infrastructure requests:

CIL	Education	Capital Contribution
	- Primary expansion	£172,680
	- Secondary expansion	£166,425
	- Sixth form expansion	£47,550
CIL	Libraries improvements	£9,504
CIL	Waste	£4,972
S106	Early Years New	£69,072

S106	Secondary School Transport costs	£42,175
S106	Pair of bus stops	£15,00
S106	Footpath/Cycle S106 contributions:	£36,960
S106	Monitoring fee per trigger	£412
S106	Highways	Tbc

Paragraph 56 of the National Planning Policy Framework (NPPF) 2018 sets out the requirements of planning obligations, which are that they must be:

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development; and,
- c) Fairly and reasonably related in scale and kind to the development.

The County and District Councils have a shared approach to calculating infrastructure needs, in the adopted [Section 106 Developers Guide to Infrastructure Contributions in Suffolk](#).

Mid Suffolk District Council adopted their Core Strategy in September 2008 and Focused Review in December 2012. The Core Strategy includes the following objectives and policies relevant to providing infrastructure:

- Objective 6 seeks to ensure provision of adequate infrastructure to support new development; this is implemented through Policy CS6: Services and Infrastructure.
- Policy FC1 and FC1.1 apply the presumption in favour of sustainable development in Mid Suffolk.

The emerging Joint Local Plan contains policy proposals that will form an important tool for the day to day determination of planning application in both districts. Infrastructure is one of the key planning issues and the Infrastructure chapter states that the Councils fully appreciate that the delivery of new homes and jobs needs to be supported by necessary infrastructure, and new development must provide for the educational needs of new residents.

Community Infrastructure Levy

Mid Suffolk District Council adopted a CIL Charging Schedule on 21st January 2016 and started charging CIL on planning permissions granted from 11th April 2016.

New CIL Regulations were laid before Parliament on 4 June 2019. These Regulations (Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019) came into force on 1 September 2019 (“the commencement date”). Regulation 11 removes regulation 123 (pooling restriction and the CIL 123 List in respect of ‘relevant infrastructure’).

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

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

1. **Education.** Paragraph 94 of the NPPF states: ‘It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:
 - a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and
 - b) work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.’

Furthermore, the NPPF at paragraph 104 states: ‘Planning policies should:

- a) support an appropriate mix of uses across an area, and within larger scale sites, to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities;’

The Department for Education (DfE) publication ‘Securing developer contributions for education’ (April 2019), which should be read in conjunction with the Planning Practice Guidance (PPG) advice on planning obligations [revised September 2019]. Paragraph 19 of the DfE guidance states, “We advise local authorities with education responsibilities to work jointly with relevant local planning authorities as plans are prepared and planning applications determined, to ensure that all education needs are properly addressed, including both temporary and permanent education needs where relevant, such as school transport costs and temporary school provision before a permanent new school opens within a development site”.

In paragraph 15 of the DfE guidance ‘Securing developer contributions for education’ it says, “We advise that you base the assumed cost of mainstream school places on national average costs published annually in the DfE school place scorecards. This allows you to differentiate between the average per pupil costs of a new school, permanent expansion or temporary expansion, ensuring developer contributions are fairly and reasonably related in scale and kind to the development. You should adjust the national average to reflect the costs in your region, using BCIS location factors”. The DfE scorecard costs have been adjusted for inflation using the latest Building Cost Information Service (BCIS) All-In Tender Price of Index (TPI), published March 2020. The technical notes state to adjust the national average to the region of interest, divide the national average cost by the weight for the region, given in the Scorecard underlying data (the regional weight has been calculated using the

regional location factors).

The most recent Department for Education (DfE) scorecard for primary schools was published in June 2020. The national primary school expansion cost per pupil place is £17,268.00. The regional weighting for the East of England based on BCIS indices, which includes Suffolk, is 1. When applied to the national expansion build cost (£17,268 / 1.00) produces a total of £17,268 per pupil for permanent expansion of primary schools.

The most recent Department for Education scorecard for secondary schools was published in June 2020. The national secondary school expansion cost per pupil place is £23,775.00. The regional weighting for the East of England based on BCIS indices, which includes Suffolk, is 1. When applied to the national expansion build cost (£23,775 / 1) produces a total of £23,775 per pupil for permanent expansion of secondary schools. The DfE guidance in paragraph 16 says, “further education places provided within secondary school sixth forms will cost broadly the same as a secondary school place”.

Suffolk County Council (SCC) would anticipate the following **minimum** pupil yields from the above development:

- a) Primary school age range (5-11 years): 10 pupils; Cost per place is £17,268 (2020 costs)
- b) Secondary school age range, 11-16: 7 pupils. Cost per place is £23,775 (2020 costs);
- c) Secondary school age range, 16+: 2 pupils. Cost per place is £23,775 (2020 costs).

The local catchment primary schools are Elmswell CP School (catchment and nearest). The local catchment secondary schools which would serve this development are Thurston Community College (catchment and second nearest) and SET Ixworth School (local school not in nearest 3)

Based on existing forecasts, SCC will have no surplus places available at the primary and secondary schools.

At the primary school level, the approach for this area is currently to **expand** the existing primary school provision to meet the demands arising from basic need and housing growth, rather than new build, based on the take up rates and forecasts. The DfE publication talks about the importance of safeguarding land for schools by working with LPAs and developers to ensure that long-term pupil place planning objectives are secured. Contributions will be sought to futureproof for potential pupil place deficit.

At the secondary school and sixth form levels, the strategy is to **expand** existing provision to meet the demands arising from basic need and housing growth.

On this basis, SCC requests a CIL contribution at a minimum cost of £172,680 for primary, £166,425 for secondary and £47,550 for Sixth Form school provision.

School level	Minimum pupil yield:	Required:	Cost per place £ (2020/21):
Primary school age range, 5-11:	10	10	£17,268
High school age range, 11-16:	7	7	£23,775
Sixth school age range, 16+:	2	2	£23,775

Total education CIL contributions:	£386,655
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Secondary School Transport S106 costs

School transport contribution – 7 secondary-age pupils are forecast to arise from the proposed development. Developer s.106 contributions are sought to fund school transport provision for a minimum of five years for secondary-age pupils. Annual school transport cost per pupil is £1,205. Therefore, a **S106** contribution is £1,205 x 7 pupils x 5 years = **£42,175**, increased by RPI.

Total education S106 contributions:	£42,175
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- 2. Pre-school provision.** Provision for early years should be considered as part of addressing the requirements of the NPPF Section 8: ‘Promoting healthy and safe communities’

The Childcare Act 2006 places a range of duties on local authorities regarding the provision of sufficient, sustainable and flexible childcare that is responsive to parents’ needs. Local authorities are required to take a lead role in facilitating the childcare market within the broader framework of shaping children’s services in partnership with the private, voluntary and independent sector. Section 7 of the Act sets out a duty to secure funded early years provision of the equivalent of 15 hours funded education per week for 38 weeks of the year for children from the term after their third birthday until they are of compulsory school age. The Education Act 2011 places a statutory duty on local authorities to ensure the provision of early

education for every disadvantaged 2-year-old the equivalent of 15 hours funded education per week for 38 weeks. The Childcare Act 2016 places a duty on local authorities to secure the equivalent of 30 hours funded childcare for 38 weeks of the year for qualifying children from September 2017 – this entitlement only applies to 3 and 4 years old of working parents.

From these development proposals, SCC would anticipate up to 4 pre-school children arising, which is equivalent to 4 FTE places (1FTE place is 30 hours per week).

In paragraph 16 of the DfE guidance it says, *“Developer contributions for early years provision will usually be used to fund places at existing or new school sites, incorporated within primary or all-through schools. Therefore, we recommend that the per pupil cost of early years provision is assumed to be the same as for a primary school”*. In this case, £20,508 per place for new build.

Based on 44 dwellings it is anticipated that this proposal will generate 4 children

The strategy for this area is to seek S106 contributions towards building a new setting. On this basis, SCC requests an Early Years **S106** contribution (4 FTE's x £17268) of £69,072 (2021 costs) for pre-school provision which will contribute towards the expansion, enhancement and improvement to local provision.

Total Early Years S106 contributions:	£69,072
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3. **Play space provision.** This should be considered as part of addressing the requirements of the NPPF Section 8: ‘Promoting healthy and safe communities.’ A further key document is the ‘Quality in Play’ document fifth edition published in 2016 by Play England.
4. **Transport issues.** Refer to the NPPF Section 9 ‘Promoting sustainable transport’. A comprehensive assessment of highways and transport issues will be required as part of a planning application. This will include travel plan, pedestrian and cycle provision, public transport, rights of way, air quality and highway provision (both on-site and off-site). Requirements will be dealt with via planning conditions and Section 106 agreements as appropriate, and infrastructure delivered to adoptable standards via Section 38 and Section 278. Suffolk County Council FAO Ben Chester will coordinate a response, which will outline the strategy in more detail.

In addition to the highways response, the Transport manager as commented that as with the linked site (DC/20/01677) , the non-school bus routes turn up Cooks Road and aim for School Road and come very close but not quite past the site. The stops

in Cooks road are unmarked so financial contribution is sought to provide a pair of bus stops, one of which would get a shelter. The amount sought is £15,000

Bus stop S106 contributions:	£15,000
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Suffolk County Council, in its role as a local Highway Authority, has worked with the local planning authorities to develop county-wide technical guidance on parking which replaces the preceding Suffolk Advisory Parking Standards (2002) in light of new national policy and local research. It has been subject to public consultation and was adopted by Suffolk County Council in November 2014 (updated 2019).

The development will be expected to contribute towards a shared off carriageway footpath/cycle facility linking Elmswell and Woolpit as there are different services provided in each village. The NPPF in Chapter 9 covers 'Promoting sustainable transport'. Paragraph 102 (c) says "opportunities to promote walking, cycling and public transport use are identified and pursued". The Mid Suffolk District Council Strategic Objectives Policy SO3 supports measures that promote sustainable transport and encourage people to avoid the use of private motor vehicles for suitable trips, including journeys by cycling and walking instead.

The route identified has been calculated to cost £690,000 which was fed into the Joint Local Plan process. This is based on a cycleway / footway calculated at 3m width @ £200 linear m, plus 50% contingency and 25% design & TM, equating to £350 linear metre. In addition a pedestrian refuge island would be needed at the A1088 circa £50k giving a total of £740,000. A per dwelling cost can be calculated by dividing £740,000 by the number of dwellings emerging in the area (881 dwellings in the Elmswell and Woolpit) = £840 / dwelling. This figure to be indexed linked (BCIS)

For this development of 44 dwellings x £840 a **S106** contribution of £36,960 will be sought

Footpath/Cycle S106 contributions:	£36,960
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5. Libraries. Refer to the NPPF Section 8: 'Promoting healthy and safe communities'.

The libraries and archive infrastructure provision topic paper sets out

the detailed approach to how contributions are calculated. A CIL contribution of £216 per dwelling is sought i.e., £9,504, which will be spent on **enhancing provision** serving the development. A minimum standard of 30 square metres of new library space per 1,000 populations is required. Construction and initial fit out cost of £3,000 per square metre for libraries (based on RICS Building Cost Information Service data but excluding land costs). This gives a cost of (30 x £3,000) = £90,000 per 1,000 people or £90 per person for library space. Assumes average of 2.4 persons per dwelling.

Libraries CIL contribution:	£9,504
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- 6. Waste.** All local planning authorities should have regard to both the Waste Management Plan for England and the National Planning Policy for Waste when discharging their responsibilities to the extent that they are appropriate to waste management. The Waste Management Plan for England sets out the Government's ambition to work towards a more sustainable and efficient approach to resource use and management.

Paragraph 8 of the National Planning Policy for Waste states that when determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that:

New, non-waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and, in less developed areas, with the local landscape. This includes providing adequate storage facilities at residential premises, for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service.

SCC requests that waste bins and garden composting bins should be provided before occupation of each dwelling and this will be secured by way of a planning condition. SCC would also encourage the installation of water butts connected to gutter down-pipes to harvest rainwater for use by occupants in their gardens.

SCC has a project underway to identify a new HWRC site for the Stowmarket catchment area. The likely cost of a new HWRC is between £3m and £5m. This is a priority site in the Waste Infrastructure Strategy and some budget has been identified for this purpose, however, the Waste Service would expect contributions of £113 per household from any significant development in this area.

Waste CIL Contribution:	£4,972
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- 7. Supported Housing.** Section 5 of the NPPF seeks to deliver a wide choice of high-quality homes. Supported Housing provision, including Extra Care/Very

Sheltered Housing providing accommodation for those in need of care, including the elderly and people with learning disabilities, needs to be considered in accordance with paragraphs 61 to 64 of the NPPF.

Following the replacement of the Lifetime Homes standard, designing homes to Building Regulations Part M 'Category M4(2)' standard offers a useful way of meeting this requirement, with a proportion of dwellings being built to 'Category M4(3)' standard. In addition, we would expect a proportion of the housing and/or land use to be allocated for housing with care for older people e.g. Care Home and/or specialised housing needs, based on further discussion with the LPAs housing team to identify local housing needs.

8. Sustainable Drainage Systems. Section 14 of the NPPF seeks to meet the challenges of climate change, flooding and coastal change. Suffolk County Council is the lead local flood authority. Paragraphs 155 – 165 refer to planning and flood risk and paragraph 165 states: 'Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:

- a) take account of advice from the lead local flood authority;
- b) have appropriate proposed minimum operational standards;
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
- d) where possible, provide multifunctional benefits.'

In accordance with the NPPF, when considering a major development (of 10 dwellings or more), sustainable drainage systems should be provided unless demonstrated to be inappropriate.

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

9. Ecology, landscape & heritage. These are matters for the Council to consider and address. In terms of good design, it is suggested that consideration should be given to incorporating suitable roosting and nesting boxes within dwellings for birds and bats, as well as providing suitable biodiversity features including plants to attract & support insects, reptiles, birds & mammals.

10. Fire Service. Any fire hydrant issues will need to be covered by appropriate planning conditions. SCC would strongly recommend the installation of automatic fire sprinklers. The Suffolk Fire and Rescue Service requests that early consideration is given during the design stage of the development for both access for fire vehicles and the provisions of water for firefighting which will allow SCC to

make final consultations at the planning stage.

11. Superfast broadband. This should be considered as part of the requirements of the NPPF Section 10 'Supporting high quality communication'. SCC would recommend that all development is equipped with high speed broadband (fibre optic). This facilitates home working which has associated benefits for the transport network and also contributes to social inclusion; it also impacts educational attainment and social wellbeing, as well as improving property prices and saleability.

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

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

13. Monitoring Fee. The new CIL Regs allow for charging of monitoring fees. In this respect the county council charges **£412** for each trigger point in a planning obligation, payable upon completion of the S106.

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

Yours sincerely,

Isabel Elder
Developer Contributions Consultant
Growth, Highways, & Infrastructure Directorate

cc Ben Chester, Suffolk County Council
Carol Barber, Suffolk County Council
Floods Planning, Suffolk County Council

Your ref: DC/21/02956
Our ref: Elmswell – Land East Of Warren Lane And West
Of Cresmedow Way – 60156
Date: 9th June 2021
For enquiries: Neil McManus
Telephone: 07973 640625
E-mail: planningcontributions.admin@suffolk.gov.uk



By e-mail only:

planningyellow@baberghmidsuffolk.gov.uk

Dear John,

Elmswell: Land East Of Warren Lane And West Of Cresmedow Way – developer contributions

I refer to the above proposal for Outline Planning Permission (some matters reserved, access to be considered) Town and Country Planning Act 1990 - Erection of 44 dwellings (inc. 9 bungalows) and 15 No affordable housing; open space; landscaping; and associated infrastructure.

Contribution requirements:

I set out below Suffolk County Council's infrastructure requirements which need to be considered by Babergh and Mid Suffolk District Councils. The County Council will need to be a party to any sealed Section 106 legal agreement if it includes obligations which are its responsibility as service provider. Without the following contributions being agreed between the applicant and the local planning authority, the development cannot be considered to accord with relevant policies.

The National Planning Policy Framework (NPPF) paragraph 56 sets out the requirements of planning obligations, which are that they must be:

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development; and,
- c) Fairly and reasonably related in scale and kind to the development.

The County and Babergh and Mid Suffolk District Councils have a shared approach to calculating infrastructure needs, in the adopted *Section 106 Developers Guide to Infrastructure Contributions in Suffolk*.

The details of the impact on local infrastructure serving the development is set out below:

1. Education - Paragraph 94 of the NPPF states: 'It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and
- b) work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.'

Furthermore, the NPPF at paragraph 104 states: 'Planning policies should:

- a) support an appropriate mix of uses across an area, and within larger scale sites, to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities;'

The most recent Department for Education (DfE) scorecard was published in June 2020. The national new-build primary school cost per pupil place is £20,508.00; the national primary school expansion cost per pupil place is £17,268.00.

The most recent Department for Education scorecard was published in June 2020. The national new-build secondary school cost per pupil place is £24,929.00; the national secondary school expansion cost per pupil place is £23,775.00. The DfE guidance in paragraph 16 says, "*further education places provided within secondary school sixth forms will cost broadly the same as a secondary school place*".

Suffolk County Council (SCC) would anticipate the following **minimum** pupil yields from the above development:

- a) Primary school age range (5-11 years): 10 pupils;
- b) Secondary school age range, 11-16: 7 pupils. Cost per place is £23,775 (2020 costs);
- c) Secondary school age range, 16+: 2 pupils. Cost per place is £23,775 (2020 costs).

The local catchment primary schools are Elmswell CP School. The local catchment secondary schools are Thurston Community College and SET Ixworth School.

Based on existing forecasts, SCC will have no surplus places available at the primary and secondary schools. On this basis, SCC requests a S106 contribution at a minimum cost of £172,680 for primary, £166,425 for secondary and £47,550 for Sixth Form school provision.

2. Pre-school provision - Education for early years should be considered as part of addressing the requirements of the NPPF Section 8: 'Promoting healthy and safe communities'.

The Childcare Act 2006 places a range of duties on local authorities regarding the provision of sufficient, sustainable and flexible childcare that is responsive to parents' needs. Local authorities are required to take a lead role in facilitating the childcare market within the broader framework of shaping children's services in partnership with the private, voluntary and independent sector. Section 7 of the Act sets out a duty to secure funded early years provision of the equivalent of 15 hours funded education per week for 38 weeks of the year for children from the term after their third birthday until they are of compulsory school age. The Education Act 2011 places a statutory duty on local authorities to ensure the provision of early education for every disadvantaged 2-year-old the equivalent of 15 hours funded education per week for 38 weeks. The Childcare Act 2016 places a duty on local authorities to secure the equivalent of 30 hours funded childcare for 38 weeks of the year for qualifying children from September 2017 – this entitlement only applies to 3 and 4 years old of working parents.

From these development proposals, SCC would anticipate up to 4 pre-school children arising, which is equivalent to 4 FTE places (1FTE place is 30 hours per week).

In paragraph 16 of the DfE guidance it says, "*Developer contributions for early years provision will usually be used to fund places at existing or new school sites, incorporated within primary or all-through schools. Therefore, we recommend that the per pupil cost of early years provision is assumed to be the same as for a primary school*". In this case, £20,508 per place for new build.

Based on 44 dwellings this gives a proportionate contribution of 4 children x £17,268 = £69,072. On this basis, SCC requests a S106 contribution at a minimum cost of £69,072 for pre-school provision.

- 3. Play space provision.** This should be considered as part of addressing the requirements of the NPPF Section 8: 'Promoting healthy and safe communities.' A key document is the 'Quality in Play' document fifth edition published in 2016 by Play England.
- 4. Transport issues.** Refer to the NPPF 'Section 9 Promoting sustainable transport'. A comprehensive assessment of highways and transport issues will be required as part of a planning application. This will include travel plan, pedestrian & cycle provision, public transport, rights of way, air quality and highway provision (both on-site and off-site). Requirements will be dealt with via planning conditions and Section 106 as appropriate, and infrastructure delivered to adoptable standards via Section 38 and Section 278. Suffolk County Council FAO Ben Chester will coordinate this.

Suffolk County Council, in its role as local Highway Authority, has worked with the local planning authorities to develop county-wide technical guidance on parking which replaces the preceding Suffolk Advisory Parking Standards (2002) in light of new national policy and local research. It has been subject to public consultation and was adopted by Suffolk County Council in November 2014 (updated 2019).

- 5. Libraries.** Refer to the NPPF Section 8: 'Promoting healthy and safe communities'.

The libraries and archive infrastructure provision topic paper sets out the detailed approach to how contributions are calculated. A CIL contribution of £216 per dwelling is sought i.e., £9,504, which will be spent on enhancing provision at the nearest library. A minimum standard of 30 square metres of new library space per 1,000 populations is required. Construction and initial fit out cost of £3,000 per square metre for libraries (based on RICS Building Cost Information Service data but excluding land costs). This gives a cost of (30 x £3,000) = £90,000 per 1,000 people or £90 per person for library space. Assumes average of 2.4 persons per dwelling.

- 6. Waste.** All local planning authorities should have regard to both the Waste Management Plan for England and the National Planning Policy for Waste when discharging their responsibilities to the extent that they are appropriate to waste management. The Waste Management Plan for England sets out the Government's ambition to work towards a more sustainable and efficient approach to resource use and management.

Paragraph 8 of the National Planning Policy for Waste states that when determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that:

- New, non-waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and, in less developed areas, with the local landscape. This includes providing adequate storage facilities at residential premises, for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service.

SCC requests that waste bins and garden composting bins should be provided before occupation of each dwelling and this will be secured by way of a planning condition. SCC would also encourage the installation of water butts connected to gutter down-pipes to harvest rainwater for use by occupants in their gardens.

- 7. Supported Housing.** Section 5 of the NPPF seeks to deliver a wide choice of high-quality homes. Supported Housing provision, including Extra Care/Very Sheltered Housing providing accommodation for those in need of care, including the elderly and people with learning disabilities, needs to be considered in accordance with paragraphs 61 to 64 of the NPPF.

Following the replacement of the Lifetime Homes standard, designing homes to Building Regulations Part M 'Category M4(2)' standard offers a useful way of meeting this requirement, with a proportion of dwellings being built to 'Category M4(3)' standard. In addition, we would expect a proportion of the housing and/or land use to be allocated for housing with care for older people e.g. Care Home and/or specialised housing needs, based on further discussion with the LPAs housing team to identify local housing needs.

- 8. Sustainable Drainage Systems.** Section 14 of the NPPF seeks to meet the challenges of climate change, flooding and coastal change. Suffolk County Council is

the lead local flood authority. Paragraphs 155 – 165 refer to planning and flood risk and paragraph 165 states: 'Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:

- a) take account of advice from the lead local flood authority;
- b) have appropriate proposed minimum operational standards;
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
- d) where possible, provide multifunctional benefits.'

In accordance with the NPPF, when considering a major development (of 10 dwellings or more), sustainable drainage systems should be provided unless demonstrated to be inappropriate.

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

9. Ecology, landscape & heritage. These are matters for the Council to consider and address. In terms of good design, it is suggested that consideration should be given to incorporating suitable roosting and nesting boxes within dwellings for birds and bats, as well as providing suitable biodiversity features including plants to attract & support insects, reptiles, birds & mammals.

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

11. High-speed broadband. This should be considered as part of the requirements of the NPPF Section 10 'Supporting high quality communication'. SCC would recommend that all development is equipped with high-speed broadband (fibre optic). This facilitates home working which has associated benefits for the transport network and also contributes to social inclusion; it also impacts educational attainment and social wellbeing, as well as improving property prices and saleability.

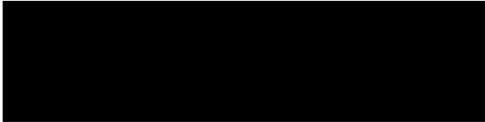
As a minimum, access line speeds should be greater than 30Mbps, using a fibre based broadband solution, rather than exchange-based ADSL, ADSL2+ or exchange only connections. The strong recommendation from SCC is that a full fibre provision should be made, bringing fibre cables to each premise within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

12. Legal costs. SCC will require an undertaking for the reimbursement of its own legal costs associated with work on a S106A, whether or not the matter proceeds to completion.

13. Monitoring fee. The new CIL Regs allow for the charging of monitoring fees. In this respect the county council charges £412 for each trigger point in a planning obligation, payable upon completion of a Deed.

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

Yours sincerely,



pp. Neil McManus BSc (Hons) MRICS
Development Contributions Manager
Growth, Highways & Infrastructure Directorate

cc. Carol Barber
Kelly Smith

Growth, Highways and Infrastructure
Bury Resource Centre
Hollow Road
Bury St Edmunds
Suffolk
IP32 7AY

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

Enquiries to: Matthew Baker
Direct Line: 01284 741329
Email: Matthew.Baker@suffolk.gov.uk
Web: <http://www.suffolk.gov.uk>

Our Ref: 2021_02956
Date: 28th May 2021

For the Attention of John Pateman-Gee

Dear Mr Isbell

Planning Application DC/21/02956/OUT - Land East Of Warren Lane And West Of Cresmedow Way, Elmswell: Archaeology

This site lies in an area of archaeological potential recorded on the County Historic Environment Record (HER). The site has part subject to archaeological geophysical survey, which did not determine the presence and/or absence of archaeology within the site (HER ref no. EWL 036). Archaeological investigations close to the site have found finds and archaeological features dating from the Prehistoric, Roman and Saxon periods (EWL 004, EWL 037, WDN 002, WDN 011 and WDN 013). As a result, there is high potential for the discovery of below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.

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

In this case the following two conditions would be appropriate:

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

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

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

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

REASON:

To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Core Strategy Objective SO 4 of Mid Suffolk District Council Core Strategy Development Plan Document (2008) and the National Planning Policy Framework (2019).

INFORMATIVE:

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

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

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

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

Yours sincerely,

Matthew Baker

Archaeological Officer
Suffolk County Council Archaeological Service

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

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

Your Ref:
Our Ref: FS/F305965
Enquiries to: Water Officer
Direct Line: 01473 260588
E-mail: Fire.BusinessSupport@suffolk.gov.uk
Web Address: <http://www.suffolk.gov.uk>

Date: 25/05/2021

Dear Sirs,

Land East Of Warren Lane And West Of Cresmedow Way, Elmswell, Suffolk, IP30 9DT

Planning Application No: DC/21/02956

**A CONDITION IS REQUIRED FOR FIRE HYDRANTS
(see our required conditions)**

I refer to the above application.

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

Access and Fire Fighting Facilities

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

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

Water Supplies

Suffolk Fire and Rescue Service recommends that fire hydrants be installed within this development on a suitable route for laying hose, i.e. avoiding obstructions. However, it is not possible, at this time, to determine the number of fire hydrants required for fire fighting

/continued

purposes. The requirement will be determined at the water planning stage when site plans have been submitted by the water companies.

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

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

Sprinklers Advised

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

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

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

Yours faithfully

Water Officer

Suffolk Fire and Rescue Service

Enc: Hydrant requirement letter

Copy: james@jamesbaileyplanning.com

Enc: Sprinkler information

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

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

Your Ref:
Our Ref: F305965
Enquiries to: Water Officer
Direct Line: 01473 260486
E-mail: Angela.Kempen@suffolk.gov.uk
Web Address: www.suffolk.gov.uk

Date: 25/05/2021

Planning Ref: DC/21/02956

Dear Sirs,

RE: PROVISION OF WATER FOR FIRE FIGHTING
ADDRESS: Land East Of Warren Lane And West Of Cresmedow Way, Elmswell, Suffolk, IP30 9DT
DESCRIPTION: 44 DWELLINGS
HYDRANTS REQUIRED

If the Planning Authority is minded to grant approval, the Fire Authority require adequate provision is made for fire hydrants, by the imposition of a suitable planning condition at the planning application stage.

If the Fire Authority is not consulted at the planning stage, or consulted and the conditions not applied, the Fire Authority will require that fire hydrants be installed retrospectively by the developer if the Planning Authority has not submitted a reason for the non-implementation of the required condition in the first instance.

The planning condition will carry a life term for the said development and the initiating agent/developer applying for planning approval and must be transferred to new ownership through land transfer or sale should this take place.

Fire hydrant provision will be agreed upon when the water authorities submit water plans to the Water Officer for Suffolk Fire and Rescue Service.

Where a planning condition has been imposed, the provision of fire hydrants will be fully funded by the developer and invoiced accordingly by Suffolk County Council.

Until Suffolk Fire and Rescue Service receive confirmation from the water authority that the installation of the fire hydrant has taken place, the planning condition will not be discharged.

/continued

Should you require any further information or assistance I will be pleased to help.

Yours faithfully

Water Officer

Suffolk Fire and Rescue Service

Created: September 2015

Enquiries to: Fire Business Support Team
Tel: 01473 260588
Email: Fire.BusinessSupport@suffolk.gov.uk



Dear Sir/Madam

Suffolk Fire and Rescue Service – Automatic Fire Sprinklers in your Building Development

We understand from local Council planning you are considering undertaking building work.

The purpose of this letter is to encourage you to consider the benefits of installing automatic fire sprinklers in your house or commercial premises.

In the event of a fire in your premises an automatic fire sprinkler system is proven to save lives, help you to recover from the effects of a fire sooner and help get businesses back on their feet faster.

Many different features can be included within building design to enhance safety and security and promote business continuity. Too often consideration to incorporate such features is too late to for them to be easily incorporated into building work.

Dispelling the Myths of Automatic Fire Sprinklers

- Automatic fire sprinklers are relatively inexpensive to install, accounting for approximately 1-3% of the cost of a new build.
- Fire sprinkler heads will only operate in the vicinity of a fire, they do not all operate at once.
- An automatic fire sprinkler head discharges between 40-60 litres of water per minute and will cause considerably less water damage than would be necessary for Firefighters tackling a fully developed fire.
- Statistics show that the likelihood of automatic fire sprinklers activating accidentally is negligible – they operate differently to smoke alarms.

Promoting the Benefits of Automatic Fire Sprinklers

- They detect a fire in its incipient stage – this will potentially save lives in your premises.
- Sprinklers will control if not extinguish a fire reducing building damage.
- Automatic sprinklers protect the environment; reducing water damage and airborne pollution from smoke and toxic fumes.
- They potentially allow design freedoms in building plans, such as increased compartment size and travel distances.
- They may reduce insurance premiums.
- Automatic fire sprinklers enhance Firefighter safety.

OFFICIAL

- Domestic sprinkler heads are recessed into ceilings and pipe work concealed so you won't even know they're there.
- They support business continuity – insurers report 80% of businesses experiencing a fire will not recover.
- Properly installed and maintained automatic fire sprinklers can provide the safest of environments for you, your family or your employees.
- A desirable safety feature, they may enhance the value of your property and provide an additional sales feature.

The Next Step

Suffolk Fire and Rescue Service is working to make Suffolk a safer place to live. Part of this ambition is as champion for the increased installation of automatic fire sprinklers in commercial and domestic premises.

Any information you require to assist you to decide can be found on the following web pages:

Suffolk Fire and Rescue Service

<http://www.suffolk.gov.uk/emergency-and-rescue/>

Residential Sprinkler Association

<http://www.firesprinklers.info/>

British Automatic Fire Sprinkler Association

<http://www.bafsa.org.uk/>

Fire Protection Association

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

Business Sprinkler Alliance

<http://www.business-sprinkler-alliance.org/>

I hope adopting automatic fire sprinklers in your build can help our aim of making 'Suffolk a safer place to live'.

Yours faithfully

Mark Hardingham
Chief Fire Officer
Suffolk Fire and Rescue Service

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

Sent: 25 May 2021 02:12:14

To:

Cc:

Subject: FW: 2021-05-25 JS Reply Land East Of Warren Lane And West Of, Cresmedow Way, Elmswell Ref DC/21/02956

Attachments:

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

Sent: 25 May 2021 13:03

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

Cc: John Pateman-Gee <John.pateman-Gee@baberghmidsuffolk.gov.uk>

Subject: 2021-05-25 JS Reply Land East Of Warren Lane And West Of, Cresmedow Way, Elmswell Ref DC/21/02956

Dear John Pateman-Gee,

Subject: Land East Of Warren Lane And West Of, Cresmedow Way, Elmswell, Suffolk - DC/21/02956

Suffolk County Council, as Lead Local Flood Authority (LLFA), have reviewed application ref DC/21/02956.

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

- Site Location Plan Ref 0466 OUT01
- Proposed Site Layout Ref 0466 OUT02 Rev B
- Flood Risk Assessment Ref CCE/ZC331/FRA-02

A holding objection is necessary because whilst we have an acceptable assessment of flood risk and a viable method for the disposal of surface water, the LLFA expect the site to utilise a full above ground open SuDs system for collection, conveyance, storage, and discharge, unless there is clear evidence why this is not appropriate for this site due to constraints.

The LLFA would be looking for all storage basins to be as shallow as possible and shall utilise max side slopes of 1:4, 1.5m width wet/dry benches every 0.6m depth of water, freeboard and a 3m maintenance strip around the top of the basin.

The holding objection is a temporary position to allow reasonable time for the applicant and the LLFA to discuss what additional information is required in order to overcome the objection(s). This Holding Objection will remain the LLFA's formal position until the local planning authority (LPA) is advised to the contrary. If the LLFA position remains as a Holding Objection at the point the LPA wishes to determine the application, the LPA should treat the Holding Objection as a Formal Objection and recommendation for Refusal to the proposed development. The LPA should provide at least 2 weeks prior notice of the publication of the committee report so that the LLFA can review matters and provide suggested planning conditions, even if the LLFA position is a Formal Objection.

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

1. Amend the proposed indicative surface water to utilise a full above ground open SuDs system for collection, conveyance, storage, and discharge, unless there is clear evidence why this is not appropriate for this site due to site constraints.
2. Amend the cross sections to depict max side slopes of 1:4, 1.5m width wet/dry benches every 0.6m depth of water, freeboard and a 3m maintenance strip around the top of the basin.

Kind Regards

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

Note I am remote working for the time being

From: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>
Sent: 24 May 2021 01:54:09
To:
Cc:
Subject: FW: MSDC Planning Consultation Request - DC/21/02956
Attachments:

From: Chris Ward <Chris.Ward@suffolk.gov.uk>
Sent: 24 May 2021 13:49
To: John Pateman-Gee <John.pateman-Gee@baberghmidsuffolk.gov.uk>
Cc: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>
Subject: RE: MSDC Planning Consultation Request - DC/21/02956

Dear John,

Thank you for consulting me about the proposed residential development at Land East of Warren Lane And West of Cresmedow Way in Elmswell. On reviewing the planning application documents I have no comment to make, as the size of the development does not meet the threshold of requiring a Travel Plan in accordance with the Suffolk Travel Plan Guidance.

Kind regards

Chris Ward
Active Travel Officer
Transport Strategy
Strategic Development - Growth, Highways and Infrastructure
Suffolk County Council
Endeavour House, 8 Russell Road, Ipswich, IP1 2BX
web : <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/travel-plans/>



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

16/08/2021

For the attention of: John Pateman-Gee

Ref: DC/21/02956; Land East Of Warren Lane And West Of, Cresmedow Way, Elmswell, Suffolk

Thank you for re-consulting us on the Application for Outline Planning Permission (some matters reserved, access to be considered) Town and Country Planning Act 1990 - Erection of 44 dwellings (inc. 9 bungalows) and 15No affordable housing; open space; landscaping; and associated infrastructure.

We reviewed the revised plans received 03/08/2021 and welcome the changes and amendments made to date. If minded for approval we recommend the following conditions for consideration:

**ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT:
ARBORICULTURAL METHOD STATEMENT**

Prior to commencement of development an Arboricultural Method Statement (including any demolition, groundworks and site clearance) shall be submitted to and approved in writing by the Local Planning Authority. The Statement should include details of the following:

- a) Measures for the protection of those trees and hedges on the application site that are to be retained,
- b) Details of all construction measures within the 'Root Protection Area' (defined by a radius of dbh x 12 where dbh is the diameter of the trunk measured at a height of 1.5m above ground level) of those trees on the application site which are to be retained specifying the position, depth, and method of construction/installation/excavation of service trenches, building foundations, hardstandings, roads and footpaths,
- c) A schedule of proposed surgery works to be undertaken to those trees and hedges on the application site which are to be retained. The development shall be carried out in accordance with the approved Method Statement unless agreed in writing by the Local Planning Authority.

Reason: To ensure that the trees and hedges adjacent to the site are adequately protected, to safeguard the character and visual amenity of the area, in accordance with Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies. This condition requires matters to be agreed prior to commencement of development to ensure that existing trees are adequately protected prior to any ground disturbance.

**ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT:
LANDSCAPING SCHEME.**

No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard, soft and boundary treatment landscaping works for the site, which shall include any proposed changes in ground levels and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows in the surrounding area. A specification of soft landscaping, including proposed trees, plants and seed mixes must be included. The specification should be in line with British Standards and include details of planting works such as preparation, implementation, materials (i.e. soils and mulch), any protection measures that will be put in place (i.e rabbit guards) and any management regimes (including watering schedules) to support establishment. This should be accompanied by a schedule, with details of quantity, species and size/type (bare root, container etc). Hard landscape details such as surface materials and boundary treatments must also be included.

Reason:- To ensure adequate control over design, in the interests of visual amenity and the character and appearance of the area.

**ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT:
LANDSCAPE MANAGEMENT PLAN.**

No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a landscape management plan for a minimum of 5 years. Both new and existing planting will be required to be included in the plan.

Reason: - To ensure the proper management and maintenance of the approved landscaping in the interests of amenity and the character and appearance of the area.

**ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT:
SUSTAINABLE URBAN DRAINAGE SYSTEM (SUDS) DETAILS**

Prior to the commencement of the construction of the dwellings details of SuDS shall be submitted to and approved in writing by the Local Planning Authority. This should include; detailed topographical plans, a timetable for their implementation and a management and maintenance plan.

Reason: - To ensure the visual amenity of the feature is sympathetic to the local landscape character, in this case we would be looking for soft-engineered outlets and inlets and no fencing.

**ACTION REQUIRED PRIOR TO COMMENCEMENT OF LANDSCAPING WORKS: PLAYSPACE
PROVISION**

Details of the onsite children's playspace provision contained within the proposed play spaces, shall be submitted to and approved in writing by the Local Planning Authority prior to any landscaping works commencing.

The details shall include the:

- a) location, layout, design of the playspace; and
- b) equipment/ features.

The playspace and equipment/features shall be laid out and installed prior to the first occupation of the development.

Reason: - To ensure adequate provision within the development and reduce pressure on existing local play areas, of which there is currently a deficit.

If you have any queries regarding the above matters please let me know.

Kind regards,

Kim Howell BA (Hons) DipLA CMLI
Landscape Consultant

Place Services provide landscape advice on behalf of Babergh and Mid Suffolk District Councils.

Please note: This letter is advisory and should only be considered as the opinion formed by specialist staff in relation to this particular matter.





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

10/06/2021

For the attention of: John Pateman-Gee

Ref: DC/21/02956; Land East Of Warren Lane And West Of, Cresmedow Way, Elmswell, Suffolk

Thank you for consulting us on the Application for Outline Planning Permission (some matters reserved, access to be considered) Town and Country Planning Act 1990 - Erection of 44 dwellings (inc. 9 bungalows) and 15No affordable housing; open space; landscaping; and associated infrastructure.

We reviewed the following documents within the application package:

LVIA (parts 1 & 2)	Document	May 2021	Pegasus Group
Design & Access Statement	Document	May 2021	Ashenden Architectural
Proposed Site Layout 0466/OUT02_B	Drawing	April 2021	Ashenden Architectural

We welcome the information supplied, however it was insufficient for us to fully comment on the landscape and green infrastructure elements of the proposal. In the event that approval of this application is forthcoming, the comments and recommendations below should be taken into consideration:

Layout and Green Infrastructure

1. The indicative layout shown on the Proposed Site Layout drawing demonstrates a good pedestrian permeability and integrates well with the existing settlement.
2. The POS is spread throughout the site making use of the easement areas and creating a buffer to the site. However, the allocation of amenity and SuDS spaces vary from the DAS and Proposed layout drawing. Therefore, we would request this is clarified.
3. There is no direct connect between the affordable housing and the POSs.
4. There seems to be a lack of visitor spaces in the proximity of plots 27-35 and the central affordable housing area.

Soft Landscape

5. The site does not have any existing established trees, however there are trees adjacent to the site boundary which would require protection during the construction phase. We would expect to see Root Protection Areas clearly marked on future plans.
6. It would be helpful to have the extent of the easements marked on all future hard and softworks plans, including any restrictions for SuDS features. Currently there look to be several proposed trees in conflict with the easements.
7. Depending on choice of species and variety we would be concerned that the 'single avenue' of trees indicted along the primary road are too closely spaced and could lead to overcrowding. A predominance of one species or variety should be avoided in order to minimise the risk of widespread biotic threats to the urban forest and to increase species

diversity. Preference should be given to native trees and shrubs, but in certain urban and residential situations, better results might be achieved by the use of naturalised trees and shrubs, which are not necessarily native but are the correct tree for site conditions and would add landscape and arboricultural value

8. We would prefer to see trees located within the public realm, not private garden spaces for ease of maintenance and to reduce the need for restrictive covenants.
9. Guidance for distance from the carriageway and use of root deflectors/containment systems should be sought from Highways.
10. Hedges to the east and southern boundaries should be mixed native species, and include standalone trees, naturalistically grouped to provide articulation in the buffer/hedge/screening feature illustrated.
11. The management of the vegetative boundaries to the south east and to the north/rear of the proposed garden boundary with the existing settlement needs to be clarified.

Hard Landscape Scheme

12. No details of boundary treatments were noted. We would expect these to be included as part of the hard landscape scheme enclosure plan. We recommend that boundaries between private gardens and public space be constructed as 1.8m high brick walls.
13. There is a suggestion of enclosure along the edge of the POSs. Details of these will need to be provided as part of the hard landscape scheme enclosure plan.
14. No indication of surface materials for landscape elements were suggested.
15. The LVIA states that the POS space will include natural play, no details or location of this was provided.

In light of the above, a detailed landscape plan, landscape specification (including existing vegetation to be removed and retained), a proposed hard and soft landscaping plan, a boundary treatment plan, SuDS plan and landscape management plan should be submitted as part of any reserved matters applications. We recommend the following conditions for consideration:

ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT: ARBORICULTURAL METHOD STATEMENT

Prior to commencement of development an Arboricultural Method Statement (including any demolition, groundworks and site clearance) shall be submitted to and approved in writing by the Local Planning Authority. The Statement should include details of the following:

- a) Measures for the protection of those trees and hedges on the application site that are to be retained,
- b) Details of all construction measures within the 'Root Protection Area' (defined by a radius of $dbh \times 12$ where dbh is the diameter of the trunk measured at a height of 1.5m above ground level) of those trees on the application site which are to be retained specifying the position, depth, and method of construction/installation/excavation of service trenches, building foundations, hardstandings, roads and footpaths,
- c) A schedule of proposed surgery works to be undertaken to those trees and hedges on the application site which are to be retained. The development shall be carried out in accordance with the approved Method Statement unless agreed in writing by the Local Planning Authority.

Reason: To ensure that the trees and hedges adjacent to the site are adequately protected, to safeguard the character and visual amenity of the area, in accordance with Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies. This condition requires matters to be agreed prior to commencement of development to ensure that existing trees are adequately protected prior to any ground disturbance.

**ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT:
LANDSCAPING SCHEME.**

No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard, soft and boundary treatment landscaping works for the site, which shall include any proposed changes in ground levels and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows in the surrounding area. A specification of soft landscaping, including proposed trees, plants and seed mixes must be included. The specification should be in line with British Standards and include details of planting works such as preparation, implementation, materials (i.e. soils and mulch), any protection measures that will be put in place (i.e. rabbit guards) and any management regimes (including watering schedules) to support establishment. This should be accompanied by a schedule, with details of quantity, species and size/type (bare root, container etc). Hard landscape details such as surface materials and boundary treatments must also be included.

Reason:- In the interests of visual amenity and the character and appearance of the area. This condition is required to be agreed prior to the commencement of any development to ensure matters of tree and hedgerow protection are secured early to ensure avoidance of damage or loss due to the development and/or its construction. If agreement were sought at any later stage there is an unacceptable risk of loss and damage to important trees and hedgerow that would result in harm to amenity.

**ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT:
LANDSCAPE MANAGEMENT PLAN.**

No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a landscape management plan for a minimum of 5 years. Both new and existing planting will be required to be included in the plan.

Reason: - To ensure the proper management and maintenance of the approved landscaping in the interests of amenity and the character and appearance of the area.

**ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT:
SUSTAINABLE URBAN DRAINAGE SYSTEM (SUDS) DETAILS**

Prior to the commencement of the construction of the dwellings details of SuDS shall be submitted to and approved in writing by the Local Planning Authority. This should include; detailed topographical plans, a timetable for their implementation and a management and maintenance plan.

Reason: - To ensure the visual amenity of the feature is sympathetic to the local landscape character, in this case we would be looking for soft-engineered outlets and inlets and no fencing.

ACTION REQUIRED PRIOR TO COMMENCEMENT OF LANDSCAPING WORKS: PLAYSPACE PROVISION

Details of the onsite children's playspace provision contained within the proposed play spaces, shall be submitted to and approved in writing by the Local Planning Authority prior to any landscaping works commencing.

The details shall include the:

- a) location, layout, design of the playspace; and
- b) equipment/ features.

The playspace and equipment/features shall be laid out and installed prior to the first occupation of the development.

Reason: - To ensure adequate provision within the development and reduce pressure on existing local play areas, of which there is currently a deficit.

If you have any queries regarding the above matters please let me know.

Kind regards,

Kim Howell BA (Hons) DipLA CMLI
Landscape Consultant

Place Services provide landscape advice on behalf of Babergh and Mid Suffolk District Councils.

Please note: This letter is advisory and should only be considered as the opinion formed by specialist staff in relation to this particular matter.

MID SUFFOLK DISTRICT COUNCIL

MEMORANDUM

To: John Pateman Gee – Area Planning Manager
From: Louise Barker – Strategic Housing Team Manager
Date: 22nd June 2021

Proposal: DC/21/02956 Application for Outline Planning Permission (some matters reserved, access to be considered) Town and Country Planning Act 1990 - Erection of 44 dwellings (inc. 9 bungalows) and 15No affordable housing; open space; landscaping; and associated infrastructure.

Location: Land East of Warren Lane and West of Cresmedow Way Elmswell Suffolk

Consultation Response:

This is an open market development and offers 44 dwellings. 35% Affordable Housing is required, equal to 15.4 units. The scheme proposes 15 affordable units, the remaining 0.4 should be provided as a commuted sum.

My initial thoughts are that the affordable housing is all centred at one point on the southern part of the site. To ensure community cohesion and to create a tenure blind approach, affordable units should be integrated into the whole site.

With regards to the affordable housing mix, the Councils housing register shows the highest need is for 1 and 2 beds. From the plot numbers on the indicative plan it seems as though there are 1,2 and 3 beds proposed. There appears to be more three beds than 2 beds and this needs to change to ensure the 1 and 2 beds are the majority.

I would like to see a separate table that identifies exactly the type tenure and bedroom/occupancy numbers and the size in sqm please.

A 75% affordable rent and 25% shared ownership is currently required, however there are a very large number of shared ownership on other developments in Elmswell and there is room for a discussion on this point with the developer.

The affordable housing should comply with NDSS and be tenure blind. We would welcome bungalows however it seems there are no bungalows proposed for the affordable element.

The open market mix should ensure that it follows the SHMA recommendations as follows:

The table below sets out the recommendations in the Strategic Housing Market Assessment (updated 2019) for new owner-occupied dwellings for the next 18 years up to 2036.

Table 4.4e Size of new owner-occupied accommodation required in Mid Suffolk over the next 18 years

Size of home required	Current size profile	Size profile 2036	Change required	% of change required
One bedroom	707	1,221	515	7.2%
Two bedrooms	5,908	8,380	2,472	34.4%
Three bedrooms	13,680	15,784	2,104	29.3%
Four or + bedrooms	12,208	14,303	2,096	29.2%
Total	32,502	39,688	7,186	100.0%

The provision of 2 bedroomed accommodation within this proposal is far lower than the SHMA target so the Council would be looking for an uplift in the number of 2 bed dwellings for open market sale on this development.



11 June 2021

John Pateman-Gee
Mid Suffolk District Council
Endeavour House
8 Russell Road
Ipswich IP1 2BX

By email only

Thank you for requesting advice on this application from Place Services' ecological advice service. This service provides advice to planning officers to inform Mid Suffolk District Council planning decisions with regard to potential ecological impacts from development. Any additional information, queries or comments on this advice that the applicant or other interested parties may have, must be directed to the Planning Officer who will seek further advice from us where appropriate and necessary.

Application: DC/21/02956
Location: Land East Of Warren Lane And West Of Cresmedow Way Elmswell Suffolk
Proposal: Application for Outline Planning Permission (some matters reserved, access to be considered) Town and Country Planning Act 1990 - Erection of 44 dwellings (inc. 9 bungalows) and 15No affordable housing; open space; landscaping; and associated infrastructure.

Dear John,

Thank you for consulting Place Services on the above application.

No objection subject to securing ecological mitigation and enhancement measures

Summary

We have reviewed the Ecological Assessment (Ecology Solutions Ltd, May 2021), supplied by the applicant, relating to the likely impacts of development on designated sites, Protected and Priority Species & Habitats

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

This provides certainty for the LPA of the likely impacts on designated sites, Protected and Priority Species & Habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

Therefore, the mitigation measures identified in Ecological Assessment (Ecology Solutions Ltd, May 2021), should be secured and implemented in full. This includes the provision of a pre-commencement Badger Survey, to determine whether further measures are required for this protected species.



We also recommend that a Wildlife Friendly Lighting Strategy is implemented for this application. Therefore, technical specification should be submitted prior to occupation, which demonstrates measures to avoid lighting impacts to foraging / commuting bats, which are likely present within the local area. This should follow ILP Guidance¹ and a professional ecologist should be consulted to advise the lighting strategy for this scheme. In addition, the following measures should be indicated to avoid impacts to foraging and commuting bats:

- Light levels should be as low as possible as required to fulfil the lighting need.
- Environmentally Sensitive Zones should be established within the development, where lighting could potentially impact important foraging and commuting routes for bats.
- Lux levels and horizontal lighting should be directed away from boundary edges and Environmentally Sensitive Zones and kept as low as possible. This should preferably demonstrate that the boundary features and Environmentally Sensitive Zones are not exposed to lighting levels of approximately 1 lux. This is necessary to ensure that light sensitive bat species, will not be affected by the development.
- Warm White lights should be used preferably at <3000k near Environmentally Sensitive Zones. This is necessary as lighting which emit an ultraviolet component or that have a blue spectral content have a high attraction effects on insects. This may lead in a reduction in prey availability for some light sensitive bat species.
- Light columns should be as short as possible as light at a low level reduces the ecological impact.
- The use of cowls, hoods, reflector skirts or shields could be used to prevent horizontal spill in Environmentally Sensitive Zones.

In addition, we support the reasonable biodiversity enhancements, which have been recommended to secure measurable net gains for biodiversity, as outlined under Paragraph 170[d] of the National Planning Policy Framework 2019. The reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Strategy and should be secured as a condition of any consent.

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

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

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

Recommended conditions

1. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

“All mitigation measures and/or works shall be carried out in accordance with the details contained in the Ecological Assessment (Ecology Solutions Ltd, May 2021), as already

¹ ILP, 2018. Bat Conservation Trust Guidance Note 08/18: Bats and artificial lighting in the UK



submitted with the planning application and agreed in principle with the local planning authority prior to determination.”

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

1. PRIOR TO COMMENCEMENT: BADGER METHOD STATEMENT

“A Badger Method Statement shall be submitted to and approved in writing by the local planning authority, following the provision of a pre-commencement Badger Survey. This will contain mitigation measures and/or works to reduce potential impacts to the protected species during the construction and operation phase, as well as identify the requirement of a mitigation licence to be issued by Natural England.

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

Reason: To conserve protected species and allow the LPA to discharge its duties under and Badger Protection Act 1992 and s17 Crime & Disorder Act 1998

2. PRIOR TO SLAB LEVEL: BIODIVERSITY ENHANCEMENT STRATEGY

“A Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the local planning authority, following the details contained within the Ecological Assessment (Ecology Solutions Ltd, May 2021).

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

- a) Purpose and conservation objectives for the proposed compensation and enhancement measures;*
- b) detailed designs to achieve stated objectives;*
- c) locations of proposed enhancement measures by appropriate maps and plans;*
- d) persons responsible for implementing the compensation and enhancement measures;*
- e) details of initial aftercare and long-term maintenance (where relevant).*

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

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

3. PRIOR TO OCCUPATION: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

“A lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of



appropriate technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.”

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

Please contact us with any queries.

Yours sincerely,

Hamish Jackson ACIEEM BSc (Hons)

Ecological Consultant

placeservicesecology@essex.gov.uk

Place Services provide ecological advice on behalf of Mid Suffolk District Council

Please note: This letter is advisory and should only be considered as the opinion formed by specialist staff in relation to this particular matter.

From: Thomas Pinner

Sent: 08 June 2021 14:33

Subject: DC/21/02956 Land East of Warren Lane and West of Cresmeadow Way, Elmswell

Hi John,

DC/21/02956

On the basis of the submitted information I consider that the proposal would not result in sufficient heritage impacts to warrant the Heritage Team's involvement. I therefore do not intend to provide any further comments.

Kind Regards,

Thomas Pinner BA(Hons), MA, MA
Heritage and Design Officer
Babergh and Mid Suffolk District Councils

DC/21/02956. Air Quality

Dear John

EP Reference : 293338

DC/21/02956. Air Quality

Land east of Warren Lane and west of, Cresmedow Way, Elmswell, BURY ST EDMUNDS, Suffolk.

Erection of 44 dwellings (inc. 9 bungalows) and 15No affordable housing; open space; landscaping; and associated infrastructure.

Many thanks for your request for comments in relation to the above application. I can confirm that the scale of development, at 44 dwellings, is not likely to be of a scale of that would compromise the existing good air quality at, and around the development site. When assessing the impacts of developments we give regard to the existing air quality at the site as provided by DEFRA background concentrations and also the number of likely vehicle movements. DEFRA and the Institute of Air Quality Management provide benchmarks of the scale of development that *may* start to cause a deterioration of air quality that requires further assessment. IAQM indicate that concerns may start to occur on developments which generate 500 vehicle movements a day – this development falls short of this threshold and as such further investigation is not warranted.

For details regarding how Babergh and Mid Suffolk District Councils approaches Air Quality including current reports and data, please view our website at <https://www.babergh.gov.uk/environment/air-quality/>. It should be noted that any documentation submitted in relation to a planning application should be sent directly to the Development Management Team and not the Environmental Protection Team as this may lead to delays in the planning process

Kind regards

Nathan

Nathan Pittam BSc. (Hons.) PhD

Senior Environmental Management Officer

Babergh and Mid Suffolk District Councils – Working Together

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

From: BMSDC Public Realm Consultation Mailbox

Sent: 04 June 2021 09:53

To: BMSDC Planning Area Team Yellow

Subject: RE: MSDC Planning Consultation Request - DC/21/02956

Public Realm Officers would anticipate a level of play provision is provided with a development of this scale. Elmswell currently has a deficit in child play provision when compared to local standards (Babergh and Mid Suffolk Open Space Provision Report) and the location of existing provision is distant from this development Public Realm Officers would like to see either some on site play provision provided within the planned open space or a contribution made to enhance existing play facilities located off site.

Regards

Dave Hughes
Public Realm Officer

From: Nathan Pittam
Sent: 03 June 2021 10:05
Subject: DC/21/02956. Land Contamination

Dear John

EP Reference : 293341
DC/21/02956. Land Contamination
Land east of Warren Lane and west of, Cresmedow Way, Elmswell, BURY ST EDMUNDS, Suffolk.
Erection of 44 dwellings (inc. 9 bungalows) and 15No affordable housing; open space; landscaping; and associated infrastructure.

Many thanks for your request for comments in relation to the above application. I have no objection to the proposed development provided that the condition below is included with any permission that may be granted which is in line with the recommendation of the Phase I Report by Nott Group (ref : 73100/R/001 dated 6/5/21) supported with the application. Without this condition I would be minded to recommend that the application be refused until such time as the applicant is able to demonstrate that the site can be made suitable for use without need for the condition.

Kind regards

Nathan

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

Babergh and Mid Suffolk District Councils – Working Together

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

Sent: 24 May 2021 12:29:05

To:

Cc:

Subject: FW: DC/21/02956 Land East Of Warren Lane And West Of, Cresmedow Way, Elmswell

Attachments:

From: David Pizzey <David.Pizzey@baberghmidsuffolk.gov.uk>

Sent: 24 May 2021 11:32

To: John Pateman-Gee <John.pateman-Gee@baberghmidsuffolk.gov.uk>

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

Subject: DC/21/02956 Land East Of Warren Lane And West Of, Cresmedow Way, Elmswell

John

There are no significant arboricultural features within this site. However, a number of mature trees along the boundary will require protection during the course of any development works. This can be dealt with under condition via an appropriately specified Tree Protection Plan.

Kind regards

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

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

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

Sent: 20 May 2021 13:26

To: David Pizzey <David.Pizzey@baberghmidsuffolk.gov.uk>

Subject: MSDC Planning Consultation Request - DC/21/02956

Please find attached planning consultation request letter relating to planning application - DC/21/02956 - Land East Of Warren Lane And West Of, Cresmedow Way, Elmswell, Suffolk



Kind Regards

Planning Support Team

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

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

Consultation Response Pro forma

1	Application Number	DC/21/02956	
2	Date of Response	01/06/2021	
3	Responding Officer	Name:	James Fadeyi
		Job Title:	Waste Management Officer
		Responding on behalf of...	Waste Services
4	Recommendation (please delete those N/A) Note: This section must be completed before the response is sent. The recommendation should be based on the information submitted with the application.	No objection subject to conditions	
5	Discussion Please outline the reasons/rationale behind how you have formed the recommendation. Please refer to any guidance, policy or material considerations that have informed your recommendation.	<p>Ensure that the development is suitable for a 32 tonne Refuse Collection Vehicle (RCV) to manoeuvre around attached are the vehicle specifications.</p> <div style="text-align: center;">  ELITE 6 - 8x4MS (Mid Steer) Wide Track Dat </div> <p>See the latest waste guidance on new developments.</p> <div style="text-align: center;">  SWP Waste Guidance v.21.docx </div> <p>The road surface and construction must be suitable for an RCV to drive on.</p> <p>To provide scale drawing of site to ensure that access around the development is suitable for refuse collection vehicles.</p> <p>Please provide plans with each of the properties bin presentations plotted, these should be at edge of the curtilage or at the end of private drive and there are suitable collection presentation points. These are required for approval.</p>	

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

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

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

Philip Isbell - Corporate Manager
Growth & Sustainable Planning

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

Website: www.midsuffolk.gov.uk



OUTLINE PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)
ORDER 2015

Correspondence Address:

Pegasus Group
Suite 4
Pioneer House
Vision Park
Histon, Cambridge
CB24 9NL

Applicant:

-
C/O Agent

Date Application Received: 08-Dec-16

Application Reference: 4909/16

Date Registered: 09-Dec-16

Proposal & Location of Development:

Outline Planning Permission (Including access with all other matters reserved), development of up to 38 dwellings inclusive of affordable housing, with associated vehicular and pedestrian accesses and links.

infrastructure, open space, landscaping and green infrastructure.

Land East Of Warren Lane And West Of, Cresmedow Way, Elmswell,

Section A – Plans & Documents:

This decision refers to drawing no./entitled E0208_08-4D SITE PLAN received 12/04/2017 as the defined red line plan with the site shown edged red. Any other drawing showing land edged red whether as part of another document or as a separate plan/drawing has not been accepted or treated as the defined application site for the purposes of this decision.

The plans and documents recorded below are those upon which this decision has been reached:

Highway Access Plan S761-235 HIGHWAYS - Received 12/04/2017

Defined Red Line Plan E0208_08-4D SITE PLAN - Received 12/04/2017

Highway Access Plan S761-246 REV A - Received 12/04/2017

Section B:

Mid Suffolk District Council as Local Planning Authority, hereby give notice that **OUTLINE PLANNING PERMISSION HAS BEEN GRANTED** in accordance with the application particulars and plans listed in section A subject to the following conditions:

1. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: TIME LIMIT FOR RESERVED MATTERS APPLICATION

Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission, and the development must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates the final approval of the last such matter to be approved.

Reason - Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

2. ACTION REQUIRED PRIOR TO COMMENCEMENT OF WORKS: PRE-COMMENCEMENT CONDITION: APPROVAL OF RESERVED MATTERS

Before any development is commenced, approval of the details of the appearance, scale and layout of the building(s), and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained in writing from the Local Planning Authority.

Reason - To enable the Local Planning Authority to secure an orderly and well designed development in accordance with the character and appearance of the neighbourhood and in accordance with the Development Plan. This condition is required to be agreed prior to the commencement of any development in accordance with proper planning principles to allow public engagement on the outstanding reserved matters and ensure no significant adverse harm results.

3. APPROVED PLANS & DOCUMENTS

The development hereby permitted shall be carried out in accordance with the drawings/documents listed under Section A above and/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.

Reason - For the avoidance of doubt and in the interests of proper planning of the development.

4. SURFACE WATER DRAINAGE

Concurrent with the first reserved matters application(s) a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority. The scheme shall be in accordance with the approved FRA and include:

- Dimensioned plans and drawings of the surface water drainage scheme;
- Further infiltration testing on the site in accordance with BRE 365 and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible;
- If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to Q_{bar} or 21/s/ha for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA;

- Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;
 - Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year climate change rainfall event, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
 - Topographical plans depicting all exceedance flowpaths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;
- The scheme shall be fully implemented as approved.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development.

5. SURFACE WATER DRAINAGE

Concurrent with the first reserved matters application(s) details of the implementation, maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage.

6. SUSTAINABLE URBAN DRAINAGE

The development hereby permitted shall not be occupied until details of all Sustainable Urban Drainage System components and piped networks have been submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register

7. SURFACE WATER MANAGEMENT

No development shall commence until details of a construction surface water management plan detailing how surface water and storm water will be managed on the site during construction is submitted to and agreed in writing by the local planning authority. The construction surface water management plan shall be implemented and thereafter managed and maintained in accordance with the approved plan.

Reason: To ensure the development does not cause increased pollution of the watercourse in line with the River Basin Management Plan.

8. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT - ARCHAEOLOGICAL WORKS

No development shall take place on 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. Timetable for the site investigation to be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

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. This condition is required to be agreed prior to the commencement of any development to ensure matters of archaeological importance are preserved and secured early to ensure avoidance of damage or lost due to the development and/or its construction. If agreement was sought at any later stage there is an unacceptable risk of lost and damage to archaeological and historic assets.

9. ACTION REQUIRED PRIOR TO THE FIRST OCCUPATION OF DEVELOPMENT - ARCHAEOLOGICAL WORKS

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 as may be agreed by the Local Planning Authority. Provision shall be 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.

10. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: DETAILS OF ILLUMINATION

Prior to the erection/installation of any public floodlighting or other means of public external lighting at the site, details to include position, height, aiming points, lighting levels and a polar luminance diagram shall be submitted to and approved, in writing, by the Local Planning Authority. The lighting shall be carried out and retained as may be approved. There shall be no other means of public external lighting installed and/or operated on/at the site.

Reason - In the interests of amenity to reduce the impact of night time illumination on the character of the area and in the interests of biodiversity.

11. ACTION REQUIRED IN ACCORDANCE PRIOR TO OCCUPATION: FIRE HYDRANTS

Prior to the first occupation of the site, details of the provision and timetable of fire hydrants shall be submitted to and approved, in writing, by the Local Planning Authority. The provision of fire hydrants shall be carried out in accordance with these details in their entirety and in accordance with the timetable as may be agreed.

Reason - To ensure the site is suitably served by fire hydrants.

12. ECOLOGICAL REQUIREMENTS

The hereby permitted development shall be undertaken in accordance with all recommendation contained within ecological survey report (Ecology Solutions Ltd, November 2016). In addition all dwelling shall have hedgehog permeable boundaries between gardens (with gaps of 13x13cm at ground level) and integrated bird boxes suitable for swifts (a UK and Suffolk Priority species) are incorporated into the proposed development.

Reason: To ensure ecology interests are protected and enhanced.

13. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: SUBMISSION OF GROUND FLOOR LEVELS WITH RESERVED MATTERS APPLICATION.

Concurrently with the submission of reserved matters in respect of siting and/or design for the development, details of the proposed finished ground floor level measured from a fixed off site datum point shall be submitted for approval, in writing, by the Local Planning Authority, and the development shall thereafter be constructed in accordance with the approved levels.

Reason - In order to secure a design in scale with development surrounding the site so as to protect the visual amenities, amenity of neighbouring properties and character of the area.

14. 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 of each dwelling.

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.

15. ACTION REQUIRED PRIOR TO FIRST OCCUPATION: LANDSCAPE MANAGEMENT PLAN

A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved, in writing, by the Local Planning Authority prior to the first occupation of the development. The landscape management plan shall be carried out entirely as approved in accordance with the details and timescales in the plan and thereafter retained.

Reason - To ensure the proper management and maintenance of the approved landscaping in the interests of amenity and the character and appearance of the area.

16. HIGHWAYS

Before any other development commences the junction of Warren Lane with Church Road/Cross Street shall be improved generally in accordance with Drawing Number S761/235 as submitted.

Reason: To improve the visibility at the junction for development traffic for an improvement in road safety.

17. HIGHWAYS

Before any dwelling is first occupied passing places shall be provided on Warren Lane to the south of the application site in the locations generally shown on Drawing Number S761/246/A as submitted. The passing places shall be constructed in accordance with details that shall first have been submitted to and approved in writing by the LPA.

Reason: To widen Warren Lane in places to allow vehicles to pass safely.

18. HIGHWAYS

Before any new dwelling is first occupied Warren Lane shall be improved as shown on Drawing Number S761/240/A as submitted.

Reason: In order to provide a suitable and safe access to the site for vehicles and pedestrians.

19. HIGHWAYS

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

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

20. HIGHWAYS

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

Reason: To ensure the provision and long term maintenance of adequate on-site space for the parking and manoeuvring of vehicles, where on-street parking and manoeuvring would be detrimental to highway safety.

21. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT:
CONSTRUCTION MANAGEMENT TO BE AGREED

Prior to the commencement of development details of the construction methodology shall be submitted to and approved in writing by the Local Planning Authority and shall incorporate the following information:-

- a) Details of the hours of work/construction of the development within which such operations shall take place and the hours within which delivery/collection of materials for the said construction shall take place at the site.
- b) Details of the storage of construction materials on site, including details of their siting and maximum storage height.
- c) Details of how construction and worker traffic and parking shall be managed.
- d) Details of any protection measures for footpaths surrounding the site.
- e) Details of any means of access to the site during construction.
- f) Details of the scheduled timing/phasing of development for the overall construction period.
- g) Details of any wheel washing to be undertaken, management and location it is intended to take place.
- h) Details of the siting of any on site compounds and portaloos.
- i) Details of the method of any demolition to take place, including the recycling and disposal of said materials resulting from demolition. The construction shall at all times be undertaken in accordance with the agreed methodology approved in writing by the Local Planning Authority.

Reason - To minimise detriment to nearby residential and general amenity by controlling the construction process to achieve the approved development. This condition is required to be agreed prior to the commencement of any development as any construction process, including site preparation, by reason of the location and scale of development may result adverse harm on amenity.

22. ACTON REQUIRED PRIOR TO FIRST OCCUPATION OF DEVELOPMENT: REFUSE BINS AND COLLECTION AREAS

Prior to the first occupation of the development details of the areas to be provided for storage of Refuse/Recycling bins and any associated collection areas shall be submitted to and approved, in writing, by the Local Planning Authority. The approved areas shall be provided in their entirety before the development is first occupied and shall be retained thereafter for no other purpose.

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

23. HIGHWAYS

Before the access is first used visibility splays shall be provided as shown on Drawing No. S761/240/A as submitted and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Reason: To ensure vehicles exiting the drive would have sufficient visibility to enter the public highway safely and vehicles on the public highway would have sufficient warning of a vehicle emerging in order to take avoiding action.

24. HIGHWAYS

No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least Binder course level or better in accordance with the approved details except with the written agreement of the Local Planning Authority.

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

25. CONSTRUCTION HOURS

Construction of the hereby permitted development shall only take place within the hours of Monday to Friday between 08:00 hrs and 18:00 hrs, Saturday between 09:00 hrs and 13:00 hrs. No works shall be undertaken on a Sunday, Bank or Public Holiday.

Reason - To minimise detriment to nearby residential amenity.

26. ENERGY SCHEME

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

Reason - To enhance the sustainability of the development through better use of water, energy and resources.

SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:

H07 - Restricting housing development unrelated to needs of countryside
H13 - Design and layout of housing development
H15 - Development to reflect local characteristics
HB01 - Protection of historic buildings
T10 - Highway Considerations in Development
CL08 - Protecting wildlife habitats
CL11 - Retaining high quality agricultural land
CS01 - Settlement Hierarchy
CS02 - Development in the Countryside & Countryside Villages
CS05 - Mid Suffolk's Environment
CS09 - Density and Mix
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
GP01 - Design and layout of development
H04- Altered Policy H4

NOTES:

1. **Statement of positive and proactive working in line with the National Planning Policy Framework (NPPF)**

The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. The NPPF encourages a positive and proactive approach to decision taking, delivery of sustainable development, achievement of high quality development and working proactively to secure developments that improve the economic, social and environmental conditions of the area. In this case the applicant took advantage of the Council's pre-application service prior to making the application. The opportunity to discuss a proposal prior to making an application allows potential issues to be raised and addressed pro-actively at an early stage, potentially allowing the Council to make a favourable determination for a greater proportion of applications than if no such service was available.

2. **Highways Note**

It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense. The County Council's West Area Manager should be contacted at West Suffolk House, Western Way, Bury St Edmunds, IP33 3YU. Telephone 01284 758868.

Babergh and Mid Suffolk District Councils have adopted Community Infrastructure Levy (CIL) charging which affects planning permissions granted on or after 11th April 2016 and permitted development commenced on or after 11th April 2016. If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling or holiday let of any size your development may be liable to pay CIL and you must submit relevant documents to our Infrastructure Team telling us more about your development, who will pay CIL and when the development will start. You will receive advice on the amount you have to pay and what you have to do and you can find more information about CIL on our websites here:

[CIL in Babergh](#) and [CIL in Mid Suffolk](#) or by contacting the Infrastructure Team on: infrastructure@baberghmidsuffolk.gov.uk

This relates to document reference: 4909/16

Signed: Philip Isbell

Dated: 21st June 2018

**Corporate Manager
Growth & Sustainable Planning**

Important Notes to be read in conjunction with your Decision Notice

Please read carefully

This decision notice refers only to the decision made by the Local Planning Authority under the Town and Country Planning Acts and DOES NOT include any other consent or approval required under enactment, bylaw, order or regulation.

Please note: depending upon what conditions have been attached to the decision, action may be required on your part before you can begin your development. Planning conditions usually require that you write to the Local Planning Authority and obtain confirmation that you have discharged your obligations. You should read your decision notice in detail and make a note of the requirements placed on you by any conditions. **If you proceed with your development without complying with these conditions you may invalidate your permission and put your development at risk.**

Discharging your obligations under a condition:

You should formally apply to discharge your conditions and the relevant application forms are available on the Council's website. The Local Planning Authority has 8 weeks to write to you after you submit the details to discharge your conditions. You should always account for this time in your schedule as the Local Planning Authority cannot guarantee that conditions can be discharged quicker than this. A fee is applicable for the discharge of planning conditions.

Building Control:

You are reminded that the carrying out of building works requires approval under the Building Regulations in many cases as well as a grant of planning permission. If you are in doubt as to whether or not the work, the subject of this planning permission, requires such approval, then you are invited to contact the Building Control Section of Babergh and Mid Suffolk District Councils.

Appeals to the Secretary of State

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or consent, or to grant permission or consent subject to condition, they may appeal to the Secretary of State for Communities and Local Government. The applicant's right of appeal is in accordance with the appropriate statutory provisions which follow:

Planning Applications: Section 78 Town and Country Planning Act 1990

Listed Building Applications: Section 20 Planning (Listed Buildings and Conservation Areas) Act 1990

Advertisement Applications: Section 78 Town and Country Planning Act 1990
Regulation 15

Town and Country Planning (Control of Advertisements) Regulations 2007

Notice of appeal in the case of applications for advertisement consent must be served within eight weeks of receipt of this notice. Notice of Householder and Minor Commercial Appeals must be served within 12 weeks, in all other cases, notice of appeal must be served within six months of this notice. If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within six months of the date of this notice, whichever period expires earlier.

Appeals must be made on a form which is obtainable from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at <https://www.gov.uk/government/publications/modelnotification-notice-to-be-sent-to-an-applicant-when-permission-is-refused>

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he/she will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him/her that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by it, having regard to the statutory requirements*, to the provisions of the Development Order, and to any directions given under the Order. The Secretary of State does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him/her.

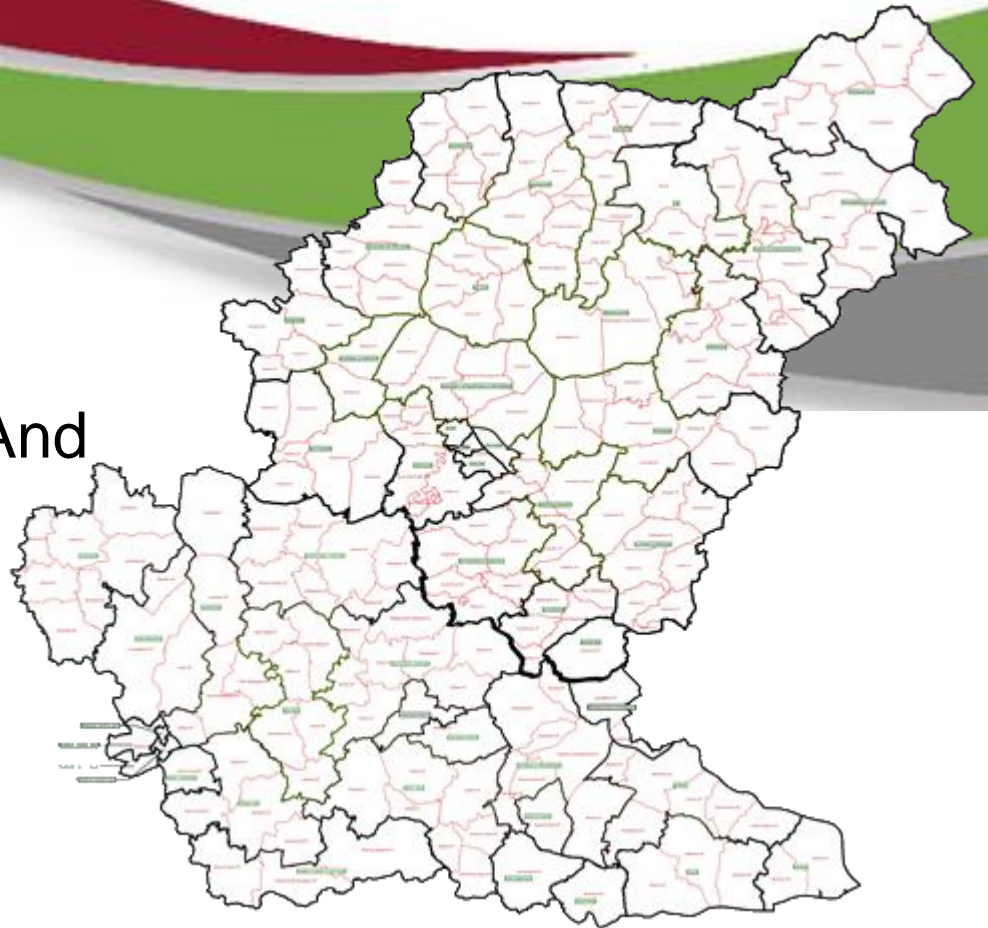
2. If permission or consent to develop land or carry out works is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonable beneficial use by the carrying out of any development or works which has been or would be permitted they may serve on the Council of the district in which the land is situated, a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Section 137 of the Town and Country Planning Act 1990 or Section 32 Planning (Listed Buildings and Conservation Areas) Act 1990.

*The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70 and 72(1) of the Act.

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Application No:
DC/21/02956

Address:
Land East Of Warren Lane And
West Of
Cresmedow Way
Elmswell



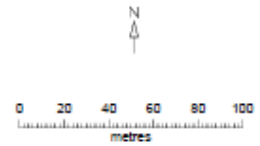
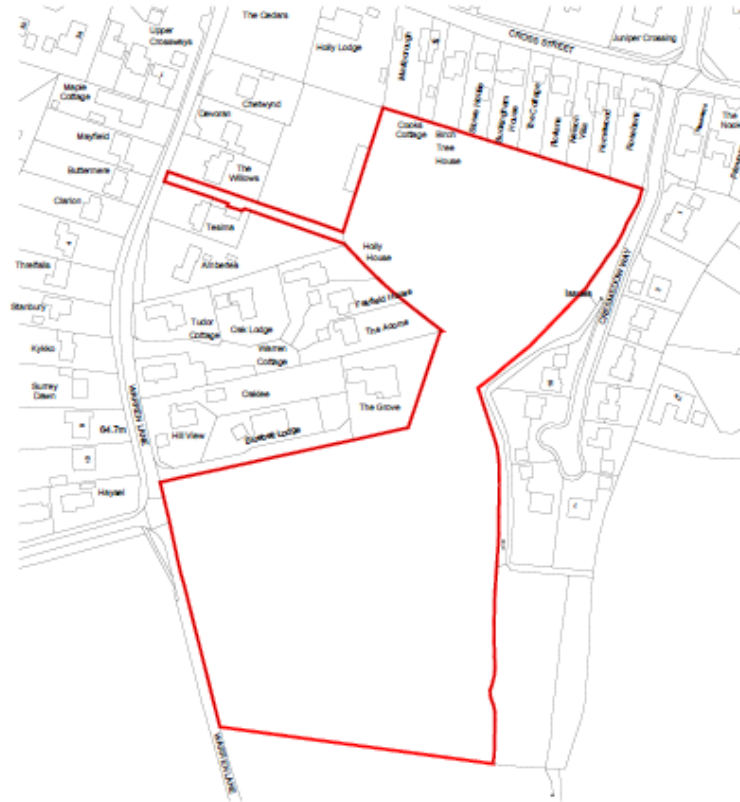




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Site Location Plan

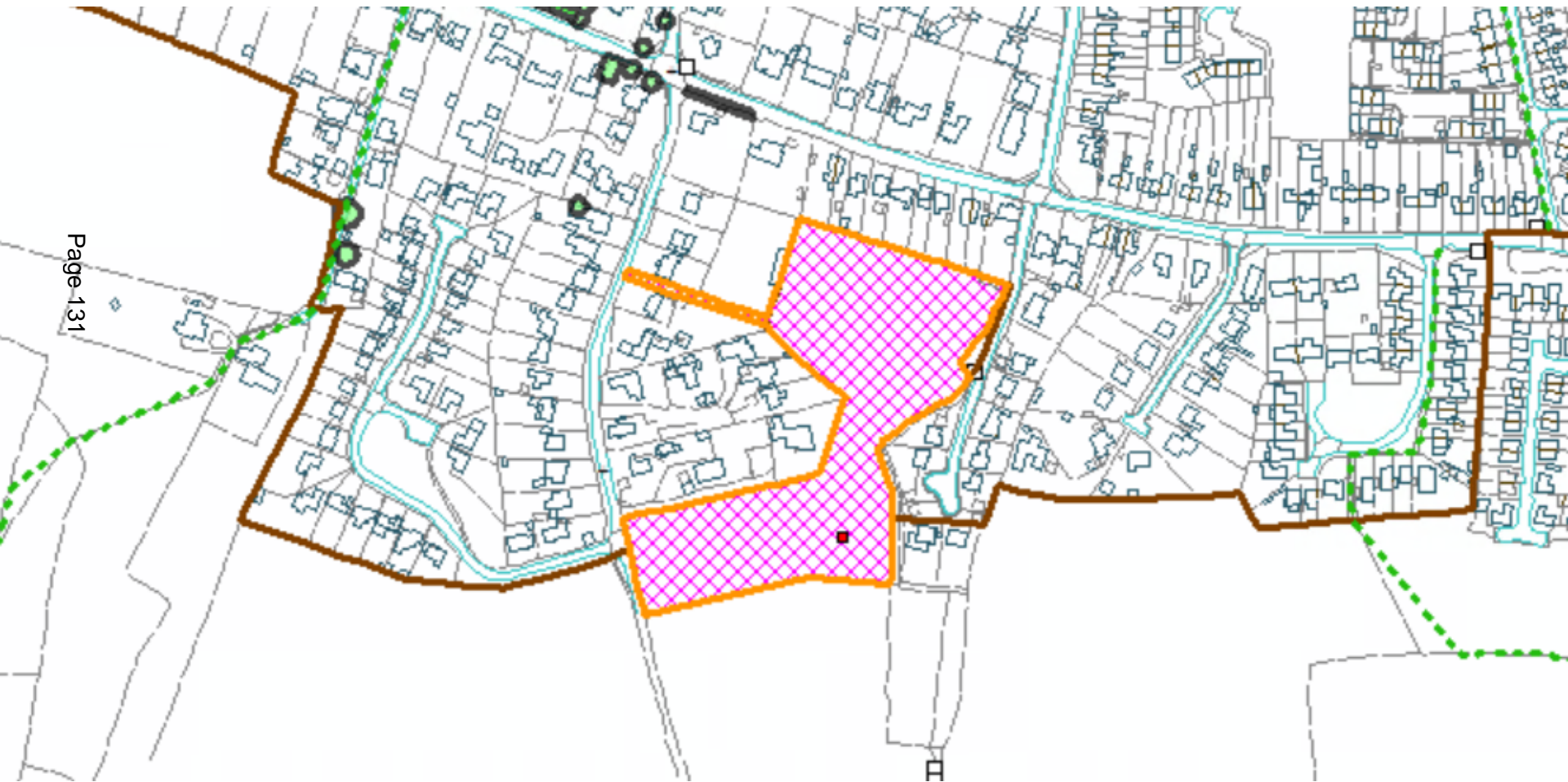
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Rev.	Date	Details	Drawn	Checked
<p>Issued for</p> <p style="text-align: center;">OUTLINE APPLICATION</p>				
Project/Client		Project No.		
Land to the East of Warren Lane and West of Creamedow Way Elmwell		D455		
JD & RJ Baker Farms Ltd		Dwg No.		Rev.
Drawing		OUTD1		-
		Scale		
		1:1250 @ A2		
		North		
Site Location Plan		Drawn by:	Date:	
		PJA	04/01	
		Checked by:	Date:	
		PJA	04/01	

Constraints Map

-  TPO - Individual TPOs/trees/T1
-  Footpath
-  Built Up Area Boundaries

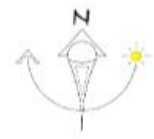


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- ### Key
- Existing underground gas main (proposed route)
 - Existing underground sewer main (proposed route)
 - Existing drain (proposed route)
 - Extent of kerbside verge-clipping area (proposed route)

- ### Notes
- 1. Proposed new vehicular access (location of car-turning block at site entrance)
 - 2. Area of public open space
 - 3. Area for play
 - 4. Existing buffer to neighbouring
 - 5. Retention line
 - 6. Proposed location of a new station and access
 - 7. Source information table (SIT)
 - Storage pit = marked
 - Manhole = marked



Scheme Summary

44 units development:		
1 x 1st 1st/2nd floor	=	1 x 1st
3 x 1st 1st/2nd floor	=	3 x 1st
3 x 1st 1st/2nd floor	=	3 x 1st
3 x 1st 1st/2nd floor	=	3 x 1st
3 x 1st 1st/2nd floor	=	3 x 1st
4 x 1st 1st/2nd floor	=	4 x 1st

Existing site area:		
1 x 1st (25) / 2 x 1st (25) / 1 x 1st (25) / 1 x 1st (25)	=	4 x 1st (100)
Site area	=	0.56 hectares
Site area	=	0.56

Schedule of Accommodation

Plot	Type	Area (sqm)	33	3 bed house	750
1	3 bed house	6,000	34	3 bed house	300
2	3 bed house	300	35	3 bed house	300
3	3 bed house	300	36	3 bed house	300
4	3 bed house	300	37	4 bed house	6,450
5	3 bed house	6,000	38	4 bed house	6,450
6	3 bed house	6,000	39	3 bed house	300
7	3 bed house	6,000	40	3 bed house	300
8	4 bed house	6,450	41	3 bed house	300
9	4 bed house	6,450	42	3 bed house	300
10	3 bed house	300	43	3 bed bungalow	6,000
11	3 bed house	300	44	3 bed bungalow	6,000
12	4 bed house	6,450			
13	4 bed house	6,450			
14	3 bed house	300			
15	3 bed house	300			
16	3 bed house	300			
17	1 bed apartment	800			
18	1 bed apartment	800			
19	1 bed apartment	800			
20	3 bed house	750			
21	3 bed house	750			
22	3 bed house	750			
					Total: 44,250

Rev:	Date:	Desc:	Drawn:	Checked:
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OUTLINE APPLICATION

Project/Client: **Land to the East of Warren Lane and West of Cressmeadow Way Elmswell**

Project No: **0468**

Doc No: **OUT02**

Scale: **1:1000 @ A2**

Client: **JD & RJ Baker Farms Ltd**

Drawing: **North**

Proposed Site Layout

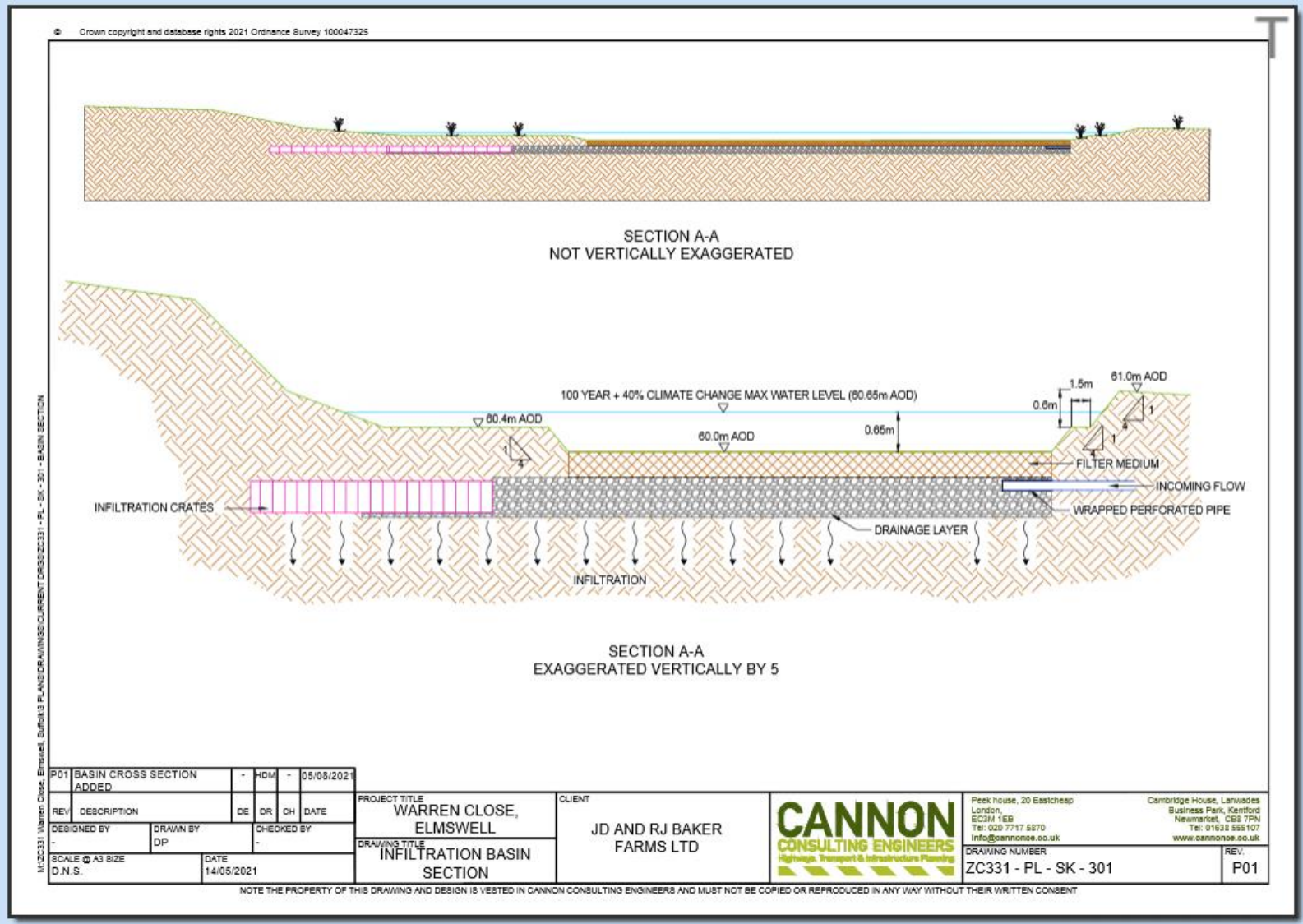
Drawn By: **PJA** Date: **04/2021**

Checked By: **PJA** Date: **04/2021**

Landscape Plan

Slide 7





NO	DESCRIPTION	DATE
P01	BASIN CROSS SECTION ADDED	05/08/2021
DESIGNED BY	DRAWN BY	CHECKED BY
-	DP	-
SCALE	DATE	
A3 SIZE	14/05/2021	
D.N.S.		

PROJECT TITLE
**WARREN CLOSE,
ELMSWELL**

DRAWING TITLE
**INFILTRATION BASIN
SECTION**

CLIENT
**JD AND RJ BAKER
FARMS LTD**



Peek house, 20 Eastchase
London
EC3M 1EB
Tel: 020 7717 5870
Info@cannon.co.uk

Cambridge House, Lanwades
Business Park, Kentford
Newmarket, CB8 7RN
Tel: 01638 555107
www.cannon.co.uk

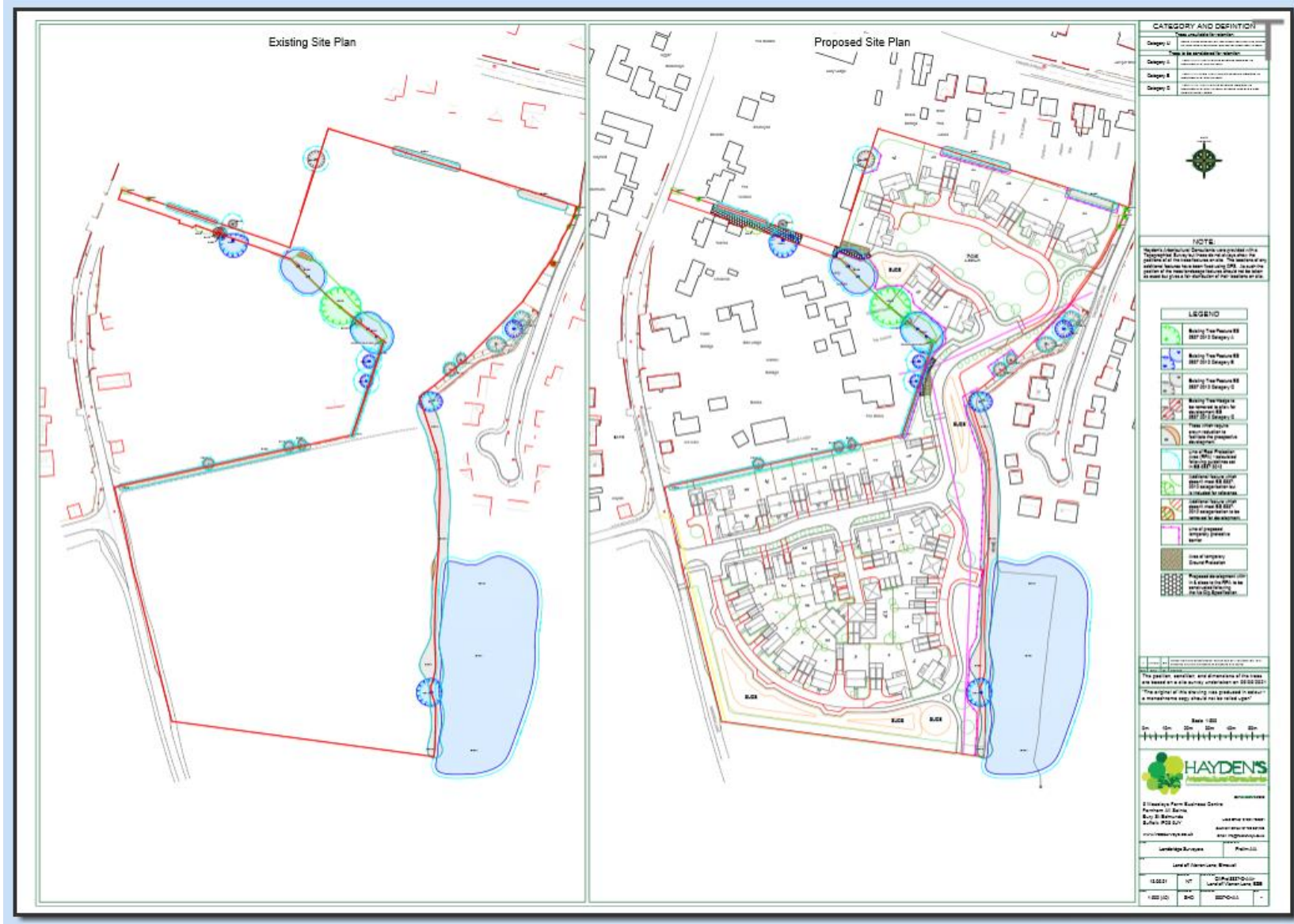
DRAWING NUMBER
ZC331 - PL - SK - 301

REV.
P01

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Arboricultural Impact Assessment

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Agenda Item 8b

Committee Report

Item No: 8C

Reference: DC/22/00225

Case Officer: Alex Scott

Ward: Stonham.

Ward Member/s: Cllr Suzie Morley.

RECOMMENDATION – REFUSE PLANNING PERMISSION

Description of Development

Application for Outline Planning Permission (Access point to be considered, Appearance, Landscape, Layout and Scale to be reserved) Town and Country Planning Act 1990 - Erection of up to 5 no. dwellings and construction of new access (following demolition of existing dwelling).

Location

Land to the rear of the Leas, Quoits Meadow, Stonham Aspal, Suffolk

Expiry Date: 12/03/2022

Application Type: OUT - Outline Planning Application

Development Type: Minor Dwellings

Applicant: Mr R Tydeman

Agent: Philip Cobbold

Parish: Stonham Aspal

Site Area: 0.91 hectares

Density of Development:

Gross Density (Total Site): 5.49 dwellings per hectare (dph)

Net Density (Developed Site, excluding open space and SuDs): (matters presently reserved)

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

Outline Planning Application ref: DC/17/04419, for 9 no. dwellings, was considered by Members at Committee on 13th December 2017 - Members resolved to refuse planning permission;

Outline Planning Application ref: DC/18/04191, for 5 dwellings (following demolition of the existing dwelling), was considered by Members at Committee on 30th January 2019 - Members resolved to grant outline planning permission, with conditions;

Reserved Matters Application ref: DC/21/03589, for approval of Layout, Scale, Appearance and Landscaping of the 5 no. dwellings approved by way of outline planning permission ref: DC/18/04191 (above), was considered by members at Committee on 10th November, and 8th December, 2021 - Members resolved to refuse the application.

The relevant officer reports and decision notices are appended to this report.

Has a Committee Call In request been received from a Council Member (Appendix 1):

No

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

PART ONE – REASON FOR REFERENCE TO COMMITTEE

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

Your officers consider the application to be of a controversial nature having regard to the planning reasoning expressed by the Parish Council, the extent and planning substance of comments received from third parties, and the planning history of the site.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

NPPF - National Planning Policy Framework
FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
FC02 - Provision And Distribution Of Housing
CS01 - Settlement Hierarchy
CS02 - Development in the Countryside & Countryside Villages
CS03 - Reduce Contributions to Climate Change
CS04 - Adapting to Climate Change
CS05 - Mid Suffolk's Environment
CS09 - Density and Mix
GP01 - Design and layout of development
HB01 - Protection of historic buildings
HB14 - Ensuring archaeological remains are not destroyed
H07 - Restricting housing development unrelated to needs of countryside
H13 - Design and layout of housing development
H15 - Development to reflect local characteristics
H16 - Protecting existing residential amenity
H17 - Keeping residential development away from pollution
CL08 - Protecting wildlife habitats
T02 - Minor Highway improvements
T09 - Parking Standards
T10 - Highway Considerations in Development

Neighbourhood Plan Status

This application site is not within a Neighbourhood Plan Area.

Consultations and Representations

During the course of the application Consultation and Representations from third parties have been received. These are summarised below.

A: Summary of Consultations

Town/Parish Council (Appendix 3)

Stonham Aspal Parish Council - 16th February 2022:

Object - 40% increase in houses elsewhere in the village already - When the original outline application was considered there was a lack of housing land supply in the district, there is not now - This is a speculative application - The site is on greenfield land, outside the settlement boundary - There is no current need for dwellings, even smaller properties in the village - Proposal would impact a heritage asset (Orchard Farm) and is out of keeping with the rural character of its surrounds - The proposal would impact the residential amenity of existing properties in Quoits Meadow, would change the environment and would increase traffic - The site entrance is also dangerous - The threat of this development has been hanging over residents for 5 years.

National Consultee (Appendix 4)

NA.

County Council Responses (Appendix 5)

SCC - Highways - 25th January 2022:

No objection - Subject to compliance with suggested conditions.

SCC - Archaeology - Consulted on 14th January 2022:

No response received.

SCC - Fire and Rescue - 18th January 2022:

The nearest fire hydrant is over 105 metres from the proposed build site - therefore recommend consideration be given to the benefits derived from the provision of an automatic fire sprinkler system - Consultation should be made with the Water Authorities to determine flow rates in all cases.

Internal Consultee Responses (Appendix 6)

MSDC - Heritage Team - 9th February 2022:

The proposal would result in less than substantial harm to Orchard Farmhouse (Grade II Listed) because the proposed development would likely diminish the rural setting of the listed building, which is considered to make a positive contribution to its significance - As this is an outline application with all

matters reserved except access, the full extent of the impact on the significance of the listed building cannot be ascertained.

MSDC - Environmental Protection - Land Contamination - 27th January 2022:

No objection - Request LPA are contacted in the event of unexpected ground conditions being encountered during construction and that the minimum precautions (as advised) are undertaken until such time as the LPA responds to the notification - Advise that the developer is made aware that the responsibility for safe development of the site lies with them.

MSDC - Environmental Protection - Noise/Odour/Light/Smoke - 26th January 2022:

No objection - subject to Conditions relating to: Construction Management; Construction Hours; Prohibition of Burning; and Air Source Heat Pump Detail.

B: Representations

At the time of writing this report at least 14 letters/emails/online comments have been received. It is the officer opinion that this represents 6 objections, 8 support and 0 general comment. A verbal update shall be provided as necessary.

Views are summarised below:-

Representation raising concern or objection to the application proposal:

- The Outline Planning Permission the applicant is attempting to renew has lapsed, the current application should therefore be considered as an entirely new planning application and should be refused;
- Much has changed since the original planning permission was granted over three years ago - at the time the original planning permission was granted the Council was unable to demonstrate a five year housing land supply, which at the time outweighed the harm the development would cause, this is no longer the case;
- As the Council is now able to demonstrate a housing land supply far in excess of five years (housing land supply figures in excess of nine years are quoted) the application should now be refused;
- As MSDC can now demonstrate a housing land supply of far more than five years, speculative housing developments in the countryside, such as this, should no longer be supported;
- 68 houses (on 7 sites) have been granted in Stonham Aspal since the original planning permission was granted three years ago and are either complete, under construction or due to begin shortly - There is, therefore, no further need for more dwellings to be built in this Secondary Village (Stonham Aspal), which has few services and facilities;
- Do not consider Stonham Barns should be taken into consideration with regards services and facilities as one is unable to walk their safely;
- Stonham Aspal has already taken its fair share of development in recent years and this needs to stop;
- The Government has clarified its views on housing developments on Greenfield Sites, that is, that development on such sites should be discouraged wherever practically possible;
- The site is outside the village settlement boundary and on a Greenfield site and so should, therefore, be refused;
- The proposed development is considered to be out of keeping with the rural countryside character of the site and its surroundings;

- The development would erode the remaining historical rural character of the setting of the Grade II Listed Orchard Farmhouse and harm its character;
- The proposal would cut off the most direct relationship between the listed building and the landscape to the north;
- The proposal would diminish the rural setting of the listed building;
- The proposal would damage the local rural environment;
- The proposal would harm existing residential amenity;
- Proposal would result in increased air pollution from vehicles;
- The proposal would put increasing pressure on the village school, which is already at full capacity;
- Concern with regards the scale of development indicated by the last reserved matters application, proposing 4 or more bedroom, two-storey properties - Consider a better mix of properties, with 2 bedroom and bungalows, should be proposed;
- The proposal will result in a significant increase in traffic level through Quoits Meadow, which is presently a quiet cul de sac - resulting in significant noise and disturbance impacts for neighbours and impact on highway and pedestrian safety;
- The proposal would destroy the existing peaceful and pleasant surroundings of Quoits Meadow;
- No reference to the drainage basin previously proposed is made in the current application;
- There have been several attempts to gain approval of reserved matters, which have all been refused - Consider this means the development is not achievable and therefore unsustainable;
- The relentless attempts to gain planning permission on the site have resulted in considerable distress for residents of Quoits Meadow;
- The proposal fails the NPPF test of sustainable development and should be refused;
- Consider the applicant has misrepresented the Planning Case Officer and the Council's Development Committee Members in their Planning Statement;
- Consider the applicant has made many misleading comments in their supporting statement - such as a planned footpath to Stonham Barns, which is untrue.

Representations in support of the application proposal:

- Consider the proposal would enhance the village rather than detract;
- The proposal will help the village to grow and thrive;
- The proposal will help reduce an aging population;
- The proposal would help young people and young families stay in the village;
- Do not consider the proposal would be detrimental to village life;
- As this is a small development there will not be a significant increase in vehicle numbers or noise;
- Consider the village needs bigger homes;
- Consider the proposed development would be in-keeping with the character of the village;
- Consider the proposal is far less intrusive than other development in the village;
- Consider the proposal would support local amenities, such as the School;
- Stonham Aspal CEVA Primary School currently has 200 children, which is 10 below being at full capacity (Comments made by a School Representative);
- The school is a large primary school in a relatively small village and is highly dependent on out of catchment children attending the school (Comments made by a School Representative);
- The future pupil forecast for the school is indicating that there will be a fall in pupil numbers over the next 5 years (Comments made by a School Representative);
- The inhabitants of the village benefit from having the school for its children to go to, and a larger in catchment cohort of children would protect the future of the school (Comments made by a School Representative);
- The school is also one of the largest employers in the village, the security of the school relies totally on its pupil numbers (Comments made by a School Representative).

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

PLANNING HISTORY

REF: DC/21/03589	Application for approval of reserved matters following grant of outline application DC/18/04191 dated: 07/02/2019 - Appearance, Landscaping, Layout and Scale for Erection of 5no. dwellings and construction of new access, following demolition of 1no. existing dwelling. Discharge of Condition 9 (Hedgerows), Condition 10 (Surface Water Drainage Details), Condition 11 (Roads and Footpaths), Condition 13 (Parking and Turning), Condition 14 (Refuse Bins and Collection Areas), Condition 15 (Fire Hydrants) and Condition 16 (Construction Management)	DECISION: REF 10.12.2021
REF: DC/20/03291	Application for approval of reserved matters following grant of outline application DC/18/04191 dated 07/02/2019 Appearance, Layout, Scale and Landscaping for the erection of 5No dwellings and new access (following demolition for existing dwelling).	DECISION: REF 14.01.2021
REF: DC/18/04191	Outline Planning Application (Access to be considered) - Erection of up to 5 no. dwellings and construction of new access, following demolition of 1 no. existing dwelling	DECISION: GTD 07.02.2019
REF: DC/17/04419	Outline Planning Application (Access to be considered) - Erection of 9 no. dwellings and construction of new access	DECISION: REF 18.12.2017
REF: 1859/11	Retention of stables, alterations to existing roof and continued use of land as paddock without compliance with condition 1 of planning permission 2874/10 requiring removal of eucalyptus trees.	DECISION: GTD 25.07.2011
REF: 2874/10	Retention of stables, alterations to existing roof (per submitted drawings) and continued use of land as paddock (revised scheme to that previously permitted under planning permission 3062/06).	DECISION: GTD 15.12.2010

REF: 3062/06	Proposed change of use of agricultural land to paddock and erection of a stable block (following removal of existing buildings).	DECISION: GTD 22.05.2007
REF: 1836/05	Retention of vehicular access, storage facilities and parking area, and the erection of a shelter and hay storage building. All associated to adjacent paddock for the keeping and grazing of horses.	DECISION: REF 25.11.2005

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1. The application site extends to approximately 0.91 hectares and comprises part of an existing horse paddock set back from The Street, to the north of existing dwellings in the Quoits Meadow cul-de-sac.
- 1.2. To the north and east of the existing paddock lie agricultural fields, defined by hedgerow boundaries. An unmade access track runs adjacent to the south boundary of the paddock giving existing access to the paddocks and the agricultural fields to the east. Further to the south, on the opposite side of the track, lies the Grade II listed Orchard Farm with the existing housing estate at Walnut Tree Meadow beyond this. The existing Quoits Meadow estate and further dwellings fronting The Street lies to the west and south-west.
- 1.3. The site lies outside of, but adjacent to, the settlement boundary of the village. The site also affects the setting of a grade II listed building at Orchard Farm, to the south of the site, and affects an area of archaeological potential.

2. The Proposal

- 2.1. The application seeks outline planning permission, with all matters reserved, save for access, for the erection of up to 5 no. dwellings on the site, and construction of a new access, following demolition of the existing dwelling on the site, at the Leas.
- 2.2. The development proposal would, therefore, result in a net increase in 4 no. dwellings on the site (5 new dwellings and the loss of one existing dwelling).
- 2.3. The proposed means of access would be via the Quoits Meadow estate, with a presumed estate road access being provided within the existing frontage of The Leas. No details of the proposed access have been provided with the current application.
- 2.4. The application is supported by a Planning Statement, composed by an experienced planning professional, and member of the RTPI, which concludes that: the proposed new dwellings would serve and support the local economic and social infrastructure of Stonham Aspal by providing additional family homes; the development would fulfil the three objectives of sustainable development and there would be no impacts arising from the development which would

significantly and demonstrably outweigh the benefits; and that consequently, there are no grounds to refuse this application.

- 2.5. The application is also supported by a Phase 1 Geo-Environmental study and risk assessment, again carried out by suitably qualified professionals.

3. Site Planning History

- 3.1. The site has been subject to 2 no. previous outline planning applications, and 2 no. previous reserved matters applications, for residential development on the site, the details of which are appended to this report.
- 3.2. These previous planning decisions are considered to be material considerations in determination of the current application on the site.
- 3.3. Of most significance is the previous outline planning permission, for a similar development, granted on the site in February 2019, ref: DC/18/04191. This planning permission is now considered to have expired, as the deadline for submission of further reserved matters applications has now passed. The site is, therefore, not considered to benefit from an extant planning permission for housing development.
- 3.4. When considering the development proposed by planning application ref: DC/18/04191, the Council could not, at this time, demonstrate a five year housing land supply, and significant weight attributed to this, in the planning balance required by the NPPF of the time, in support of that proposal.
- 3.5. Notwithstanding the previous planning permission on the site, the present planning environment is considered to be significantly different to that when the previous application (ref: DC/18/04191) was considered. MSDC is presently able to demonstrate a housing land supply of 9.54 years, as evidenced by the recent Housing Land Supply Position Statement 2021 (published February 2022). Furthermore, 66 no. new dwellings have received planning permission and are reportedly either complete, under construction or due to begin shortly, in Stonham Aspal, since the previous application was granted. These factors are also considered to be material considerations in determination of the current application.

4. The Principle of Development

- 4.1. The starting point for any planning decision is the development plan, as identified in Section 38(6) of the Planning and Compulsory Purchase Act 2004. Determination of any application must be made in accordance with the plan unless material considerations indicate otherwise. A key material consideration regarding the principle of development is the National Planning Policy Framework (NPPF).
- 4.2. For the purposes of the application at hand, the following documents are considered to form the adopted Development Plan, considering also the provisions of the latest iteration of the NPPF as a material planning consideration:
 - Saved Policies of the Mid Suffolk Local Plan (1998)
 - Saved Policies of the Mid Suffolk Core Strategy (2008)

- Policies of the Mid Suffolk Core Strategy Focussed Review (2012)

- 4.3. Mid Suffolk currently benefits from a housing land supply that is significantly in excess of five-years, as evidenced and referred to above. There is, therefore, no requirement for the Council to determine what weight to attach to all the relevant development plan policies in the context of the tilted balance test, whether they are policies for the supply of housing or restrictive 'counterpart' policies, such as countryside protection policies. This said, there is a need for the Council to determine whether relevant development policies generally conform to the NPPF. Where they do not they will carry less statutory weight.
- 4.4. The NPPF requires the approval of proposals that accord with an up to date development plan without delay, or where there are no policies, or the policies which are most important are out of date, granting permission unless the NPPF policies provide a clear reason for refusal, or adverse impacts of doing so would demonstrably outweigh the benefits (NPPF paragraphs 11 c) and 11 d)).
- 4.5. Policies CS1 and CS2 of the Core Strategy, and Policy H7 of the Local Plan are the planning policies most important for determining the application. Policy CS1 identifies a settlement hierarchy as to sequentially direct development, forming part of a strategy to provide for a sustainable level of growth. The Policy identifies categories of settlement within the district, with towns representing the most preferable location for development, followed by the key service centres, primary then secondary villages. Policy CS2 restricts development in the countryside to defined categories. Local Plan Policy H7 seeks to restrict housing development in the countryside in the interests of protecting its existing character and appearance.
- 4.6. It should be noted that Stonham Aspal is listed as a secondary village in Core Strategy Policy CS1, amongst the least preferable locations for development in the current development plan settlement hierarchy. The significant amount of new housing development approved in Stonham Aspal since February 2019, as evidenced, is also relevant to note at this juncture.
- 4.7. The exceptional circumstances test at Core Strategy Policy CS2 applies to all land outside the settlement boundary, as does saved Policy H7. This blanket approach is, however, considered to be inconsistent with the NPPF, which favours a more balanced approach to decision-making. The NPPF does contain a not dissimilar exceptional circumstances test, set out at paragraph 80, however it is only engaged where development is isolated. The definition of isolation in the context of this policy has been shown within legal judgements to relate to physical isolation only. The subject land is not physically isolated, and it must follow that paragraph 80 does not engage.
- 4.8. Having had regard to MSDC's current strong housing land supply position (in excess of five years), and NPPF Paragraph 219 (which provides that existing policies should not be considered out-of-date simply because they are adopted or made prior to the publication of the NPPF and that due weight should be given to them, according with the degree of consistency with the NPPF), NPPF Paragraph 11 d) (which relates to out-of-date development plan policies) is not considered to be engaged. Notwithstanding this, NPPF Paragraph 11 d) is also not considered to be engaged as the proposed development would result in harm to a designated heritage asset,

and this then provides a clear reason for refusal in itself. For these reasons the statutory weight attached to plan policies CS1, CS2 and H7 is not considered to be significantly reduced, save for the need to be in conformity with the NPPF as a whole, in particular with NPPF paragraph 80, as referred to above. The fact that the site is outside the settlement boundary is therefore not considered to be a determinative factor upon which the development currently proposed turns. That said, policy CS1 is considered to be of relevance in directing the majority of new development to towns and key service centres, with only some provision for meeting local housing needs being appropriate in primary and secondary villages, such as Stonham Aspal. The question as to whether the current local housing need of Stonham Aspal is met by the parish's current housing land supply is, therefore, of relevance here.

- 4.9. The aim of the NPPF, for the delivery of sustainable development, remains unchanged. The three dimensions of sustainable development, in the context of the proposed scheme, are assessed in detail below:
- 4.10. Social Dimension - The delivery of additional market housing is recognised as a social benefit at a national level and, whilst the Council can demonstrate a housing land supply in significant excess of five (5) years, this cannot be read as a cap on development, but does reduce the level of weight attributed to this benefit.
- 4.11. Due to the minor nature of the application proposal there is not an expectation that the development proposed would deliver a contribution toward affordable housing, either on-site or elsewhere, and no such provision or contribution has been offered by the applicant. No additional positive weight can, therefore, be attributed in relation to the social dimension of sustainable development in this regard.
- 4.12. Whilst the site is considered to be remote from the majority of services and facilities required for day today living, the development is considered to have potential to offer support to the Village Primary School, which would in turn help to support the development, and in this way reduce the need to travel. However, there would otherwise be a significant reliance on the private motorcar to access other services and facilities, which are 7 miles or more away at Stowmarket, or 10 miles away or more at Ipswich. The proposal is, therefore, considered to result in a low level of social benefit in this regard.
- 4.13. Having considered the significant amount of existing housing land supply in the village, with a significant amount of social benefit already attributed to this, the current proposal is not considered add significantly to these existing benefits in this regard.
- 4.14. The proposal is considered to result in harm to the significance of a designated heritage asset. The proposal is therefore considered to result in a social disbenefit in this regard in the harm that would result, negatively impacting the public enjoyment of this asset now and for future generations.
- 4.15. In conclusion, therefore, the current proposal for a net gain of 4 no. additional dwellings is considered to offer a low level of additional social benefit in the planning balance.

- 4.16. Economic Dimension - The provision of 4 no. additional dwellings would likely give rise to employment opportunities during the site clearance and construction phases of development, and maintenance thereof thereafter. The proposal will, therefore, result in job creation during these periods which will have positive economy benefits locally.
- 4.17. Having considered the above, the economic opportunities during site clearance and construction phases would offer significant employment benefits, these benefits would, however, be short term and, therefore, limited. It is also acknowledged that there would be some limited employment benefits associated with the maintenance and management of the dwellings, once constructed, for the long term, however such economic benefits would be occasional, with a low level of benefit. Overall, on balance, the proposal is considered to result in a low level of Economic benefit over the lifetime of the development proposed.
- 4.18. Environmental Dimension - The application is located at a village which lacks the majority of services and facilities required for day to day living and has only a limited bus service available. The development is still, therefore, considered to place significant reliance of the private motor vehicle as a mode of transport, with a significant amount of additional vehicle movements as a result. The proposed development would, therefore, result in at least a low level of environmental harm in this respect.
- 4.19. A degree of less than substantial harm to the setting and significance of the nearby heritage asset (the Grade II Listed Orchard Farmhouse) has been identified by your heritage officers in assessing the current outline application. It should also be noted that your heritage officers have previously identified a low to medium level of less than substantial harm to the significance of this heritage asset in assessing previous reserved matters, for similar development proposal on the site. The proposed development is, therefore, considered to result in a low to medium level of environmental harm in this respect.
- 4.20. The proposed development has previously been assessed to result in a level of harm to the rural character of the site and its surroundings, and this perceived harm has formed the basis of reasons for refusal of previous applications on the site. The proposed development is also, therefore, considered to result in a level of environmental harm in this respect.
- 4.21. In fully weighting the scheme against the strands of sustainable development, a low level of overall social benefit is noted, and a long term low level of economic benefit is also noted. Counter to this is an overall moderate to high level of environmental harm, as identified above.
- 4.22. In conclusion, the Development Plan Policies considered most relevant to determining the principle of the current proposal (CS1, CS2 and H7) are not considered to be out-of-date simply due to age, as provided by NPPF paragraph 219 and the content of these policies which is in conformity with the current provisions of the NPPF, is, therefore, considered relevant and applicable. The main thrust of development plan policies is, therefore, considered to be available and accordingly the proposed development should, therefore, be refused due to its location, outside the settlement boundary of a secondary village, with no evidence of a requirement to

meet local housing needs presently. Furthermore, the proposal is considered to result in harm to the significance of a heritage asset, with no resultant public benefit(s) present to outweigh that harm. The provisions of the development plan policies in this regard is considered to be in conformity with and supported by the provisions of the current NPPF. For these reasons the NPPF tilted balance is not, therefore, considered to be engaged.

- 4.23. Overall the proposal is considered to weigh negatively in the planning balance and, in the opinion of your officers, does not represent sustainable development when considered against the provisions of the current development plan and latest iteration of the NPPF, taken as a whole. The principle of the proposed development is not, therefore, supported for these reasons.

5. Sustainable Construction / Renewable Energy

- 5.1. The current development plan expects new development to be of a high standard of design and layout and that it will address the need for energy and resource conservation. Policy CS3 provides principles around low water use, passive design, solar gain and low impact materials which are also relevant to this proposal.
- 5.2. Section 9 of the NPPF provides that Plans should protect and exploit opportunities for the use of sustainable transport modes and solutions in all development proposals. Therefore, developments should be located and designed where practical to incorporate facilities for charging plug-in and other ultra-low emission vehicles.
- 5.3. No indication of sustainable construction techniques, sustainable building design or renewable energy generation have been provided by the applicant in support of the current proposal.
- 5.4. Should members be minded to approve the application and grant outline planning permission, your officers advise that a scheme for the provision and implementation of water, energy and resource efficiency measures, during construction and operational phases of development should be submitted and refused prior to commencement.

6. Site Access, Parking and Highway Safety Considerations

- 6.1. Development plan policy T10 requires the Local Planning Authority to consider a number of highway matters when determining planning applications, including; the provision of safe access, the safe and free flow of traffic and pedestrian safety, safe capacity of the road network and the provision of adequate parking and turning for vehicles. Policy T10 is a general transport policy which is generally consistent with Section 9 of the NPPF on promoting sustainable transport, and therefore is afforded considerable weight.
- 6.2. Paragraph 111 of the NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 6.3. Whilst no details with regards vehicular access is currently provided as part of the application proposal, the means of vehicular access to the site and proposed dwellings is said to be via the

Quiots Meadow Estate, presumably within the frontage of the existing dwelling at The Leas, as has been proposed by previous applications on the site.

- 6.4. SCC-Highways have been consulted on the current proposal and have raised no objection on highway safety grounds, subject to the following conditions:
- Details of the proposed vehicular access;
 - Details of turning and parking, including powered two-wheeled vehicles (PTW) and Electric Vehicle Charging Points;
 - Details of secure, covered and lit cycle storage;
 - Means to prevent discharge of surface water onto the highway, and system to dispose of the water;
 - Details of areas to be provided for the storage and presentation of refuse and recycle bins.
- 6.5. Subject to the conditions as advised by SCC-Highways, therefore, your officers do not raise objection to the proposal on highway safety grounds at this stage, on the basis of information currently provided by the applicant.

7. Design, Layout and Landscaping

- 7.1. No detail regarding the proposed site layout, the scale and appearance of buildings, and the landscaping thereof are provided as part of the current application. And such matters are currently reserved.

8. Heritage Issues

- 8.1. In assessing the current application, your heritage officers advise the following:
- 8.2. The heritage concern relates to the potential impact of the works on the significance of Orchard Farmhouse, a Grade II Listed late C16 timber-framed farmhouse/former farmhouse, to the southeast.
- 8.3. In assessing an appeal for a previous proposal on the site (ref: DC/17/04419) the appeal inspector found that the application site “has inherent value as an established area of undeveloped space behind Quoits Meadow and within the setting of the listed building at Orchard Farm”, and that “the proposed development would fundamentally change the appeal site’s nature and its relationship with the listed building, as the proposed houses would diminish the listed building’s setting”. The Appeal Inspector considered the level of harm to the significance of the listed building to be less than substantial.
- 8.4. The current application has reduced the number of proposed dwellings to (up to) 5, on (up to) half of the previous application site, leaving the eastern half of the site undeveloped.
- 8.5. As established at Appeal, the site in its undeveloped state contributes to the setting of Orchard Farm, therefore any development on this site has the potential to diminish the setting of the listed building. The reduction of the size of the application site and the decrease in number of dwellings does reduce the harm identified by the inspector at appeal. However, the relationship between the listed building and the wider landscape would still be diminished, as the current proposal would

only preserve a limited connection between Orchard Farm and the countryside, in the form of a wedge of land opening up to the east. Five dwellings would likely still cut off the most direct relationship between the listed building and the landscape, to the north.

- 8.6. Therefore, while the current proposed development would not fully embed the listed building in modern development, the Heritage Team considers that the reduction of its connection to the countryside would likely still cause a certain level of less than substantial harm to the significance of the listed building. For such harm a consideration of public benefit needs to be made. Despite some short term economic benefit, the benefit of housing in the countryside is significantly reduced given the current housing supply and opportunity to direct housing to more sustainable locations. On this basis the benefit is not considered to outweigh the harm identified.
- 8.7. The SCC Archaeological Unit has been consulted on the current application and, whilst no formal response has been received, they have previously advised that Archaeological investigations on the site have been completed as part of the outline application DC/18/04191.
- 8.8. Despite the potential for Roman and medieval archaeological features and finds, as indicated by the Historic Environment Record, none were found during the evaluation. Based on the results of the archaeological evaluation SCC-Archaeology would not require any further archaeological work on the site. As such, your officers advise that the current application would not require further conditions for archaeological investigation and recording, should members be minded to approve.

9. Biodiversity and Protected Species

- 9.1. The interior of the proposal site comprises an occupied and maintained area of equine grazing and exercising land and is not considered to provide significant habitat for protected and priority species.
- 9.2. Trees and hedgerows surrounding the site provide potential habitat for breeding birds, Hedgehogs and possibly Newts (pending further investigation), as such, it is expected that ecological mitigation and landscaping proposals for the site, and suitable enhancement measures, would be secured by way of condition, should members be minded to approve the current application.

10. Land Contamination

- 10.1. The current application is supported by a detailed geo-environmental report, prepared by suitably qualified individuals, which assesses matters relating to land contamination and potential risk to future occupiers of the site.
- 10.2. Your Environmental Protection Officers have assessed the current application and have raised no objection to the proposed development from the perspective of land contamination. Your EP officers advise that the Geoenvironmental report submitted in support of the application, and previous applications for the site, demonstrate that the risks posed by former uses of the site is sufficiently low as to not require any additional investigations/remedial works.
- 10.3. Your officers advise that, in the event that members resolve to approve the application, that the LPA are contacted in the event of unexpected ground conditions being encountered during

construction and that the minimum precautions are undertaken (as advised by your EP officers) until such time as the LPA responds to the notification. Members are also advised that the responsibility for the safe development of the site lies with the developer.

11. Flood Risk and Drainage

- 11.1. The proposal site and the immediate surrounds are located completely within Environment Agency Flood Zone 1, as such the site is not considered to be at significant risk of flooding.
- 11.2. NPPF Paragraph 168 provides that such minor applications, should not be subject to sequential or exemption tests, as set out elsewhere in the NPPF, and there is also no requirement for the applicant to submit a site-specific flood-risk assessment, due to the size of the site being less than 1 hectare, as set out in NPPF footnote 55.
- 11.3. The applicant has indicated that surface water will be disposed of via Sustainable Drainage Systems, the principle of which is supported by your officers. Further details in this respect would be required to be secured by way of condition, should members be minded to approve.

12. Impact on Residential Amenity

- 12.1. Saved Policy H13 of the Local Plan seeks to ensure new housing development protects the amenity of neighbouring residents. Saved Policy H16 of the Local Plan seeks to protect the existing amenity of residential areas. Paragraph 130 of the NPPF sets out a number of core planning principles as to underpin decision-taking, including, seeking to secure a high standard of amenity for existing and future land users.
- 12.2. Whilst no detail of the layout, scale or appearance of the dwellings proposed have been provided as part of the current application, should this application be approved, it is expected that proposed dwellings would be set out with acceptable back to back distances, to avoid significant impacts in terms residential amenity, with regards domination, overlooking and loss of privacy, in relation to both existing and proposed dwellings. It is also expected that car turning and parking spaces, driveways and access roads will be sensitively located and not result in residential amenity harm as a result of vehicle movements and artificial light nuisance from headlamps.

13. Parish Council Comments

- 13.1. The matters raised by Stonham Aspal Parish Council are considered to have been addressed in the above report.

PART FOUR – CONCLUSION

14. Planning Balance and Conclusion

- 14.1. MSDC is presently able to demonstrate a housing land supply of 9.54 years, as evidenced by the recent Housing Land Supply Position Statement 2021 (published February 2022), which is in significant excess to that required by the latest iteration of the NPPF. There is, therefore, no requirement for the Council to determine what weight to attach to all the relevant development plan policies in the context of the tilted balance test.
- 14.2. The Development Plan Policies most relevant to determining the principle of proposal (CS1, CS2 and H7) are not considered to be out-of-date simply due to age, as provided by NPPF paragraph 219. As a result NPPF paragraph 11 d) and the NPPF tilted balance are not considered to be engaged.
- 14.3. The content of current development plan policies, which are in conformity with the current provisions of the NPPF, are considered relevant and applicable. The main thrust of development plan policies is, therefore, considered to be available and accordingly the proposed development should, therefore, be refused due to its location, outside the settlement boundary of a secondary village, with no evidence of a requirement to meet local housing needs presently, contrary to the provisions of development plan policies CS1, CS2 and H7, having had regard to the provisions of the NPPF as a material consideration.
- 14.4. The proposal is considered to result in harm to the significance of a heritage asset (the Grade II Listed Orchard Farmhouse), with no resultant public benefit(s) present to outweigh that harm. The provisions of the development plan policies in this regard (in particular policies CS5 and HB1) are considered to be in conformity with and supported by the provisions of the current NPPF in this regard (in particular NPPF section 16), and the development, for these reasons should be refused.
- 14.5. In weighting the scheme against the strands of sustainable development, as set out in the NPPF, a low level of overall social benefit is noted, and a long term low level of economic benefit is also noted. Counter to this is an overall moderate to high level of environmental harm.
- 14.6. In conclusion, the proposal is considered to weigh negatively overall in the planning balance and, in the opinion of your officers, does not represent sustainable development when considered against the provisions of the current development plan and latest iteration of the NPPF, taken as a whole. The principle of the proposed development is not, therefore, supported for these reasons.

RECOMMENDATION

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

1) REASON(S) FOR REFUSAL - PRINCIPLE

The proposed development site lies outside of the village settlement boundary, as defined in the current adopted development plan. The principle of new housing development on the site is not then automatically supported, as a point of principle, by the current plan.

The Local Planning Authority is able to demonstrate a housing land supply, in significant excess of the five year minimum required by the NPPF. The tilted balance is not, therefore, engaged.

Paragraph 11 of the NPPF requires planning decisions to apply a presumption in favour of sustainable development and, for decision-taking, in instances such as this where the policies which are most important for determining the application are out-of-date, planning permission should be granted unless adverse impacts of doing so would outweigh the benefits, when assessed against the policies of the Framework taken as a whole.

In weighting the scheme against the strands of sustainable development, as set out in the NPPF, a low level of overall social benefit is noted, and a long term low level of economic benefit is also noted. Counter to this is an overall moderate to high level of environmental harm. In particular the proposal is considered to result in harm to the character, setting and significance of a heritage asset, the nearby Grade II Listed Orchard Farmhouse, and would result in harm to the rural character of the site and its surroundings.

The adverse impacts of the proposal are, therefore, considered to significantly and demonstrably outweigh the benefits of the proposal and not to represent sustainable development when considered against the provisions of the NPPF, taken as a whole.

2) REASON(S) FOR REFUSAL - IMPACT ON THE SIGNIFICANCE OF A HERITAGE ASSET

Development plan policy CS5 requires all development proposals to protect, conserve and where possible enhance the built historic environment. Development Plan Policy HB1 requires that all such proposals should protect the character and appearance of all buildings of architectural or historic interest. Furthermore, the NPPF provides that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

The erection of a residential development on the site would result in erosion of the remaining historically rural character of the setting of the Grade II Listed Orchard Farmhouse and harm its character. The proposal is considered to result in less than substantial harm to the character, setting and significance of this heritage asset. Having assessed the development proposal

against the social, economic and environmental dimensions of sustainable development, as required by the NPPF, the public benefits of the proposal are not considered to outweigh the level of harm identified. The proposal is, therefore, contrary to the provisions of the aforementioned planning policies for these reasons.



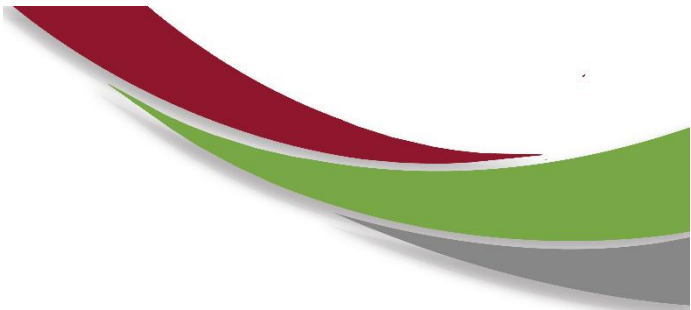
Application No: DC/22/00225

Location: Land to the rear of The Leas, Quoits Meadow, Stonham Aspal

		Page No
Appendix 1: Call In Request	No	
Appendix 2: Details of Previous Decisions	Reserved Matters Application refs: DC/21/03589 and DC/20/03291 Outline Planning Application refs: DC/18/04191 and DC/17/04419	
Appendix 3: Town/Parish Council/s	Stonham Aspal Parish Council	
Appendix 4: National Consultee Responses	NA.	
Appendix 5: County Council Responses	SCC - Highways SCC - Fire and Rescue	
Appendix 6: Internal Consultee Responses	MSDC - Heritage Team MSDC - Environmental Protection - Land Contamination MSDC - Environmental Protection - Other Issues	
Appendix 7: Any other consultee responses	14 letters/emails/online comments received. 6 objections, 8 support and 0 general comment.	



Babergh and Mid Suffolk District Councils



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

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



Consultee Comments for Planning Application DC/22/00225

Application Summary

Application Number: DC/22/00225

Address: Land To The Rear Of The Leas Quoits Meadow Stonham Aspal Suffolk

Proposal: Application for Outline Planning Permission (Access point to be considered, Appearance, Landscape, Layout and Scale to be reserved) Town and Country Planning Act 1990 - Erection of up to 5 no. dwellings and construction of new access (following demolition of existing dwelling).

Case Officer: Alex Scott

Consultee Details

Name: Mrs Alison Green

Address: Granary Cottage, Mill Green, Stonham Aspal Stowmarket, Suffolk IP14 6DA

Email: Not Available

On Behalf Of: Stonham Aspal Parish Clerk

Comments

At the meeting on 15th February 2022 the members of Stonham Aspal Parish Council unanimously agreed to object to this application on the basis that

Planning approval has been given for 66 properties other properties (with construction making progress) within the main village. This represents a 40% increase in houses. With the original application there was a need for development land however there is now 9.5 years of housing land supply so this is a speculative application

It is on a green field site outside of settlement boundary.

The need for smaller properties has been met by the football ground development

Previous refusals were made on the basis of impact on a heritage asset, Orchard Farm and the development being out of keeping with the rural character. These factors have not changed

The impact on the residential amenity of cul-de-sac of Quoits Meadow would be significant to all residents in particular No 5 and 3. The change in the environment, loss of privacy and impact of increased traffic are all factors. The threat of this change has been hanging over residents for 5 years.

The entrance to the site is also dangerous.

There are few amenities and the school is near capacity.

The parish council believe that the village does not need this development.

Your Ref: DC/22/00225
Our Ref: SCC/CON/0158/22
Date: 25 January 2022
Highways Enquiries to: Highways.DevelopmentControl@suffolk.gov.uk



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

Email: planning@babberghmidsuffolk.gov.uk

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

For the attention of: Alex Scott

Dear Alex,

TOWN AND COUNTRY PLANNING ACT 1990 CONSULTATION RETURN: DC/22/00225

PROPOSAL: Application for Outline Planning Permission (Access point to be considered, Appearance, Landscape, Layout and Scale to be reserved) Town and Country Planning Act 1990 - Erection of up to 5 no. dwellings and construction of new access (following demolition of existing dwelling).

LOCATION: Land To The Rear Of The Leas, Quoits Meadow, Stonham Aspal, Suffolk, IP14 6DE

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

Condition: No part of the development shall be commenced until details of the proposed vehicular access (including the position of any gates to be erected and vehicular visibility splays to be provided) have been submitted to and approved in writing by the Local Planning Authority. The approved access shall be laid out and constructed in its entirety prior to any other part of the development taking place. Thereafter the access shall be retained in its approved form.

Reason: To ensure that the access is designed and constructed to an appropriate and acceptably safe specification and made available for use at an appropriate time. This needs to be a pre-commencement condition because access for general construction traffic and other traffic is not otherwise achievable safely.

Condition: Before the development is commenced, details of the areas and infrastructure to be provided for the loading, unloading, manoeuvring and parking of vehicles including powered two-wheeled vehicles and electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented for each dwelling prior to its first occupation and retained as such thereafter.

Reason: To ensure the provision and long term maintenance of adequate on-site space for the parking and manoeuvring of vehicles in accordance with the current Suffolk Guidance for Parking where on-street parking and or loading, unloading and manoeuvring would be detrimental to highway safety. This is a pre-commencement condition because it must be demonstrated that the development can accommodate sufficient parking spaces before construction works may make this prohibitive and in the interests of ensuring highway safety.

Condition: Before the development is commenced, details of the areas to be provided for the secure, covered, and lit cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To promote sustainable travel by ensuring the provision at an appropriate time and long-term maintenance of adequate on-site areas for the storage of cycles in accordance with Suffolk Guidance for Parking (2019).

Condition: Before the development is commenced, details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway including any system to dispose of the water. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.

Reason: To prevent hazards caused by flowing water or ice on the highway. This needs to be a pre-commencement condition to avoid expensive remedial action which adversely impacts on the viability of the development if, given the limitations on areas available, a suitable scheme cannot be retrospectively designed and built.

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

Reason: To ensure that space is provided for refuse and recycling bins to be stored and presented for emptying and left by operatives after emptying clear of the highway and access to avoid causing obstruction and dangers for the public using the highway.

Note: It is an **OFFENCE** to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority.

Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by Suffolk County Council or its agents at the applicant's expense.

Suffolk County Council must be contacted on Tel: 0345 606 6171.

For further information go to:

<https://www.suffolk.gov.uk/roads-and-transport/parking/apply-and-pay-for-a-dropped-kerb/>

or;

<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>

Suffolk County Council drawings DM01 - DM14 are available from:

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

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

Yours sincerely,

Mohammedur Rashid-Miah
Transport Planning Engineer

Growth, Highways and Infrastructure

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

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

Your Ref:
Our Ref: FS/F200915
Enquiries to: Water Officer
Direct Line: 01473 260588
E-mail: Fire.BusinessSupport@suffolk.gov.uk
Web Address: <http://www.suffolk.gov.uk>

Date: 18/01/2022

Dear Sirs

LAND TO THE REAR OF THE LEAS, QUOITS MEADOW, STONHAM ASPAL, IP14 6DE
Planning Application No: DC/22/00225/OUT

I refer to the above application.

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

Access and Fire Fighting Facilities

Access to buildings for fire appliances and firefighters must meet with the requirements specified in Building Regulations Approved Document B, (Fire Safety), 2019 Edition, Volume 1 - Part B5, Section 11 dwelling houses, and, similarly, Volume 2, Part B5, Sections 16 and 17 in the case of buildings other than dwelling houses. These requirements may be satisfied with other equivalent standards relating to access for fire fighting, in which case those standards should be quoted in correspondence.

Suffolk Fire and Rescue Service also requires a minimum carrying capacity for hard standing for pumping/high reach appliances of 15/26 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2000 Approved Document B, 2019 Edition.

Water Supplies

Suffolk Fire and Rescue Service records show that the nearest fire hydrant in this location is over 105M from the proposed build site and we therefore recommend that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the provision of an automatic fire sprinkler system. (Please see sprinkler information enclosed with this letter).

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

/continued

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

Yours faithfully

Water Officer

Suffolk Fire and Rescue Service

Copy: info@philcobboldplanning.co.uk

Enc: Sprinkler Information

Consultation Response Pro forma

1	Application Number	DC/22/00225 Land To The Rear of The Leas, Quoits Meadow, Stonham Aspal	
2	Date of Response	09/02/2022	
3	Responding Officer	Name:	Thomas Pinner
		Job Title:	Heritage and Design Officer
		Responding on behalf of...	Heritage Team
4	Summary and Recommendation	<p>As this is an outline application with all matters reserved except access, the full extent of the impact on the significance of the listed building cannot be ascertained.</p> <p>However, based on the information provided, I consider that the proposal would likely be considered to cause a certain level of less than substantial harm to Orchard Farmhouse because the proposed development would likely diminish the rural setting of the listed building, which is considered to make a positive contribution to its significance.</p>	
5	Discussion	<p>The application proposes Outline Planning Permission, with all matters reserved except for access, for the erection of up to five dwellings, following demolition of an existing dwelling. The heritage concern relates to the potential impact of the works on the significance of Orchard Farmhouse, a Grade II Listed late C16 timber-framed farmhouse/former farmhouse, to the southeast.</p> <p>The current application seeks to renew granted Outline Planning Permission DC/18/04191. The Heritage Team provided comments on DC/18/04191. As the current application is in effect the same as that approved (although no indicative layout plans are included this time), and there does not appear to have been any material heritage-related changes since this time, I therefore repeat the Heritage Team's comments on DC/18/04191 below, with minor adjustments as appropriate:</p> <p>The application follows a previous outline application for 9 dwellings on this site, which was refused (DC/17/04419) and a subsequent appeal which was dismissed (AP/18/00036). The Inspector at Appeal found that the application site "has inherent value as an established area of undeveloped space behind Quoits Meadow and within the setting of the listed building at Orchard Farm", and that "the proposed development would fundamentally change the appeal site's nature</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>and its relationship with the listed building, as the proposed houses would diminish the listed building's setting". The Appeal Inspector considered the level of harm to the significance of the listed building to be less than substantial.</p> <p>The current application has reduced the number of proposed dwellings to (up to) 5, on (up to) half of the previous application site, leaving the eastern half of the site undeveloped.</p> <p>As established at Appeal, the site in its undeveloped state contributes to the setting of Orchard Farm, therefore any development on this site has the potential to diminish the setting of the listed building. The reduction of the size of the application site and the decrease in number of dwellings does reduce the harm identified during the previous application. However, the relationship between the listed building and the wider landscape would still be diminished, as the current proposal would only preserve a limited connection between Orchard Farm and the countryside, in the form of a wedge of land opening up to the east. Five dwellings would likely still cut off the most direct relationship between the listed building and the landscape, to the north.</p> <p>Therefore, while the current proposed development would not fully embed the listed building in modern development, the Heritage Team considers that the reduction of its connection to the countryside would likely still cause a certain level of less than substantial harm to the significance of the listed building.</p> <p><i>Decision-takers should be mindful of the specific legal duties of the local planning authority with respect to the special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses, as set out in section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.</i></p>
6	Amendments, Clarification or Additional Information Required	
7	Recommended conditions	

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

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

Sent: 27 Jan 2022 10:28:05

To:

Cc:

Subject: FW: (302572) DC/22/00225. Land Contamination

Attachments:

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

Sent: 27 January 2022 10:19

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

Cc: Alex Scott <Alex.Scott@baberghmidsuffolk.gov.uk>

Subject: (302572) DC/22/00225. Land Contamination

EP Reference : 302572

DC/22/00225. Land Contamination

Land To The Rear Of The Leas, Quoits Meadow, Stonham Aspal, STOWMARKET, Suffolk.

Application for Outline Planning Permission (Access point to be considered, Appearance, Landscape, Layout and Scale to be reserved) Town and Country Planning Act 1990 - Erection of up to 5 no..

Having reviewed the application I can confirm that I have no objection to the proposed development from the perspective of land contamination – the Geoenvironmental report submitted in support of the application, and previous applications for the site, demonstrate that the risks posed by former uses of the site is sufficiently low as to not require any additional investigations/remedial works. I would only request that the LPA are contacted in the event of unexpected ground conditions being encountered during construction and that the below minimum precautions are undertaken until such time as the LPA responds to the notification. I would also advise that the developer is made aware that the responsibility for the safe development of the site lies with them.

Please could the applicant be made aware that we have updated our Land Contamination Questionnaire and advise them that the updated template is available to download from our website at <https://www.babergh.gov.uk/environment/contaminated-land/land-contamination-and-the-planning-system/>.

For the purposes of clarity these comments **only** relate to matters of Land Contamination.

Regards

Nathan

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

Babergh and Mid Suffolk District Councils – Working Together

Email: Nathan.pittam@baberghmidsuffolk.gov.uk

Work: 01449 724715

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

I am working flexibly - so whilst it suits me to email now, I do not expect a response or action outside of your own working hours

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

1. All site works at the position of the suspected contamination will stop and the Local Planning Authority and Environmental Health Department will be notified as a matter of urgency.

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

From: Vanessa Pannell <Vanessa.Pannell@babberghmidsuffolk.gov.uk>
Sent: 26 Jan 2022 12:41:15
To:
Cc:
Subject: FW: PLANNING APPLICATION DC/22/00225 STONHAM ASPAL
Attachments:

From: Susan Lennard <Susan.Lennard@babberghmidsuffolk.gov.uk>
Sent: 26 January 2022 12:30
To: BMSDC Planning Area Team Blue <planningblue@babberghmidsuffolk.gov.uk>
Cc: Alex Scott <Alex.Scott@babberghmidsuffolk.gov.uk>; Susan Lennard <Susan.Lennard@babberghmidsuffolk.gov.uk>
Subject: PLANNING APPLICATION DC/22/00225 STONHAM ASPAL

PLANNING APPLICATION: DC/22/00225

OUR REFERENCE:302571

PROPOSAL: Application for Outline Planning Permission (Access point to be considered, Appearance, Landscape, Layout and Scale to be reserved) Town and Country Planning Act 1990 - Erection of up to 5 dwellings following demolition of building on site.

LOCATION: Land to rear of The Leas, Quoits Meadow, Stonham Aspal.

CONSULTEE COMMENTS IN RESPECT OF NOISE, LIGHT, ODOUR SMOKE ONLY

Dear Sirs,

I write with regard to the above planning proposal. Having reviewed the planning documentation we understand that;

- Planning permission for dwellings on the site was granted under permission DC/18/04191.
- This application seeks to renew this outline permission. permission .
- Foul sewage is to be disposed of to the mains foul sewage network.
- There are a number of residential dwellings located on the southern boundary of the application site.

Having regard to the above, we would offer the following recommendations;

CONDITION

CONSTRUCTION MANAGEMENT PLAN

No development shall commence until a construction management plan has been submitted to and approved in writing by the Local Planning Authority and shall include details of;

- Details of the scheduled timing/phasing of the development for the overall construction period
- Wheel washing facilities
- Details of lighting.
- Management and control of dust.
- Management of demolition stages.
- Noise and vibration management (to include arrangements for monitoring, and specific method statements for piling)

Thereafter, the approved construction plan shall be fully implemented and adhered to during the construction phases of the development hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Note: the Construction Management Plan shall cover both demotion and construction phases of the above development. The applicant should have regard to BS 5228:2009 Code of Practice of Noise and Vibration Control on Construction and Open Sites in the CMP.

Reason: to minimise detriment to nearby residential amenity

CONDITION

CONSTRUCTION HOURS

Operations related to the construction (including site clearance and demolition) phases) of the permitted development/use shall only operate between the hours of 08.00 and 18.00hrs Mondays to Fridays and between the hours of 09.00 and 13.00hrs on Saturday. There shall be no working and/or use operated on Sundays and Bank Holidays. There shall be no deliveries to the development/use arranged for outside of these approved hours.

Reason: to minimise detriment to nearby residential amenity

CONDITION

PROHOBITION ON BURNING.

No burning shall take place on site at any stage during site clearance, demolition or construction phases of the project.

Reason – To minimise detriment to nearby residential amenity.

AIR SOURCE HEAT PUMPS

If the applicant is proposing the use of air source heat pumps, then we would wish to see confirmation of compliance with the requirements of **MCS020 (MCS Planning Standards For permitted development installations of wind turbines and air source heat pumps on domestic premises)**.

Reason – To minimise detriment to nearby residential amenity.

Sue Lennard
Senior Environmental Protection Officer
Public Protection

Please note I am a part time officer working each Monday Tuesday and Wednesday each week.

Babergh and Mid Suffolk District Councils – Working Together

Susan.lennard@baberghmidsuffolk.gov.uk

01449 724943

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

Philip Isbell - Corporate Manager
Growth & Sustainable Planning

Mid Suffolk District Council
Endeavour House, 8 Russell Road, Ipswich IP21 2BX

Website: www.midsuffolk.gov.uk



REFUSAL OF OUTLINE PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)
ORDER 2015

Correspondence Address:

Philip Cobbold Planning Ltd
42 Beatrice Avenue
Felixstowe
IP11 9HB

Applicant:

Mr R Tydeman
The Leas
Quoits Meadow
The Street
STONHAM ASPAL
IP14 6DE

Date Application Received: 29-Aug-17

Application Reference: DC/17/04419

Date Registered: 04-Sep-17

Proposal & Location of Development:

Outline Planning Application (Access to be considered) - Erection of 9 no. dwellings and construction of new access

Land Rear Of The Leas, Quoits Meadow, The Street, Stonham Aspal Suffolk

Section A – Plans & Documents:

This decision refers to drawing no./entitled SITE LOCATION PLAN 1:2500 received 29/08/2017 as the defined red line plan with the site shown edged red. Any other drawing showing land edged red whether as part of another document or as a separate plan/drawing has not been accepted or treated as the defined application site for the purposes of this decision.

The plans and documents recorded below are those upon which this decision has been reached:

Defined Red Line Plan SITE LOCATION PLAN 1:2500 - Received 29/08/2017

Section B:

Mid Suffolk District Council as Local Planning Authority, hereby give notice that **OUTLINE PLANNING PERMISSION HAS BEEN REFUSED** for the development proposed in the application in accordance with the particulars and plans listed in section A for the following reasons:

1. The proposed access would by reason of its location likely result in detriment to adjoining neighbours in respect of significant reduction in amenity. On this basis this development is contrary to Policy H16, GP1 and H13 of the Local Plan 1998 as well as NPPF.
2. There is insufficient information to judge the acceptance of the access route and development in respect of its relationship and impact on the place and character of the locality. Accordingly, the development fails to enhance local character in accordance with Core Strategy Review FC1.1 and Local Plan policies GP1, H13 and H15.
3. The proposal fails to demonstrate that the development would not result in harm to the setting of the nearby Grade II listed building at Orchard Farm. This is contrary to policies H13, HB1 and NPPF.

SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:

NPPF - National Planning Policy Framework
FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
FC02 - Provision And Distribution Of Housing
CS01 - Settlement Hierarchy
CS05 - Mid Suffolk's Environment
CS07 - Brown Field Target
CS09 - Density and Mix
GP01 - Design and layout of development
H13 - Design and layout of housing development
H14 - A range of house types to meet different accommodation needs
H15 - Development to reflect local characteristics
H16 - Protecting existing residential amenity
H17 - Keeping residential development away from pollution
HB01 - Protection of historic buildings
HB14 - Ensuring archaeological remains are not destroyed
CL08 - Protecting wildlife habitats
T02 - Minor Highway improvements
T09 - Parking Standards
T10 - Highway Considerations in Development

Babergh and Mid Suffolk District Councils have adopted Community Infrastructure Levy (CIL) charging which affects planning permissions granted on or after 11th April 2016 and permitted development commenced on or after 11th April 2016. If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling or holiday let of any size your development may be liable to pay CIL and you must submit relevant documents to our Infrastructure Team telling us more about your development, who will pay CIL and when the development will start. You will receive advice on the amount you have to pay and what you have to do and you can find more information about CIL on our websites here:

CIL in Babergh and CIL in Mid Suffolk or by contacting the Infrastructure Team on:
infrastructure@baberghmidsuffolk.gov.uk

This relates to document reference: DC/17/04419

Signed: Philip Isbell

Dated: 18th December 2017

**Corporate Manager
Growth & Sustainable Planning**

Appeals to the Secretary of State:

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- As this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice [reference], if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.*
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.*
- As this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.*
- As this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.*
- As this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.*
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.*
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

OFFICER'S REPORT AND RECOMMENDATION

CASE OFFICER: Alex Scott
CASE REFERENCE: DC/17/04419

The Openness of Local Government Bodies Regulations 2014

The new national regulations on openness and transparency in local government require the recording of certain decisions taken by officers acting under powers delegated to them by a council. The written record should include the following: The decision taken and the date the decision was taken; the reason/s for the decision; any alternative options considered and rejected; and any other background documents. This report and recommendation constitutes the written record for the purposes of the regulations and when read as a whole is the reason for the decision.

PROPOSAL: Outline Planning Application (Access to be considered) - Erection of 9 no. dwellings and construction of new access
LOCATION: Land Rear Of The Leas, Quoits Meadow, The Street, Stonham Aspal Suffolk
PARISH: Stonham Aspal.
WARD: The Stonhams.
APPLICANT: Mr R Tydeman

ENVIRONMENTAL IMPACT ASSESSMENT:
SITE NOTICE DATE: 21/09/2017
PRESS DATE: Affects Listed Building,

BACKGROUND DOCUMENTS

This decision refers to drawing number SITE LOCATION PLAN 1:2500 received 29/08/2017 as the defined red line plan with the site shown edged red. Any other drawing showing land edged red whether as part of another document or as a separate plan/drawing has not been accepted or treated as the defined application site for the purposes of this decision.

The plans and documents recorded below are those upon which this decision has been reached:

Defined Red Line Plan SITE LOCATION PLAN 1:2500 - Received 29/08/2017

The application, plans and documents submitted by the Applicant can be viewed online at www.babergh.gov.uk or www.midsuffolk.gov.uk. Alternatively a copy is available to view at the Mid Suffolk and Babergh District Council Offices.

SUMMARY OF CONSULTATIONS

Stonham Aspal Parish Clerk

Oppose this planning application - Proposal would result in increased traffic and parked vehicles on Quoits Meadow and the surrounding areas near its access on The Street at busy times.

Heritage Team

No Objection at this stage - Recommend a reserved matters application should consider a scheme which would minimise harm to the adjacent Grade II Listed Orchard Farm, pushing dwellings of a larger scale furthest away.

Suffolk Wildlife Trust

Further layout and landscaping information required at reserved matters stage in order to provide informed comment.

Environmental Health - Land Contamination

Further land contamination assessment required prior to commencement.

SCC - Archaeological Service

No Objection - Subject to the carrying out of an approved scheme of Archaeological works prior to commencement.

SCC - Highways

No Objections Raised - Access onto Quoits Meadow acceptable - However, consider accessing the public highway via the track to the south-east would be detrimental to highway safety and this access should be permanently stopped up to prevent an intensification of use of a substandard access - Parking and turning areas should be submitted, including areas provided for secure cycle storage facility so that the proposal can be properly determined in regards to potential conflict with the Suffolk Guidance for Parking 2015.

MSDC - Waste & Environment

No objection at this stage - More information required regarding access for dustcarts and plotting of presentation points at reserved matters stage.

Environmental Health - Sustainability Issues

No Objection - Encourage applicant to incorporate features to reduce the construction and on-going impact of the development.

SUMMARY OF REPRESENTATIONS

Letters of representation have been received from a total of nine (9) third party sources raising concern or objection to the application proposal. Comments received are summarised below:

- The Council has already granted permission for 13 new dwellings recently in Stonham Aspal;
- Proposed development is outside the settlement boundary;
- If the proposal is approved what is the purpose of settlement boundaries in the Local Plan?;
- The SHLAA discounted an adjacent field as it is not well related to the existing settlement;
- Concern that there will ultimately be more than 9 houses built on the site;
- Application infers that Stonham Aspal is a thriving/sustainable, it is not;
- Stonham Aspal is only a secondary village and not a sustainable location for larger housing developments;
- There is not an unfulfilled demand for housing in Stonham Aspal;
- Application is misleading, there is only one shop in the village and it is not sell convenience foods;
- Bus services to the village are limited (115 two services a day to Ipswich and only one back);
- Proposal would encroach into the countryside;
- Other examples of other recently approved developments in Stonham Aspal are not comparable as there are either infill developments or within the settlement boundary;
- There was a Supreme Court ruling earlier this year which entailed a presumption against such development on a green field site. This should still be enforced by a local authority unless there are over-riding benefits to the local community;

- Consider there is a case to be made that the district now has a sustainable housing supply due to recent approvals;
- Proposal would set precedent for similar developments;
- Proposal would endanger children who play in the Quoits Meadow Cul De Sac;
- Quoits Meadow regularly becomes full with School Parking and cars from other properties also park in the Cul De Sac. This prevents larger vehicles turning and causes hazards. The proposed development would make the situation more dangerous;
- Existing vehicular congestion in Quoits Meadow is a problem and making the cul de sac into a through road to a housing estate will only make matters worse;
- The proposed access road is not wide enough to accommodate larger delivery and emergency service vehicles;
- Pavements will be required in order that children can walk to school safely;
- Object to the partial or total demolition of 'The Leas' and the impact this would have on the character of the existing Cul De Sac;
- The proposed density is not in keeping with existing properties in the immediate vicinity;
- No detail of the layout and design of the dwellings has been provided;
- Proposal is backland development and should be refused;
- The proposal would impact existing neighbouring amenity with dwellings currently looking out over a peaceful field;
- Concern with regards the proposed access road on neighbouring amenity;
- Concern with regards the potential impact on a nearby listed building;
- Concern that there is a lack of proposed affordable housing;
- Site drainage is an issue;
- Existing sewage pipes are a problem and this development will make the situation worse;
- The land has a restrictive covenant in place for agricultural use only.

Letters of representation have been received from a total of fourteen (14) third party sources in support of the application proposal. Comments received are summarised below:

- Support this application for a small development;
- Site ideal for development within the village boundary, with minimal disruption;
- Happy with the plans, looks like a perfect spot to build more houses for the village;
- Proposal site would respect the existing built up line of the village;
- In-fill sites have been successful in other nearby villages - perhaps this could also be the case in this locality;
- Site is ideal area to infill especially by using the established entrance from the A1120;
- Support proposal which will support and strengthen local services and facilities;
- Proposal would have a positive impact on the local community, schools, small businesses etc.;
- Application makes good use of land in a village which would benefit from growth;
- Proposal will help meet the overall need for housing in the country, which are desperately needed;
- The development will only help the village expand to be able to carry some of the strain for new housing nationally;
- There is a clear shortage of housing locally;
- Demand for properties in the village has always been greater than that available;
- Proposal will help young people stay in the area and keep the village alive and vibrant;
- Young people have had to move away from the village due to lack of housing;
- Would like the opportunity to buy a property locally;
- The proposal is similar to developments at Walnut Tree Close and Wingfield Close, which have kept the village growing;
- Proposal site is off the main street which is a benefit;
- Proposal is beneficial as it would not require any additional access roads onto the A1120;

- 9 houses would not generate a significant amount of extra traffic and the main road is more than adequate to accommodate;
- Quoits Meadow will remain as is, only larger

PLANNING POLICIES

NPPF - National Planning Policy Framework
 FC01 - Presumption In Favour Of Sustainable Development
 FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
 FC02 - Provision And Distribution Of Housing
 CS01 - Settlement Hierarchy
 CS05 - Mid Suffolk's Environment
 CS07 - Brown Field Target
 CS09 - Density and Mix
 GP01 - Design and layout of development
 H13 - Design and layout of housing development
 H14 - A range of house types to meet different accommodation needs
 H15 - Development to reflect local characteristics
 H16 - Protecting existing residential amenity
 H17 - Keeping residential development away from pollution
 HB01 - Protection of historic buildings
 HB14 - Ensuring archaeological remains are not destroyed
 CL08 - Protecting wildlife habitats
 T02 - Minor Highway improvements
 T09 - Parking Standards
 T10 - Highway Considerations in Development

ASSESSMENT

Members resolved to recommend refusal of the application, contrary to officer recommendation of the following grounds:

- Proposed access in close proximity to existing neighbouring dwellings would be detrimental to existing neighbouring amenity contrary to the provisions of the NPPF and development plan policies GP1, H13 and H16;
- There is insufficient information submitted in order to judge the impact of the proposal on the character of the existing settlement and the landscape setting. As such, refusal is recommended as per the provisions of the NPPF and development plan policies FC1.1, GP1, H13 and H15; and
- The proposal would result in harm to the setting of a nearby grade II listed building at Orchard Farm, contrary to the provisions of the NPPF and development plan policy HB1.

CONCLUSION

Members resolved to recommend refusal of the application, contrary to officer recommendation of the following grounds:

- Proposed access in close proximity to existing neighbouring dwellings would be detrimental to existing neighbouring amenity contrary to the provisions of the NPPF and development plan policies GP1, H13 and H16;

- There is insufficient information submitted in order to judge the impact of the proposal on the character of the existing settlement and the landscape setting. As such, refusal is recommended as per the provisions of the NPPF and development plan policies FC1.1, GP1, H13 and H15; and
- The proposal would result in harm to the setting of a nearby grade II listed building at Orchard Farm, contrary to the provisions of the NPPF and development plan policy HB1.

RECOMMENDATION

I have considered Human Rights Act 1998 issues raised in relation to this proposal including matters under Article 8 and the First Protocol. I consider that a proper decision in this case may interfere with human rights under Article 8 and/or the First Protocol. I have taken account of exceptions to Article 8 regarding National Security, Public Safety, Economic and well being of the Country, preventing Crime and Disorder, protection of Health and Morals, protecting the Rights and Freedoms of others. I confirm that the decision taken is necessary, not discriminatory and proportionate in all the circumstances of the case.

RECOMMENDED DECISION:	Granted
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CONDITIONS OR REASONS

1. Proposed access in close proximity to existing neighbouring dwellings would be detrimental to existing neighbouring amenity contrary to the provisions of the NPPF and development plan policies GP1, H13 and H16.
2. There is insufficient information submitted in order to judge the impact of the proposal on the character of the existing settlement and the landscape setting. As such, refusal is recommended as per the provisions of the NPPF and development plan policies FC1.1, GP1, H13 and H15
3. The proposal would result in harm to the setting of a nearby grade II listed building at Orchard Farm, contrary to the provisions of the NPPF and development plan policy HB1

Case Officer Signature: Alex Scott	Date: 18/12/2017
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Committee Report

Item No: 2

Reference: DC/18/04191

Case Officer: Alex Scott

Ward: The Stonhams

Ward Member: Suzie Morley

RECOMMENDATION – GRANT OUTLINE PLANNING PERMISSION WITH CONDITIONS

Description of Development

Outline Planning Application (Access to be considered) - Erection of up to 5 no. dwellings and construction of new access, following demolition of 1 no. existing dwelling

Location

Land to the rear of The Leas, Quoits Meadow, Stonham Aspal, STOWMARKET, IP14 6DE

Parish: Stonham Aspal

Expiry Date: 15/11/18

Application Type: Outline planning application

Development Type: Minor Dwellings

Applicant: Mr R Tydeman

Agent: Philip Cobbold Planning Ltd

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason:

- The Ward Member has requested the application be brought before the committee.

Details of Previous Committee/Resolutions and Member Site Visit

- Outline planning permission ref: DC/17/04419 was refused by committee for the erection of 9 dwellings on the site on the 13th December 2017.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

National Planning Policy Framework 2018.

Relevant policies in the Core Strategy Focused Review 2012 and Mid-Suffolk Local Plan 1998:

FC01 - Presumption In Favour Of Sustainable Development

FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development

FC02 - Provision And Distribution Of Housing

CS01 - Settlement Hierarchy

CS05 - Mid Suffolk's Environment
CS07 - Brown Field Target
CS09 - Density and Mix
GP01 - Design and layout of development
H13 - Design and layout of housing development
H14 - A range of house types to meet different accommodation needs
H15 - Development to reflect local characteristics
H16 - Protecting existing residential amenity
H17 - Keeping residential development away from pollution
HB1 - Protection of Historic Buildings
HB14 – Ensuring Archaeological remains are not destroyed
CL08 - Protecting wildlife habitats
T02 - Minor Highway improvements
T09 - Parking Standards
T10 - Highway Considerations in Development

Supplementary Planning Documents

Suffolk Adopted Parking Standards (2015)

There is currently no neighbourhood plan for Stonham Aspal village or parish.

Consultations and Representations

During the course of the application Consultation and Representations from third parties have been received. These are summarised below.

A: Summary of Consultations

Stonham Aspal Parish Council

Members of Stonham Aspal Parish Council agreed at a meeting on 16 October 2018 that they do not support this planning application on the following grounds. There is no need for the development of the proposed properties which impact on a quiet cul-de-sac in a secondary village. There would be safety implications and increased pollution with the addition of an estimated 32 vehicles regularly accessing Quoits Meadow. There would be a change in character of the Quoits Meadow cul-de-sac which would become a thoroughfare. This application does not appear to address the issues affected by the previous application which was refused by Mid Suffolk District Council and then refused again on appeal. This application does not appear to address the impact of the settlement of Orchard Farm as a listed property. The proposed development is outside the village envelope. Aspal Parish Councils previous comments still stand for this re-consultation

SCC Highways Authority

No Objection - Subject to compliance with suggested conditions.

County Archaeological Service

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

MSDC – Environmental Protection - Land Contamination

Further information with respect of land contamination assessment required.

Suffolk Wildlife Trust

The site appears to be partially surrounded by hedgerows. There is no information regarding the composition or fate of these hedgerows. Hedgerows are a UK and Suffolk Priority Habitat and could provide terrestrial habitat for great crested newts, which have been recorded in the parish. There are also a number of ponds in close proximity to the site, some of which are known to contain populations of great crested newts. Nesting birds may also be utilising the hedgerow.

MSDC - Heritage

Based on the information provided, the Heritage Team considers that the proposal would likely be considered to cause a certain level of less than substantial harm to Orchard Farmhouse because the proposed development would diminish the rural setting of the neighbouring listed building.

MSDC – Waste and Environmental Management

Details of bin presentation areas prior to final approval of reserved matters.

County Fire and Rescue Service

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

Recommend that proper consideration be given to the provision of automatic fire sprinkler systems as part of the proposed development.

B: Representations

Letters of concern or objection have been received from a total of 9 third party individuals:

- The Proposal lies outside the village settlement boundary and so should not be approved;
 - The Council says it has over a 5 year housing land supply (6.5 years) there is, therefore no need for the proposed houses;
 - There have already been recent planning approvals for new dwellings in Stonham Aspal and the village does not require any more housing for the time being;
 - The proposal does not offer anything new or beneficial to the village;
 - The proposal fails to comply with MSDC's development plan and does not represent small-scale development;
 - Recent other approvals in the village are infill development and so cannot be compared with this proposal;
 - The proposal would encroach into the countryside and approval would set a precedent for future applications for housing developments in Stonham Aspal;
-

- The proposal represents backland development, intruding into open countryside outside the settlement boundary of a secondary village;
- The proposed development does not reflect the existing locality. Quoits Meadow has only 6 houses on a similar land area to the development. Furthermore it changes the fundamental character of Quoits Meadow from rural cul de sac to an access road for a larger development;
- The hedge on the eastern side of the site is an important wildlife corridor and Great Crested Newts may be using ponds in the vicinity of the site;
- The Council recently refused permission for a similar development on the site, which was also turned down at appeal. The current proposal is not significantly different and so should be refused also;
- Along the Street, Stonham Aspal (the A1120), there are very few parking spaces, even for residents and consequently Quoits Meadow has become an unofficial village Car Park. Entry into and exit from Quoits Meadow has become, in effect a single track road with Blind Corners. The anticipated additional vehicle movements, as a result of the proposed development, along this highway (reduced to a single track road with blind corner) would result in a significant adverse effect on road safety;
- The proposal would severely limit parking in Quoits Meadow and would result in more instances of onstreet parking on the main A1120, which is detrimental to highway safety;
- Concern with regards existing road network capacity to accept additional traffic movements associated with the proposed development. Note that when there is an event on at Stonham Barns then this already gridlocks the A140/A1120 crossroads;
- The planning statement says the proposal would create jobs. Work may be temporarily generated during construction; however this does not mean that new jobs and employment would be generated, even temporarily;
- Employment opportunities and services and facilities locally are very limited and future occupants would, therefore need to travel to work and to access services and facilities. The proposal is not, therefore, sustainable;
- The village has no food shop and there are no regular bus services. The proposal would, therefore, place full reliance on the private car as a mode of transport, which is unsustainable;
- The additional car movements generated would create pollution which would harm the environment;
- The proposal would still impact the amenities of neighbouring occupants, as per the previous refusal;
- The proposal would still result in harm to the setting of the nearby grade II listed building at Orchard Farm and so should be refused;
- Those in support of the application live outside of Stonham Aspal and so are not relevant;
- As housing has already been refused on the site, and turned down at appeal, surely this should not result in relentless and constant regurgitation in varying formats of the same declined application;
- Surface water drainage is a concern and existing soakaways are ineffective as the current site has caused waterlogging on adjacent land.

7 letters of support have also been received for the proposed development. Comments received are summarised below:

- Support this application for a small development;
- Site ideal for development within the village boundary, with minimal disruption;
- Happy with the plans, looks like a perfect spot to build more houses for the village;
- Proposal site would respect the existing built up line of the village;
- In-fill sites have been successful in other nearby villages – perhaps this could also be the case in this locality;

- Site is ideal area to infill especially by using the established entrance from the A1120;
- Support proposal which will support and strengthen local services and facilities;
- Proposal would have a positive impact on the local community, schools, small businesses etc.;
- Application makes good use of land in a village which would benefit from growth;
- Proposal will help meet the overall need for housing in the country, which are desperately needed;
- The development will only help the village expand to be able to carry some of the strain for new housing nationally;
- There is a clear shortage of housing locally;
- Demand for properties in the village has always been greater than that available;
- Proposal will help young people stay in the area and keep the village alive and vibrant;
- Young people have had to move away from the village due to lack of housing;
- Would like the opportunity to buy a property locally;
- The proposal is similar to developments at Walnut Tree Close and Wingfield Close, which have kept the village growing;
- Proposal site is off the main street which is a benefit;
- Proposal is beneficial as it would not require any additional access roads onto the A1120;
- 5 houses would not generate a significant amount of extra traffic and the main road is more than adequate to accommodate;
- Quoits Meadow will remain as is, only larger

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1 The application site extends to approximately 0.91 hectares and comprises an existing horse paddock set back from The Street, to the north of existing dwellings in the Quoits Meadow cul-de-sac.
- 1.2 To the north and east of the existing paddock lie agricultural fields, defined by hedgerow boundaries. An unmade access track runs adjacent to the south boundary of the paddock giving existing access to the paddocks and the agricultural fields to the east. Further to the south, on the opposite side of the track, lies the Grade II listed Orchard Farm with the existing housing estate at Walnut Tree Meadow beyond this. The existing Quoits Meadow estate and further dwellings fronting The Street lies to the west and south-west.
- 1.3 The site lies outside of, but adjacent to, the settlement boundary of the village. The site also affects the setting of a grade II listed building at Orchard Farm, to the south of the site, and affects an area of archaeological potential.

2. The Proposal

- 2.1. The application seeks outline planning permission (with all matters reserved except for access) for the erection of 5 no. new dwellings, following demolition of an existing dwelling within the Quoits Meadow cul-de-sac, known as 'The Leas'. The proposal would, therefore result in a net increase of 4 no. dwellings.

- 2.2 The proposal would also involve the construction of a new estate road access to Quoits Meadow, in the location of the existing dwelling at 'The Leas', proposed to be demolished. The proposed development would be accessed from 'The Street' via the existing Quoits Meadow junction and estate road. The proposed estate road would be located 12 metres and 10.5 metres from the existing dwellings at nos. 3 and 5 Quoits Meadow respectively.
- 2.3 Although the final layout and scale and appearance of the proposed dwellings is reserved the indicative layout provided with the application indicates that 1 no. detached dwelling, 2 no. semi-detached dwellings and 2 no. detached bungalows are proposed.
- 2.4 Although the final landscaping scheme is reserved the indicative layout provide shows existing boundary hedge planting to be retained. An additional landscape buffer is also proposed to be planted to the south-east site boundary.

3. The Principle of Development

- 3.1 Paragraph 73 of the National Planning Policy Framework (2018) states that: "Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old". Furthermore, paragraph 11 d) of the NPPF states that "where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: i. the application of the policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole". NPPF footnote 7 states that "This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites " .
- 3.2 It is not considered that Mid Suffolk District Council currently has a five year supply of deliverable Housing, and as such the relevant planning policies contained within the existing development plan are considered to be out of date, as per the consideration of the NPPF (2018).
- 3.3 The application site is considered to lie within the existing settlement pattern of Stonham Aspal, which is a secondary village which benefits from a school, church, shop and village hall. The site and village also benefit from a paved footway to the north side of The Street (the A1120) highway which allows pedestrians to traverse the village safely away from the metalled carriageway. The application site is also within the existing 30mph speed limit and the development would result in only a marginal increase in pedestrian traffic when compared to the existing situation.
- 3.4 The village benefits from a number of services and there are bus services available providing access to various places, including Ipswich and its railway station, at such times as to be viable for employment purposes. Villages are, by their very nature, a mixture of people of varying characters and natures, whereby what does or doesn't work for one may be entirely appropriate for another. In this regard, the distances to facilities and services are not such that would be entirely unreasonable for people to cycle or access via public transport.
- 3.5 As such, the proposal is considered to represent sustainable development with regards to access to services and facilities.

- 3.6 With regards to a need for dwellings local to Stonham Aspal itself, the development would deliver 5 dwellings which would contribute to the wider supply of housing. The Council could not sustain a refusal of planning permission solely on the basis of their being no locally identified need in the village, particularly in the absence of a five year supply of deliverable land overall.
- 3.7 The provision of employment during the construction period would provide a short term economic gain. Whilst this does not weigh heavily in favour of the development, and therefore should be given little weight, it also does not result in any adverse impact to the economy, indeed it is considered that an increased population base would provide a greater catchment and more opportunities for local business growth as a result.
- 3.8 It is acknowledged that the proposed development would meet a social role as required by the NPPF by providing new family homes that would serve to support and grow local services and facilities.
- 3.9 In conclusion, the sustainability of the development relative to the NPPF has been taken into account when considering this proposal and it is not considered that the proposal conflicts with the NPPF to such an extent that would justify refusal of the application. Occupiers of the development would have access to a range of facilities and services via alternative means of transport, the development would not be isolated despite its position outside the settlement boundary and would therefore provide sustainable development in accordance with the NPPF when taken as a whole.

4. Site Access, Parking and Highway Safety Considerations

- 4.1 The proposed means of access to the proposal site would be through the existing Quoits Meadow housing estate, utilising the existing junction onto The Street.
- 4.2 The proposed estate road connection between Quoits Meadow and the proposal site is through the existing property on Quoits Meadow at 'The Leas'. The existing dwelling at 'The Leas' is proposed to be demolished to make way for the proposed estate road.
- 4.3 The site's existing access to The Street is via the existing unmade track to the south of the site. This existing means of access is not considered suitable for use by further development due to sub-standard visibility splays. Should the application be supported, a condition of approval should be the stopping up of the existing site access to the south, onto the unmade track.
- 4.4 The final proposed layout would be expected to provide off-street parking in accordance with current advisory highway parking standards. Should appropriate detail be secured in this regard then the proposal would not result in an increased need for on-street parking.
- 4.5 The local highway authority have assessed the application proposal and are satisfied with the principle of the proposed access to the site, through the existing Quoits Meadow estate, should the existing site access onto the unmade track to the south of the site be permanently stopped up. The proposal is not, therefore, considered to result in a severe impact on existing highway safety.
- 4.6 Access was a reason for refusal of prior application DC/17/04419 on the site. The present proposal is considered to have significant highway safety improvements, with increased space available to the access road, improving forward visibility and the ability for vehicles to pass safely. The proposed reduced number of dwellings would also result in less pressure on the ultimate point of access onto the main road, via the existing Quoits Meadow estate junction.

5. Design and Layout

- 5.1 The application proposes a housing density of 4.5 dwellings per hectare. This is below the 25 to 37 dwellings per hectare encouraged by Policy H15 of the Local Plan, however a lower density is considered appropriate in this circumstance in the interest of existing village character and the landscape character and quality of the adjacent countryside, in accordance with development plan policy CS9.
- 5.2 Although matters of layout, scale and appearance are at present reserved indicative information provided with the application shows a layout reflective of the existing estate road character of development projecting back from the highway on both sides of the street. The indicative layout is also considered to show an appropriate mix of types of dwellings, in accordance with development plan policy CS5.
- 5.3 Further consideration of the final detailed layout, scale and design of development will be undertaken as part of a reserved matters application. Further detail with regards landscaping is also expected as part of a reserved matters submission.

6. Listed Buildings

- 6.1 The application site is located in proximity to a grade II listed building at Orchard Farm, to the south, across the existing access track.
- 6.2 The Council's Heritage officers have assessed the application proposal and consider the proposal would result in a certain level of less than substantial harm as the proposal would diminish the rural setting of the farm buildings at Orchard Farm.
- 6.3 Having considered that the eastern portion of the existing paddock is not proposed to be developed, the existing impact of estate developments on the setting of these buildings, and the opportunity to provide increased soft landscape screening to the eastern boundary of the site (as indicated) your officers consider any harm to the setting and significance of these buildings would be minimal.
- 6.4 As required by the NPPF, any harm to the significance of heritage assets must be outweighed by the public benefits of a proposed development. The development proposal would deliver 4 no. additional homes in support of the District's housing delivery targets (which, are at present lacking) within a sustainable secondary village environment. The public benefits of the proposal are, therefore, considered to outweigh the minimal harm to the heritage assets.
- 6.5 Impact on the setting of the listed building was a reason for refusal of prior application DC/17/04419 on the site. The present proposal is considered to have significant improvements upon the setting of the heritage assets, when compared to the initial scheme, most significantly the reduced number of dwellings proposed, the increased visual break between the site and the heritage assets, and the additional landscape screening proposed. These provisions are considered to overcome the previous reasons given for refusal.

7. Archaeology

- 7.1 The site lies in an area of archaeological potential recorded on the County Historic Environment Record, near the site of a probable medieval moat and its likely continuation and near find spots of Roman and Medieval metalwork and coins. Thus, there is high potential for the discovery of below-ground heritage assets of archaeological importance within this area, and ground works

associated with the development have the potential to damage or destroy any archaeological remains which exist.

- 7.2 The County Archaeological Unit have assessed the application proposal and consider there are no grounds to consider refusal of permission to achieve preservation in situ of any important heritage assets. However, in accordance with NPPF 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.

8. Ecology

- 8.1 The proposal site comprises a maintained area of equine grazing and exercising land and is not considered to provide suitable habitat for protected species.
- 8.2 Trees and hedgerows surrounding the site provide potential habitat for breeding birds and possibly Newts (pending further investigation), as such, it is expected that the final ecological mitigation and landscaping proposals for the site will conserve and provide enhancements to this existing habitat.

9. Impact on Residential Amenity

- 9.1 In indicative siting and scale of the proposed dwellings provided with the application is not considered to demonstrate significant harm to the amenities currently enjoyed by occupants of existing neighbouring properties.
- 9.2 Further assessment with regards the proposal's impact on the amenities of neighbouring properties will be required at reserved matters stage when final details of the layout, scale and appearance of the proposed buildings are provided.
- 9.3 The application proposal is not considered to result in demonstrable harm to the amenities currently enjoyed by neighbouring occupants due to increased number of traffic movements through Quoits Meadow, which are not considered to be adversely significant because this is a reduction from the 9 dwellings previously proposed and would result in less harm to that previously refused. In addition the proposed access road is considered to be an acceptable distance from existing neighbouring properties and is not considered to result in significant harm with regards increased noise and disturbance from vehicular traffic.
- 9.4 The proposal is considered to accord with the aspirations of local Policies H13 and H16 and paragraph 127 of the NPPF (2018).

10. Land Contamination

- 10.1 The applicant has provided a desk based contaminated land assessment with the application proposal, carried out by a suitably qualified individual, which concludes that it is not considered that the site would be designated "Contaminated Land" within the meaning of Part 2A of the Environmental Protection Act 1990. A site walkover assessment reveals that the site is currently undeveloped grazing land with no evidence of contaminating materials present. The site is not, therefore considered to pose a significant risk to future occupants from sources of land contamination.
- 10.2 Council's contaminated land specialists have assessed the proposal and consider further land contamination investigation is required prior to commencement.

11. Flooding and Drainage

- 11.1 The site is not prone to flooding, located in Flood Zone 1. It is considered that any issues regarding surface water management can be resolved via planning conditions, established industry practice for detailed engineering matters of this ilk.

PART FOUR – CONCLUSION

12. Planning Balance and Conclusion

- 12.1 In order to achieve sustainable development, the Framework identifies that economic, social and environmental gains must be sought jointly and simultaneously.
- 12.2 The Framework seeks to boost significantly the supply of housing and the development would contribute to housing supply in an area where there is a current acknowledged shortage. The proposed development would provide economic benefits relating to employment during the construction phase, although these would be limited and temporary and as such are afforded limited weight.
- 12.3 The proposed development would offer significant social benefits in respect of provision of new housing in support of the Districts existing housing need in a sustainable location. The proposal should, therefore, be attributed positive weight in terms of the social dimension of sustainable development.
- 12.4 In terms of the environmental pillar of sustainable development, by reason of its proximity to services and facilities and the existence of sustainable public transport links to Towns (however limited), the proposal is not considered to place absolute reliance on the private car as a means of transport which would minimise potential environmental harm in this respect. Whilst the proposal would not result in significant environmental benefit, proposed mitigation by way of landscape planting, sustainable land drainage and increased linkage to the Town's existing pedestrian network is considered to offset any harm. The proposal is therefore considered to have a neutral to small positive impact in terms of the environmental dimension of sustainable development.
- 12.6 The application proposal is, therefore, considered to on balance represent sustainable development.

RECOMMENDATION

That the Acting Chief Planning Officer be delegated authority to Grant Outline Planning Permission following conclusion of the statutory consultation period and no further issues being raised, subject to the conditions including :

- 1) Standard list of approved plans
- 2) Standard time limit for reserved matters
- 3) Standard reserved matters condition
- 4) Contaminated land investigation and mitigation prior to commencement
- 5) Programme of Archaeological works prior to commencement
- 6) Further protected species investigation and mitigation concurrent with reserved matters
- 7) Landscape scheme and aftercare
- 8) Surface water drainage scheme
- 9) Those required by the local highway authority
- 10) Details of location and number of proposed fire hydrants
- 11) Construction management scheme to be agreed.

Philip Isbell – Acting Chief Planning Officer
Growth & Sustainable Planning

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

Website: www.midsuffolk.gov.uk



OUTLINE PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)
ORDER 2015

Correspondence Address:

Philip Cobbold Planning Ltd
42 Beatrice Avenue
Felixstowe
IP11 9HB

Applicant:

Mr R Tydeman
The Leas
Quoits Meadow
The Street
Stonham Aspal
IP14 6DE

Date Application Received: 19-Sep-18

Application Reference: DC/18/04191

Date Registered: 16-Jan-19

Proposal & Location of Development:

Outline Planning Application (Access to be considered) - Erection of up to 5 no. dwellings and construction of new access, following demolition of 1 no. existing dwelling

Land To The Rear Of The Leas, Quoits Meadow, Stonham Aspal, Suffolk

Section A – Plans & Documents:

This decision refers to drawing no./entitled 'Promap' - Red and Blue line plan - Scale 1:2500 received 16/01/2019 as the defined red line plan with the site shown edged red. Any other drawing showing land edged red whether as part of another document or as a separate plan/drawing has not been accepted or treated as the defined application site for the purposes of this decision.

The plans and documents recorded below are those upon which this decision has been reached:

Defined Red Line Plan 'Promap' - Red and Blue line plan - Scale 1:2500 - Received 16/01/2019

Site Plan - Location Plan - 0818/128/01 - Received 16/01/2019

Block Plan - Proposed - Matters of layout, scale, appearance and landscaping are shown as indicative - 0818/128/01 - Received 16/01/2019

Section B:

Mid Suffolk District Council as Local Planning Authority, hereby give notice that **OUTLINE PLANNING PERMISSION HAS BEEN GRANTED** in accordance with the application particulars and plans listed in section A subject to the following conditions:

1. APPROVED PLANS & DOCUMENTS

The development hereby permitted shall be carried out in accordance with the drawings/documents listed under Section A above and/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.

Reason - For the avoidance of doubt and in the interests of proper planning of the development.

2. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: TIME LIMIT FOR RESERVED MATTERS APPLICATION

Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission, and the development must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates the final approval of the last such matter to be approved.

Reason - Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

3. ACTION REQUIRED PRIOR TO COMMENCEMENT OF WORKS: PRE-COMMENCEMENT CONDITION: APPROVAL OF RESERVED MATTERS

Before any development is commenced, approval of the details of the appearance, scale and layout of the building(s), and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained in writing from the Local Planning Authority.

Reason - To enable the Local Planning Authority to secure an orderly and well designed development in accordance with the character and appearance of the neighbourhood and in accordance with the Development Plan. This condition is required to be agreed prior to the commencement of any development in accordance with proper planning principles to allow public engagement on the outstanding reserved matters and ensure no significant adverse harm results.

4. ON GOING REQUIREMENT OF DEVELOPMENT: TIMESCALE FOR LANDSCAPING

All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details shall be carried out in full during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be approved, in writing, by the Local Planning Authority up to the first use or first occupation of the development. Any trees, hedges, shrubs or turf identified within the approved landscaping details (both proposed planting and existing) which die, are removed, seriously damaged or seriously diseased, within a period of 10 years of being planted or in the case of existing planting within a period of 5 years from the commencement of development, shall be replaced in the next planting season with others of similar size and species.

Reason - To ensure that the approved landscaping scheme has sufficient time to establish, in the interests of visual amenity and the character and appearance of the area.

5. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT - PRE COMMENCEMENT CONDITION: CONTAMINATION

No development shall take place until a Phase I land contamination desk study, that complies with BS10175 and CLR11, comprising an overview of previous uses of the site as well as current site conditions as demonstrated through a site walkover and an assessment of risk by a technically competent person, shall be submitted for approval, in writing, by the Local Planning Authority. Development on site, including demolition, may be carried out in order to fully investigate contamination prior to the submission of said study subject to agreement, in writing, by the Local Planning Authority and all other pre commencement conditions being agreed by the Local Planning Authority first.

Following approval, any further investigation and remediation shall be carried out in accordance with the recommendations of the local planning authority, and in accordance with any timescales as may be agreed.

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors. This condition is required to be agreed prior to the commencement of any development to ensure health and safety is secured early for both development and its construction including the health of all workers during all phases of construction. If agreement was sought at any later stage there is an unacceptable risk to health and safety.

6. PART 1 - ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT - ARCHAEOLOGICAL EVALUATION

No development shall take place until a scheme of archaeological evaluation of the site has been submitted to and approved in writing by the Local Planning Authority (including any demolition needing to be carried out as necessary in order to carry out the evaluation). The evaluation shall be carried out in its entirety as may be agreed to the satisfaction of the Local Planning Authority,

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. This condition is required to be agreed prior to the commencement of any development to ensure matters of archaeological importance are preserved and secured early to ensure avoidance of damage or loss due to the development and/or its construction. If agreement was sought at any later stage as there is an unacceptable risk of loss and damage to archaeological and historic assets.

7. PART 2 - ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT - ARCHAEOLOGICAL WRITTEN INVESTIGATION

No development shall take place until a written report on the results of the archaeology evaluation of the site has been submitted to the Local Planning Authority and that

confirmation by the Local Planning Authority has been provided that no further investigation work is required in writing.

Should the Local Planning Authority require further investigation and works, no development shall take place on site until the implementation of a full 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. Details of the provision to be made for analysis of the site investigation and recording.
- d. Details of the provision to be made for publication and dissemination of the analysis and records of the site investigation.
- e. Details of the provision to be made for archive deposition of the analysis and records of the site investigation; and
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

The written scheme of investigation shall be carried out in its entirety prior to any other development taking place, or in such other phased arrangement including a phasing plan as may be previously approved in writing by the Local Planning Authority.

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. This condition is required to be agreed prior to the commencement of any development to ensure features of archaeological importance are identified, preserved and secured to avoid damage or loss resulting from the development and/or its construction. If agreement was sought at any later stage, there is an unacceptable risk of loss and damage to archaeological and historic assets.

8. PART 3 - ACTION REQUIRED PRIOR TO THE FIRST OCCUPATION OF DEVELOPMENT - ARCHAEOLOGICAL WORKS

No building shall be occupied until the archaeology evaluation, and if required the Written Scheme of Investigation, have been completed, submitted to and approved, in writing, by the Local Planning Authority. Furthermore, no building shall be occupied until analysis, publication and dissemination of results and archive deposition from the archaeology investigations as agreed under the Written Scheme of Investigation has taken place, unless an alternative agreed timetable or phasing for the provision of results is agreed in writing by the Local Planning Authority.

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.

9. ACTION REQUIRED CONCURRENTLY WITH AN APPLICATION FOR APPROVAL OF RESERVED MATTERS - DETAILS WITH REGARDS EXISTING HEDGEROWS

Concurrently with an application for approval of reserved matters details shall be provided to, and approved in writing by, the local planning authority with regards the composition and intended retention or removal of existing hedgerows surrounding the site.

Reason - Hedgerows are a UK and Suffolk Priority Habitat and could provide terrestrial habitat for great crested newts, which have been recorded in the parish. There are also a number of ponds in close proximity to the site, some of which are known to contain populations of great crested newts.

10. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE - SURFACE WATER DRAINAGE DETAILS

Full details of surface water drainage shall have been submitted to and approved, in writing, by the Local Planning Authority prior to the beginning of any works to the building it would serve are commenced. No part of the development shall be first occupied or brought into use until the agreed method of surface water drainage has been fully installed and is functionally available for use. The surface water drainage scheme shall thereafter be maintained as approved.

Reason - To safeguard the ground water environment and minimise the risk of flooding.

11. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT - PRE COMMENCEMENT CONDITION: PROVISION OF ROADS AND FOOTPATHS.

Before the development is commenced, details of the estate roads and footpaths, including layout, levels, gradients, surfacing and means of surface water drainage and a timetable for said works, shall be submitted to and approved in writing by the Local Planning Authority. The details agreed to satisfy this condition shall be implemented and completed in their entirety in accordance with the timetable agreed.

Reason: To ensure that roads/footways are constructed to an acceptable standard. This condition is required to be agreed prior to the commencement of any development to ensure highway safety is secured early for both development, its construction and addresses areas of work before any other parts of the development can take place. If agreement was sought at any later stage there is an unacceptable risk to highway and public safety and risk of cost to the developer if the details are not found acceptable.

12. SPECIFIC RESTRICTION ON DEVELOPMENT: PROVISION OF ROADS AND FOOTPATHS.

No dwelling shall be first occupied until the carriageways and footways serving that dwelling have been constructed to at least basecourse level or better in accordance with the approved details.

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

13. ACTION REQUIRED CONCURRENTLY WITH AN APPLICATION FOR APPROVAL OF RESERVED MATTERS - HIGHWAYS: PROVISION OF PARKING AND TURNING.

Concurrently with an application for approval of reserved matters details of the areas to be provided for the loading, unloading, manoeuvring and parking of vehicles including secure cycle storage shall be submitted to and approved, in writing, by the Local Planning

Authority. The approved scheme shall be carried out in its entirety before the development is brought into first use/occupied and shall be retained thereafter and remain free of obstruction except for the purpose of manoeuvring and parking of vehicles and used for no other purpose.

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. This condition is required to be implemented prior to commencement to ensure highway safety is secured early for the development. If agreement was sought at any later stage there is an unacceptable risk to highway and public safety should proper layout not be achieved.

14. ACTION REQUIRED CONCURRENTLY WITH AN APPLICATION FOR APPROVAL OF RESERVED MATTERS: REFUSE BINS AND COLLECTION AREAS

Concurrently with an application for approval of reserved matters details of the areas to be provided for storage of Refuse/Recycling bins and any associated collection areas shall be submitted to and approved, in writing, by the Local Planning Authority. The approved areas shall be provided in their entirety before the development is first occupied and shall be retained thereafter for no other purpose.

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

15. ACTION REQUIRED IN ACCORDANCE PRIOR TO OCCUPATION: FIRE HYDRANTS

Prior to the first occupation of the site, details of the provision of fire hydrants shall be submitted to and approved, in writing, by the Local Planning Authority. The fire hydrants shall be carried out in accordance with these details in their entirety and in accordance with the timetable as may be agreed.

Reason - To ensure the site is suitably served by fire hydrants.

16. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT: CONSTRUCTION MANAGEMENT TO BE AGREED

Prior to the commencement of development details of the construction methodology shall be submitted to and approved in writing by the Local Planning Authority and shall incorporate the following information:-

- a) Details of the hours of work/construction of the development within which such operations shall take place and the hours within which delivery/collection of materials for the said construction shall take place at the site.
- b) Details of the storage of construction materials on site, including details of their siting and maximum storage height.
- c) Details of how construction and worker traffic and parking shall be managed.
- d) Details of any protection measures for footpaths surrounding the site.
- e) Details of any means of access to the site during construction.
- f) Details of the scheduled timing/phasing of development for the overall construction period.
- g) Details of any wheel washing to be undertaken, management and location it is intended to take place.
- h) Details of the siting of any on site compounds and portalos.

i) Details of the method of any demolition to take place, including the recycling and disposal of said materials resulting from demolition. The construction shall at all times be undertaken in accordance with the agreed methodology approved in writing by the Local Planning Authority.

Reason - To minimise detriment to nearby residential and general amenity by controlling the construction process to achieve the approved development. This condition is required to be agreed prior to the commencement of any development as any construction process, including site preparation, by reason of the location and scale of development may result adverse harm on amenity.

SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:

NPPF - National Planning Policy Framework
FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
CS01 - Settlement Hierarchy
CS05 - Mid Suffolk's Environment
CS07 - Brown Field Target
CS09 - Density and Mix
GP01 - Design and layout of development
H13 - Design and layout of housing development
H14 - A range of house types to meet different accommodation needs
H15 - Development to reflect local characteristics
H16 - Protecting existing residential amenity
H17 - Keeping residential development away from pollution
HB01 - Protection of historic buildings
HB14 - Ensuring archaeological remains are not destroyed
CL08 - Protecting wildlife habitats
T02 - Minor Highway improvements
T09 - Parking Standards
T10 - Highway Considerations in Development

NOTES:

1. **Statement of positive and proactive working in line with the National Planning Policy Framework (NPPF)**

When determining planning applications The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires Local Planning Authorities to explain how, in dealing with the application they have worked with the applicant to resolve any problems or issues arising. In this case negotiation occurred and revisions to the scheme, as initially proposed, were secured which enabled the application to be supported and ultimately approved.

2. **Highways Note**

It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to

carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense. The County Council's Central Area Manager should be contacted on Telephone 01473 341414. Further information go to: www.suffolk.gov.uk/environment-and-transport/highways/dropped-kerbs-vehicular-accesses/

3. **Protected Species Note**

Suffolk Wildlife Trust has assessment the application proposal and consider that existing hedgerows surrounding the site have potential to provide habitat for Great Crested Newts and/or Nesting Birds. The developer is advised to have regard to the following:

Great crested newts are fully protected under the Wildlife and Countryside Act (1981) (as amended) and the Conservation of Habitats and Species Regulations (2017). It is illegal to kill, injure, capture or disturb them or to obstruct access to areas where they live and breed. The terrestrial habitat used by the newts may extend up to 500 metres from their breeding pond and both these habitats are also protected from damage and destruction.

Nesting birds may also be utilising the hedgerow. Nesting birds are protected under the Wildlife and Countryside Act (1981) (as amended), which gives protection to all wild birds and makes it an offence to intentionally kill, injure or take any wild bird; take, damage or destroy the nest of any wild bird, whilst it is in use or being built or take or destroy the egg of any wild bird (subject to certain exceptions).

Babergh and Mid Suffolk District Councils have adopted Community Infrastructure Levy (CIL) charging which affects planning permissions granted on or after 11th April 2016 and permitted development commenced on or after 11th April 2016. If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling or holiday let of any size your development may be liable to pay CIL and you must submit relevant documents to our Infrastructure Team telling us more about your development, who will pay CIL and when the development will start. You will receive advice on the amount you have to pay and what you have to do and you can find more information about CIL on our websites here:

[CIL in Babergh](#) and [CIL in Mid Suffolk](#) or by contacting the Infrastructure Team on: infrastructure@baberghmidsuffolk.gov.uk

This relates to document reference: DC/18/04191

Signed: Philip Isbell

Dated: 7th February 2019

**Acting Chief Planning Officer
Growth & Sustainable Planning**

Important Notes to be read in conjunction with your Decision Notice

Please read carefully

This decision notice refers only to the decision made by the Local Planning Authority under the Town and Country Planning Acts and DOES NOT include any other consent or approval required under enactment, bylaw, order or regulation.

Please note: depending upon what conditions have been attached to the decision, action may be required on your part before you can begin your development. Planning conditions usually require that you write to the Local Planning Authority and obtain confirmation that you have discharged your obligations. You should read your decision notice in detail and make a note of the requirements placed on you by any conditions. **If you proceed with your development without complying with these conditions you may invalidate your permission and put your development at risk.**

Discharging your obligations under a condition:

You should formally apply to discharge your conditions and the relevant application forms are available on the Council's website. The Local Planning Authority has 8 weeks to write to you after you submit the details to discharge your conditions. You should always account for this time in your schedule as the Local Planning Authority cannot guarantee that conditions can be discharged quicker than this. A fee is applicable for the discharge of planning conditions.

Building Control:

You are reminded that the carrying out of building works requires approval under the Building Regulations in many cases as well as a grant of planning permission. If you are in doubt as to whether or not the work, the subject of this planning permission, requires such approval, then you are invited to contact the Building Control Section of Babergh and Mid Suffolk District Councils.

Appeals to the Secretary of State

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or consent, or to grant permission or consent subject to condition, they may appeal to the Secretary of State for Communities and Local Government. The applicant's right of appeal is in accordance with the appropriate statutory provisions which follow:

Planning Applications: Section 78 Town and Country Planning Act 1990

Listed Building Applications: Section 20 Planning (Listed Buildings and Conservation Areas) Act 1990

Advertisement Applications: Section 78 Town and Country Planning Act 1990
Regulation 15

Town and Country Planning (Control of Advertisements) Regulations 2007

Notice of appeal in the case of applications for advertisement consent must be served within eight weeks of receipt of this notice. Notice of Householder and Minor Commercial Appeals must be served within 12 weeks, in all other cases, notice of appeal must be served within six months of this notice. If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within six months of the date of this notice, whichever period expires earlier.

Appeals must be made on a form which is obtainable from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at <https://www.gov.uk/government/publications/modelnotification-notice-to-be-sent-to-an-applicant-when-permission-is-refused>

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he/she will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him/her that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by it, having regard to the statutory requirements*, to the provisions of the Development Order, and to any directions given under the Order. The Secretary of State does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him/her.

2. If permission or consent to develop land or carry out works is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonable beneficial use by the carrying out of any development or works which has been or would be permitted they may serve on the Council of the district in which the land is situated, a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Section 137 of the Town and Country Planning Act 1990 or Section 32 Planning (Listed Buildings and Conservation Areas) Act 1990.

*The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70 and 72(1) of the Act.

OFFICER'S REPORT AND RECOMMENDATION

CASE OFFICER: Alex Scott
CASE REFERENCE: DC/20/03291

The Openness of Local Government Bodies Regulations 2014

The new national regulations on openness and transparency in local government require the recording of certain decisions taken by officers acting under powers delegated to them by a council. The written record should include the following: The decision taken and the date the decision was taken; the reason/s for the decision; any alternative options considered and rejected; and any other background documents. This report and recommendation constitutes the written record for the purposes of the regulations and when read as a whole is the reason for the decision.

PROPOSAL: Application for approval of reserved matters following grant of outline application DC/18/04191 dated 07/02/2019 Appearance, Layout, Scale and Landscaping for the erection of 5No dwellings and new access (following demolition for existing dwelling).
LOCATION: Land To The Rear Of The Leas, Quoits Meadow, Stonham Aspal, Suffolk
PARISH: Stonham Aspal.
WARD: Stonham.
APPLICANT: Mr Tydeman

ENVIRONMENTAL IMPACT ASSESSMENT:
SITE NOTICE DATE: 03/11/2020
PRESS DATE: Affects Setting Listed Building,

BACKGROUND DOCUMENTS

This decision refers to drawing number 'Promap' - Red and Blue line plan - Scale 1:2500 received 16/01/2019 as the defined red line plan with the site shown edged red. Any other drawing showing land edged red whether as part of another document or as a separate plan/drawing has not been accepted or treated as the defined application site for the purposes of this decision.

The plans and documents recorded below are those upon which this decision has been reached:

- Defined Red Line Plan 'Promap' - Red and Blue line plan - Scale 1:2500 - Received 16/01/2019
- Topographic Survey 470 02 - Received 04/08/2020
- Block Plan - Proposed 470 03A Proposed - Received 04/08/2020
- Site Plan 470 04B Proposed - Received 04/08/2020
- Proposed Plans and Elevations 470 05A Plot 1 - Received 04/08/2020
- Proposed Plans and Elevations 470 06A Plot 2 - Received 04/08/2020
- Proposed Plans and Elevations 470 07A Plot 3 - Received 04/08/2020
- Proposed Plans and Elevations 470 08A Plot 4 - Received 04/08/2020
- Proposed Plans and Elevations 470 09A Plot 5 - Received 04/08/2020
- Proposed Plans and Elevations 470 10 Garages - Received 04/08/2020
- 2007-469-002 Road Layout - Received 28/09/2020
- 2007-469-005 Engineering Layout - Received 28/08/2020
- 2007-469-006 Road Construction -1 - Received 28/08/2020

2007-469-007 Road Construction -2 - Received 28/08/2020
2007-469-009 Drainage Construction 1 - Received 28/08/2020
Drainage Details 2007-469-010 Drainage Construction 2 - Received 28/08/2020
Drainage Details 2007-469-011 Drainage Construction 3 - Received 28/08/2020
2007-469-012 Basin Cross Section - Received 28/08/2020
Sectional Drawing 2007-469-015 Road long section - Received 28/08/2020

The application, plans and documents submitted by the Applicant can be viewed online at www.babergh.gov.uk or www.midsuffolk.gov.uk.

SUMMARY OF CONSULTATIONS

SCC - Archaeological Service

Investigations completed - No further conditions required

Heritage Team

Do not currently support proposal - Medium level of less than substantial harm to significance of designated heritage asset (Orchard Farmhouse).

Stonham Aspal Parish Clerk

Object - Proposal does not accord to Outline Permission; Proposed access is too narrow, with no footpath; Concern with regards impact on neighbouring amenity; Proposal out of character and would impact setting of listed building.

SCC - Highways

Note access road no longer has adjacent footpath proposed - Consider this to be acceptable.

Environmental Health - Land Contamination

No comments to make.

SCC - Fire & Rescue

No response

SUMMARY OF REPRESENTATIONS

Letters of concern or objection have been received from 6 no. third parties during the course of determination. Issues raised are summarised below:

- Proposal is not in accordance with the Outline Planning Permission: Existing Dwelling is no longer proposed to be removed, resulting in a net increase in 5 no. dwellings rather than 4 no., which is significant; Proposal now proposes 2 no. large 5 bedroom properties instead of Bungalows previously proposed; and a pair of semi-detached properties was previously proposed, which are not omitted;
- Concerns with regards reduced width of the proposed access road, the loss of the siding footway, and the impact on highway and pedestrian safety which would result;
- Consider the proposed dwellings are out of character with those existing in Quoits Meadow;
- Proposal would impact the setting of a Grade II Listed Building at Orchard Farm;
- Proposal would impact neighbouring amenity due to close proximity of access road to neighbouring dwelling.

PLANNING POLICIES

H16 - Protecting existing residential amenity
NPPF - National Planning Policy Framework

FC01 - Presumption In Favour Of Sustainable Development
 FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
 CS05 - Mid Suffolk's Environment
 CS09 - Density and Mix
 GP01 - Design and layout of development
 H13 - Design and layout of housing development
 H15 - Development to reflect local characteristics
 H17 - Keeping residential development away from pollution
 HB01 - Protection of historic buildings
 CL08 - Protecting wildlife habitats
 T02 - Minor Highway improvements
 T09 - Parking Standards
 T10 - Highway Considerations in Development

PLANNING HISTORY

DC/17/04419	Outline Planning Application (Access to be considered) - Erection of 9 no. dwellings and construction of new access	Refused 18/12/2017
DC/18/04191	Outline Planning Application (Access to be considered) - Erection of up to 5 no. dwellings and construction of new access, following demolition of 1 no. existing dwelling	Granted 07/02/2019

ASSESSMENT

DC/20/03291/RES - Reserved Matters - Quoits Meadow, Stonham Aspal

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.

Details of Amended Plans and Negotiations

The application was not subject to receipt of amended plans or other additional documents during the course of determination.

Site and Surroundings

The application site extends to approximately 0.91 hectares and comprises part of an existing horse paddock set back from The Street, to the north of existing dwellings in the Quoits Meadow cul-de-sac.

To the north and east of the existing paddock lie agricultural fields, defined by hedgerow boundaries. An unmade access track runs adjacent to the south boundary of the paddock giving existing access to the paddocks and the agricultural fields to the east. Further to the south, on the opposite side of the track, lies the Grade II listed Orchard Farm with the existing housing estate at Walnut Tree Meadow beyond this. The existing Quoits Meadow estate and further dwellings fronting The Street lies to the west and south-west.

The site lies outside of, but adjacent to, the settlement boundary of the village. The site also affects the setting of a grade II listed building at Orchard Farm, to the south of the site, and affects an area of archaeological potential.

Case History

Outline planning permission ref: DC/17/04419 was refused by MSDC Development Committee A, for the erection of 9 dwellings on the site, on the 13th December 2017 for the following reasons:

"Proposed access in close proximity to existing neighbouring dwellings would be detrimental to existing neighbouring amenity contrary to the provisions of the NPPF and development plan policies GP1, H13 and H16."

"There is insufficient information submitted in order to judge the impact of the proposal on the character of the existing settlement and the landscape setting. As such, refusal is recommended as per the provisions of the NPPF and development plan policies FC1.1, GP1, H13 and H15."

"The proposal would result in harm to the setting of a nearby grade II listed building at Orchard Farm, contrary to the provisions of the NPPF and development plan policy HB1."

A revised outline planning application (ref: DC/18/04191) was then submitted in September 2018 which reduced the site area and number of dwellings previously proposed to 5 no. and proposed the complete demolition and removal of an existing dwelling at 'The Leas' (or No. 4 Quoits Meadow). This revised proposal was considered to address the reasons previously given for refusal of application ref: DC/17/04419 and application ref: DC/18/04191 was granted Outline Planning Permission by MSDC Development Committee B on 30th January 2019, subject to conditions.

Proposal

The application seeks approval of matters reserved by way of outline planning permission ref: DC/18/04191, and seeks approval of matters relating to Appearance, Scale, Layout and Landscaping for the 5 no. dwellings previously granted outline permission.

Matters of access have previously been considered and approved by way of outline planning permission ref: DC/18/04191 and have been approved, subject to conditions attached to that planning permission.

Principle of Development

The principle of the proposed development, for the erection of 5 no. new dwellings, following demolition of 1 no. existing dwelling, has previously been considered and approved as part of outline planning permission ref: DC/18/04191.

Preliminary Matter - Retention of existing Dwelling at The Leas

Outline Planning Permission ref: DC/18/04191 granted outline planning permission for "Erection of up to 5 no. dwellings and construction of new access, following demolition of 1 no. existing dwelling". The existing dwelling proposed to be demolished is shown to relate to 'The Leas' (or no. 4 Quoits Meadow) on the approved site plan and indicative layout. The proposed removal of 'The Leas' forms part of the approved description of development relating to outline planning permission ref: DC/18/04191.

The current reserved matters application proposes now the retention of the existing dwelling at 'The Leas' (or No. 4 Quoits Meadow) and now proposes only part demolition of this existing dwelling.

The proposed retention of the existing dwelling at 'The Leas' is considered contrary to the development agreed under outline planning permission ref: DC/18/04191 as this would not accord with the approved description of development and would result in a net increase in 5 no. dwellings, rather than 4 no. as approved by the outline planning permission.

The current reserved matters application and proposed layout, therefore, materially alter the outline planning permission description of development and materially affect assessment of principle of the proposed development as an additional dwelling is now, in effect proposed.

It is not, therefore, possible to consider the proposed net additional dwelling as part of the current reserved matters application and further planning permission would be required for this proposal. For this reason the application is refused.

Layout, Scale, Appearance and Impact on Heritage Assets

The application concerns Reserved Matters details for Appearance, Scale, Layout and Landscaping, for the erection of 5 no. new dwellings. The heritage concern relates to the potential impact of the works on the significance of Orchard Farmhouse, a Grade II Listed late 16th Century timber-framed farmhouse, to the south east.

The current application follows the approval of Outline Planning Permission for the erection of five dwellings on the site, following demolition of the existing dwelling, with access to be considered, under DC/18/04191. The Heritage Team previously identified a potential range of less than substantial harm arising from this application, dependent to some extent upon Reserved Matters details, due to the development of an undeveloped area that makes a positive contribution to the setting and thus significance of Orchard Farmhouse, as evidence of this listed building's historic relationship to the surrounding countryside.

The positive contribution the site makes to the significance of the listed building was also outlined by the Planning Inspector for a dismissed appeal on a previous application proposing nine dwellings on the site (ref: DC/17/04419).

Whilst MSDC Heritage Officers consider that some amount of harm to the setting and significance of Orchard Farmhouse is unavoidable, Heritage Officers consider that there is sufficient and reasonable scope to ensure that the harm is reduced/mitigated as far as possible. Partly, it is considered that this would be by ensuring that the new dwellings are as discreet and unobtrusive as possible and erode the remaining rural setting of Orchard Farmhouse as little as possible.

Heritage Officers assess that the scale and mass of the dwellings currently proposed is considerable and that they would be fairly prominent and clearly domestic in terms of their appearance and design. Consequently, Heritage Officers consider that the proposed dwellings would be a particularly noticeable erosion of the remaining rural, undeveloped setting of Orchard Farmhouse.

MSDC Heritage Officers note that it is now proposed to retain the existing dwelling on the site, by rerouting the spine road, and that this results in a net increase in the number of dwellings on site over the approved Outline. Heritage Officer consider that this change from Outline Permission now all but ensures that all the new dwellings are located on the eastern part of the site, thus likely increasing the level of harm to the setting and significance of Orchard Farmhouse.

Heritage Officers consider that the proposal would result in a medium level of less than substantial harm to a designated heritage asset because the proposed development would constitute a considerable erosion of the remaining historically rural character of the setting of Orchard Farmhouse, particularly due to the scale and design of the dwellings. The net increase in dwellings from the outline approval is also considered to reduce opportunities for a more acceptable layout and design.

Planning officers consider that there is scope to significantly reduce the harm to the setting and significance of the heritage asset identified by reducing the scale and net number of dwellings currently proposed and by amending the layout currently proposed. Furthermore the scheme as currently designed is not considered to offer significant public benefit, that would outweigh the harm to the significance of the heritage asset identified, in accordance with NPPF paragraph 196, that could not otherwise be addressed by an alternative scheme.

The SCC Archaeological Unit has been consulted on the application and advise that Archaeological investigations on the site have been completed as part of the outline application DC/18/04191. Despite the potential for Roman and medieval archaeological features and finds, as indicated by the Historic Environment Record, none were found during the evaluation. Based on the results of the archaeological evaluation SCC-Archaeology would not require any further archaeological work on the site and advise that the current reserved matters application (DC/20/03291) does not require further conditions for archaeological investigation and recording.

Landscaping

Whilst no particular objection is raised with regards the proposed scheme of landscaping, and the proposed native species soft landscape planting to site boundaries is welcomed, the proposed landscaping is not considered to sufficiently screen the development and mitigate the harm to the setting and significance of the heritage asset, as identified by MSDC Heritage Officers.

Highway Safety (Parking, Access, Layout)

The proposed estate road access to Quoits Meadow was considered and approved as part of outline planning permission ref: DC/18/04191, subject to conditions. The location of this proposed access as identified in the current reserved matters application is considered to be broadly as approved at outline stage and, therefore, acceptable and appropriate as part of the current submission.

Whilst it is noted that the proposed estate access road appears narrower than indicated at outline stage, and that it does not comprise a siding pedestrian footway as was previously indicated, it is considered that this forms part of matters relating to layout and not access and it is, therefore, considered appropriate to assess such matters at the current reserved matters stage.

The current layout proposes 4 no. on-site parking spaces per 5 bedroom dwelling proposed and 3 no. parking spaces per 4 bedroom dwelling proposed.

SCC Highways have assessed the current proposal and, whilst it is acknowledged that the current proposal does not contain a siding footway as indicated at outline stage, for a development of the scale proposed (5 no. new dwellings) SCC Highways advise this is acceptable and, therefore, it is presumed that pedestrians using the access driveway a shared surface is also considered acceptable.

Whilst it is agreed that the proposed access road layout varies to that indicated at outline stage it is not considered that the proposed layout would result in a severe impact on highway and pedestrian safety, such that refusal could be considered on such grounds. The proposed amount, design and location of on-site turning and parking is also considered to be in accordance with current highways advisory standards.

No objection is, therefore, raised with regards impact on highway safety.

Residential Amenity

NPPF Paragraph 127 requires that all developments should ensure a high standard of amenity of all existing and future users. Furthermore, development plan policy H16 provides that the LPA will refuse development that materially reduces the amenity of adjacent dwellings.

A reason previously given by the LPA for refusal of a similar development proposal on the site (Ref: DC/17/04419) are also considered material in the assessment of the current application. When assessing application ref: DC/17/04419 the Council raised concern with regards the close proximity of the proposed access road to existing neighbouring dwellings and it was considered that such close proximity would result in detrimental harm to the amenities of existing occupants by reason of noise and disturbance from traffic and pedestrians, as well as disturbance from car headlamps during hours of darkness. This resulted in the proposed demolition of the existing dwelling at 'the Leas', in order that the proposed access road could be moved an acceptable distance from neighbouring properties, when the scheme was re-submitted (ref: outline application DC/18/04191).

Whilst no objection is raised with regards residential amenity impacts in relation to the proposed dwellings themselves, the proposed access road would be constructed 3.5 metres from the existing dwelling at no. 5 Quoits meadow and would be adjacent to no. 4 Quoits meadow. At such close proximity, the proposed access road is considered to result in demonstrable harm to the enjoyment of existing and future uses or these properties by reason of increased noise and disturbance from vehicles and pedestrians and disturbance from vehicles headlamps during hours of low daylight and darkness.

The proposal is, therefore, not considered to ensure a high standard of amenity for existing and future users of the properties identified, contrary to the provisions of NPPF paragraph 127 and development plan policy H16.

Other Matters

Matters relating to: Land Contamination; Ecology; and Flood Risk where previously considered as points of principle in relation to outline planning application DC/18/04191, and no objection was raised subject to compliance with conditions imposed by way of that planning permission. Such conditions remain relevant to the current application proposal.

CONCLUSION

The proposed retention of the existing dwelling at 'The Leas' is considered contrary to the outline planning permission ref: DC/18/04191.

The current layout and scale and appearance of buildings proposed is considered to result in harm to the setting and significance of a grade II listed building, with no public benefit(s) present which would outweigh that harm.

The close proximity of the proposed access road to 2 no. existing properties in Quoits Meadow would result in significant harm to the amenities currently enjoyed by occupants of these properties by reason of noise and disturbance and car headlamp disturbance during low daylight and dark hours.

The proposed development is therefore considered contrary to the outline planning permission, to development plan policies CS5, HB1 and H16, and to the provisions of the NPPF when taken as a whole.

RECOMMENDATION

I have considered Human Rights Act 1998 issues raised in relation to this proposal including matters under Article 8 and the First Protocol. I consider that a proper decision in this case may interfere with human rights under Article 8 and/or the First Protocol. I have taken account of exceptions to Article 8 regarding National Security, Public Safety, Economic and well being of the Country, preventing Crime and Disorder, protection of Health and Morals, protecting the Rights and Freedoms of others. I confirm that the decision taken is necessary, not discriminatory and proportionate in all the circumstances of the case.

RECOMMENDED DECISION:

Refused

CONDITIONS OR REASONS

1. REASON(S) FOR REFUSAL - RESERVED MATTERS NOT IN ACCORDANCE WITH OUTLINE PLANNING PERMISSION

Outline Planning Permission ref: DC/18/04191 granted "Erection of up to 5 no. dwellings and construction of new access, following demolition of 1 no. existing dwelling". The existing dwelling proposed to be demolished is shown to relate to 'The Leas' (or no. 4 Quoits Meadow) on the site location plan and indicative layout approved as part of this permission. The proposed removal of 'The Leas', therefore, forms part of the approved description of development relating to the outline planning permission.

The current reserved matters application proposes the retention of the existing dwelling at 'The Leas' (or No. 4 Quoits Meadow).

The proposed retention of the existing dwelling at 'The Leas' is considered contrary to the development agreed under the outline planning permission as this would not accord with the approved description of development and would result in a net increase in the resultant number of dwellings proposed.

The current reserved matters application and proposed layout, therefore, materially alters the outline planning permission description of development.

It is not, therefore, considered possible to consider the proposed net additional dwelling as part of the current reserved matters application and further planning permission is considered to be required for such a proposal. For this reason the application is refused.

2. REASON(S) FOR REFUSAL - IMPACT ON SIGNIFICANCE OF HERITAGE ASSET

Development plan policy CS5 requires all development proposals to protect, conserve and where possible enhance the built historic environment. Development Plan Policy HB1 requires that all such proposals should protect the character and appearance of all buildings of architectural or historic interest. Furthermore paragraph 196 of the NPPF provides that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The proposed layout and scale and appearance of the buildings proposed would constitute a considerable erosion of the remaining historically rural character of the setting of the Grade II Listed Orchard Farmhouse. The proposal is considered to result in a medium level of less than substantial harm to the setting and significance of this heritage asset. The public benefit(s) of the

proposed layout, scale and appearance of buildings is not considered to outweigh the level of harm identified. The proposal is, therefore, contrary to the provisions of the aforementioned planning policies for these reasons.

3. REASON(S) FOR REFUSAL - IMPACT ON RESIDENTIAL AMENITY

NPPF Paragraph 127 requires that all developments should ensure a high standard of amenity of all existing and future users. Furthermore, development plan policy H16 provides that the LPA will refuse development that materially reduces the amenity of adjacent dwellings.

The close proximity of the proposed access road to 2 no. existing residential properties would result in significant harm to the enjoyment of existing and future uses by reason of increased noise and disturbance from vehicles and pedestrians and disturbance from vehicles headlamps during hours of low daylight and darkness.

The proposal is, therefore, not considered to ensure a high standard of amenity for existing and future users of the properties identified, contrary to the provisions of NPPF paragraph 127 and development plan policy H16.

NOTES

1. NPPF - DEPARTURE FROM POLICY

When determining planning applications The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires Local Planning Authorities to explain how, in dealing with the application they have worked with the applicant to resolve any problems or issues arising. In this case the proposal represents a clear departure from the outline planning permission and policies contained in the NPPF and Development Plan, and no amount of negotiation and amendment would enable the in principle issues to be resolved within the bounds of this current reserved matters application.

2. REFUSED PLANS & DOCUMENTS

The drawings and documents considered by the local planning authority in determination of this application are listed under Section A above.

Case Officer Signature: Alex Scott	
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Philip Isbell – Chief Planning Officer
Sustainable Communities

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

Website: www.midsuffolk.gov.uk



REFUSAL OF RESERVED MATTERS

TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)
ORDER 2015

Correspondence Address:

Mr Craig Beech
Church Farm Barn
The Street
Thorndon
IP23 7JR

Applicant:

Mr Tydeman
The Leas, The Street
Stonham Aspal
IP14 6DE

Date Application Received: 05-Aug-20

Application Reference: DC/20/03291

Date Registered: 20-Nov-20

Proposal & Location of Development:

Application for approval of reserved matters following grant of outline application DC/18/04191 dated 07/02/2019 Appearance, Layout, Scale and Landscaping for the erection of 5No dwellings and new access (following demolition for existing dwelling).

Land to The Rear Of The Leas, Quoits Meadow, Stonham Aspal, Suffolk

Section A – Plans & Documents:

This decision refers to drawing no./entitled 'Promap' - Red and Blue line plan - Scale 1:2500 received 16/01/2019 as the defined red line plan with the site shown edged red. Any other drawing showing land edged red whether as part of another document or as a separate plan/drawing has not been accepted or treated as the defined application site for the purposes of this decision.

The plans and documents recorded below are those upon which this decision has been reached:

Defined Red Line Plan 'Promap' - Red and Blue line plan - Scale 1:2500 - Received 16/01/2019
Topographic Survey 470 02 - Received 04/08/2020
Block Plan - Proposed 470 03A Proposed - Received 04/08/2020
Site Plan 470 04B Proposed - Received 04/08/2020
Proposed Plans and Elevations 470 05A Plot 1 - Received 04/08/2020
Proposed Plans and Elevations 470 06A Plot 2 - Received 04/08/2020
Proposed Plans and Elevations 470 07A Plot 3 - Received 04/08/2020
Proposed Plans and Elevations 470 08A Plot 4 - Received 04/08/2020
Proposed Plans and Elevations 470 09A Plot 5 - Received 04/08/2020
Proposed Plans and Elevations 470 10 Garages - Received 04/08/2020

2007-469-002 Road Layout - Received 28/09/2020
2007-469-005 Engineering Layout - Received 28/08/2020
2007-469-006 Road Construction -1 - Received 28/08/2020
2007-469-007 Road Construction -2 - Received 28/08/2020
2007-469-009 Drainage Construction 1 - Received 28/08/2020
Drainage Details 2007-469-010 Drainage Construction 2 - Received 28/08/2020
Drainage Details 2007-469-011 Drainage Construction 3 - Received 28/08/2020
2007-469-012 Basin Cross Section - Received 28/08/2020
Sectional Drawing 2007-469-015 Road long section - Received 28/08/2020

Section B:

Mid Suffolk District Council as Local Planning Authority, hereby give notice that **RESERVED MATTERS HAVE BEEN REFUSED** for the development proposed in the application in accordance with the particulars and plans listed in section A for the following reasons:

1. REASON(S) FOR REFUSAL - RESERVED MATTERS NOT IN ACCORDANCE WITH OUTLINE PLANNING PERMISSION

Outline Planning Permission ref: DC/18/04191 granted "Erection of up to 5 no. dwellings and construction of new access, following demolition of 1 no. existing dwelling". The existing dwelling proposed to be demolished is shown to relate to 'The Leas' (or no. 4 Quoits Meadow) on the site location plan and indicative layout approved as part of this permission. The proposed removal of 'The Leas', therefore, forms part of the approved description of development relating to the outline planning permission.

The current reserved matters application proposes the retention of the existing dwelling at 'The Leas' (or No. 4 Quoits Meadow).

The proposed retention of the existing dwelling at 'The Leas' is considered contrary to the development agreed under the outline planning permission as this would not accord with the approved description of development and would result in a net increase in the resultant number of dwellings proposed.

The current reserved matters application and proposed layout, therefore, materially alters the outline planning permission description of development.

It is not, therefore, considered possible to consider the proposed net additional dwelling as part of the current reserved matters application and further planning permission is considered to be required for such a proposal. For this reason, the application is refused.

2. REASON(S) FOR REFUSAL - IMPACT ON SIGNIFICANCE OF HERITAGE ASSET

Development plan policy CS5 requires all development proposals to protect, conserve and where possible enhance the built historic environment. Development Plan Policy HB1 requires that all such proposals should protect the character and appearance of all buildings of architectural or historic interest. Furthermore paragraph 196 of the NPPF provides that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The proposed layout and scale and appearance of the buildings proposed would constitute a considerable erosion of the remaining historically rural character of the setting of the Grade II Listed Orchard Farmhouse. The proposal is considered to result in a medium level of less than substantial harm to the setting and significance of this heritage asset. The public benefit(s) of the proposed layout, scale and appearance of buildings is not considered to outweigh the level of harm identified. The proposal is, therefore, contrary to the provisions of the aforementioned planning policies for these reasons.

3. REASON(S) FOR REFUSAL - IMPACT ON RESIDENTIAL AMENITY

NPPF Paragraph 127 requires that all developments should ensure a high standard of amenity of all existing and future users. Furthermore, development plan policy H16 provides that the LPA will refuse development that materially reduces the amenity of adjacent dwellings.

The close proximity of the proposed access road to 2 no. existing residential properties would result in significant harm to the enjoyment of existing and future uses by reason of increased noise and disturbance from vehicles and pedestrians and disturbance from vehicles headlamps during hours of low daylight and darkness.

The proposal is, therefore, not considered to ensure a high standard of amenity for existing and future users of the properties identified, contrary to the provisions of NPPF paragraph 127 and development plan policy H16.

SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:

H16 - Protecting existing residential amenity
NPPF - National Planning Policy Framework
FC01 - Presumption in Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach to Delivering Sustainable Development
CS05 - Mid Suffolk's Environment
CS09 - Density and Mix
GP01 - Design and layout of development
H13 - Design and layout of housing development
H15 - Development to reflect local characteristics
H17 - Keeping residential development away from pollution
HB01 - Protection of historic buildings
CL08 - Protecting wildlife habitats
T02 - Minor Highway improvements
T09 - Parking Standards
T10 - Highway Considerations in Development

NOTES:

1. NPPF - DEPARTURE FROM POLICY

When determining planning applications, The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires Local Planning Authorities to explain how, in dealing with the application they have worked with the applicant to resolve any problems or issues arising. In this case the proposal represents a clear departure

from the outline planning permission and policies contained in the NPPF and Development Plan, and no amount of negotiation and amendment would enable the in principle issues to be resolved within the bounds of this current reserved matters application.

2. REFUSED PLANS & DOCUMENTS

The drawings and documents considered by the local planning authority in determination of this application are listed under Section A above.

Babergh and Mid Suffolk District Councils have adopted Community Infrastructure Levy (CIL) charging which affects planning permissions granted on or after 11th April 2016 and permitted development commenced on or after 11th April 2016. If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling or holiday let of any size your development may be liable to pay CIL and you must submit relevant documents to our Infrastructure Team telling us more about your development, who will pay CIL and when the development will start. You will receive advice on the amount you have to pay and what you have to do, and you can find more information about CIL on our websites here:

[CIL in Babergh](#) and [CIL in Mid Suffolk](#) or by contacting the Infrastructure Team on: infrastructure@baberghmidsuffolk.gov.uk

This relates to document reference: DC/20/03291

Signed: Philip Isbell

Dated: 14th January 2021

**Chief Planning Officer
Sustainable Communities**

Appeals to the Secretary of State

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or consent, or to grant permission or consent subject to condition, they may appeal to the Secretary of State for Communities and Local Government. The applicant's right of appeal is in accordance with the appropriate statutory provisions which follow:

Planning Applications: Section 78 Town and Country Planning Act 1990

Listed Building Applications: Section 20 Planning (Listed Buildings and Conservation Areas) Act 1990

Advertisement Applications: Section 78 Town and Country Planning Act 1990
Regulation 15

Town and Country Planning (Control of Advertisements) Regulations 2007

Notice of appeal in the case of applications for advertisement consent must be served within eight weeks of receipt of this notice. Notice of Householder and Minor Commercial Appeals must be served within 12 weeks, in all other cases, notice of appeal must be served within six months of this notice. If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within six months of the date of this notice, whichever period expires earlier.

Appeals must be made on a form which is obtainable from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at <https://www.gov.uk/government/publications/modelnotification-notice-to-be-sent-to-an-applicant-when-permission-is-refused>

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he/she will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him/her that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by it, having regard to the statutory requirements*, to the provisions of the Development Order, and to any directions given under the Order. The Secretary of State does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him/her.

2. If permission or consent to develop land or carry out works is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonable beneficial use by the carrying out of any development or works which has been or would be permitted they may serve on the Council of the district in which the land is situated, a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Section 137 of the Town and Country Planning Act 1990 or Section 32 Planning (Listed Buildings and Conservation Areas) Act 1990.

*The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70 and 72(1) of the Act.

Committee Report

Item No:

Reference: DC/21/03589

Case Officer: Alex Scott

Ward: Stonham.

Ward Member/s: Cllr Suzie Morley.

RECOMMENDATION – REFUSE RESERVED MATTERS

Description of Development

Application for approval of reserved matters following grant of outline application DC/18/04191 dated: 07/02/2019 - Appearance, Landscaping, Layout and Scale for Erection of 5no. dwellings and construction of new access, following demolition of 1no. existing dwelling. Discharge of Condition 9 (Hedgerows), Condition 10 (Surface Water Drainage Details), Condition 11 (Roads and Footpaths), Condition 13 (Parking and Turning), Condition 14 (Refuse Bins and Collection Areas), Condition 15 (Fire Hydrants) and Condition 16 (Construction Management)

Location

Land to the rear of The Leas, Quoits Meadow, Stonham Aspal, Suffolk

Expiry Date: 12/11/2021

Application Type: RES - Reserved Matters

Development Type: Minor Dwellings

Applicant: Mr Tydeman

Agent: Beech Architects

Parish: Stonham Aspal

Site Area: 0.91 hectares

Density of Development:

Gross Density (Total Site): 5.49 dwellings per hectare (dph)

Net Density (Developed Site, excluding open space and SuDs): 8.66 dph

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

- Outline Planning Application ref: DC/17/04419, for 9 no. dwellings, was considered by Members at Committee on 13th December 2017 - Members resolved to refuse planning permission;
- Outline Planning Application ref: DC/18/04191, for 5 no. dwellings, was considered by Members at Committee on 30th January 2019 - Members resolved to grant planning permission;
- This current application (ref: DC/21/03589) was previously considered by Members at Committee on 10th November 2021 - Members resolved to defer determination to seek an expert heritage assessment and review.

The relevant decision notices are appended to this report.

Has a Committee Call In request been received from a Council Member (Appendix 1): Yes
Has the application been subject to Pre-Application Advice: No

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee at the request of the Ward Member.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

NPPF - National Planning Policy Framework
FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
CS03 - Reduce Contributions to Climate Change
CS04 - Adapting to Climate Change
CS05 - Mid Suffolk's Environment
CS09 - Density and Mix
GP01 - Design and layout of development
HB01 - Protection of historic buildings
H13 - Design and layout of housing development
H15 - Development to reflect local characteristics
H16 - Protecting existing residential amenity
H17 - Keeping residential development away from pollution
CL08 - Protecting wildlife habitats
T02 - Minor Highway improvements
T09 - Parking Standards
T10 - Highway Considerations in Development

Neighbourhood Plan Status

This application site is not within a Neighbourhood Plan Area.

Consultations and Representations

During the course of the application Consultation and Representations from third parties have been received. These are summarised below.

A: Summary of Consultations

Town/Parish Council (Appendix 3)

Stonham Aspal Parish Council - 1st September 2021 & 20th October 2021:

Object:

- Access to site not wide enough for two cars to pass and has no footpath;
- Loss of wildlife habitat and one mature tree;
- Larger dwellings and more bedrooms proposed than indicated at Outline stage;
- Increase in bedroom numbers will result in increased vehicles travelling down the narrow road;
- The proposal would have an adverse impact on the adjacent listed building, even more than indicated previously;
- Concerns with regards MSDC Heritage Officers' comments as they previously objected to a prior proposal on the site;
- Concerns with regards a pond indicated on adjacent land - Question does this need planning permission;
- Concerns with regards proposed construction compound and impact on residents during construction;
- Concerns that there is no proposal for household waste bin storage and presentation points - These cannot be on the road;
- 2 no. mature trees have been removed on the site, shown to be retained on the proposed plans.

National Consultee (Appendix 4)

NA.

County Council Responses (Appendix 5)

SCC - Highways - Initial Response - 26th August 2021:

No objection - Subject to compliance with suggested conditions - Further info requested with regards construction management

SCC - Highways - Subsequent Response - 7th October 2021:

All elements of the reserved matters and conditions to be discharged are now acceptable to the Highway Authority

SCC - Lead Local Flood Authority (LLFA) - 18th August 2021 and 29th September 2021:

As this is a minor application we have no comment to make and we would point the LPA and the applicant towards standing advice.

SCC - Archaeology - 20th August 2021:

No further archaeological work required and no conditions required - An archaeological evaluation was undertaken on this site as part of the outline application DC/18/04191. Despite the potential to encounter archaeological features and finds within the proposed development site, as indicated by the county Historic Environment Record, none were found during the archaeological evaluation.

Internal Consultee Responses (Appendix 6)

MSDC - Heritage Team - Initial Response - 3rd September 2021:

No comments will be provided by the Heritage Team - Proposals are not considered to be sufficiently harmful to warrant Heritage Involvement.

MSDC - Heritage Team - Subsequent Response - 18th November 2021:

The proposal would cause a low to medium level of less than substantial harm to the setting and significance of the Grade II Listed Orchard Farmhouse - The proposed dwellings would be fairly prominent intrusions into the historically rural character of the setting of Orchard Farmhouse, which contributes to its significance - Recommend that the scale and design of the dwellings is revised to reduce the level of harm as far as feasible.

MSDC - Environmental Protection - Noise/Odour/Light/Smoke Issues - 24th August 2021:

Do not have any further comments in respect to noise and other environmental health issues and no objection to condition 16 being discharged.

MSDC - Environmental Protection - Land Contamination Issues - 8th September 2021 and 14th October 2021:

No comments to make with respect to land contamination in addition to those made previously.

B: Representations

At the time of writing this report at least 9 letters/emails/online comments have been received. It is the officer opinion that this represents 8 objections, 1 support and 0 general comment. A verbal update shall be provided as necessary.

Views are summarised below:-

Representations raising concern or objection to the application:

- Proposed dwellings and bedroom numbers are larger than indicated at Outline Planning Stage;
- The proposal is not in line with what was agreed at outline stage and so should be refused;
- The proposed scale and design bears no resemblance to existing dwellings in Quoits Meadow, or what was previously approved at outline stage;
- The proposal will impact the amenities of neighbouring properties;
- Neighbouring properties will be overlooked by the development;
- The proposal will potentially have 3 or 4 cars per property and will more than double the residential traffic using Quoits Meadow;
- The proposed layout is detrimental to road safety;

- Quoits meadow is currently used as a convenient parking location, due to the inability for cars to park on the busy main road which runs through the village, the resultant additional vehicle movements will, therefore result in further congestion to the detriment of highway safety;
- The proposal will result in increased traffic congestion due to increased vehicles using Quoits Meadow and increased noise and pollution as a result, which will impact existing residential amenity;
- The lack of pavements proposed will result in pedestrians walking in the vehicular highway, which will result in conflict between pedestrians and cars, to the severe detriment of pedestrian safety - Particular concern with regards Children walking to School;
- The proposed refuse collection points are along way from the proposed properties and the proposed collection point will impact the amenities of neighbouring properties;
- The proposed access road is not suitable for refuse collection vehicles or larger vehicles, including emergency service vehicles;
- The revised proposal for larger properties will further harm and impact the setting of the adjacent Grade II listed building at Orchard Farm;
- MSDC Heritage Officers previously objected to previous applications on the site - Question why they are now not raising objection when the current proposal would be more impactful on the setting of the adjacent listed building;
- The proposed drainage basin lies outside of the application red line plan - question whether this need further planning permission;
- The current plans do not make provision for electric vehicle charging;
- Concerns with regards removal of 2 no. mature Trees from site frontage – Shown to be retained on proposed plans.

Representations in support of the application proposal:

- Stonham Aspal is calling out for some new, modern family homes;
- Proposed homes will complement the Village;
- The proposal will make good use of space without impacting the environment;
- The proposed smaller, more village focused, development is exactly what the Village need;
- People in the Village are moving away due to housing shortages - let's give people what they need.

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

PLANNING HISTORY

REF: DC/20/03291	Application for approval of reserved matters following grant of outline application DC/18/04191 dated 07/02/2019 Appearance, Layout, Scale and Landscaping for the erection of 5No dwellings and new access (following demolition for existing dwelling).	DECISION: REF 14.01.2021
REF: DC/18/04191	Outline Planning Application (Access to be considered) - Erection of up to 5 no. dwellings and construction of new access, following demolition of 1 no. existing dwelling	DECISION: GTD 07.02.2019

REF: DC/17/04419	Outline Planning Application (Access to be considered) - Erection of 9 no. dwellings and construction of new access	DECISION: REF 18.12.2017
REF: 1859/11	Retention of stables, alterations to existing roof and continued use of land as paddock without compliance with condition 1 of planning permission 2874/10 requiring removal of eucalyptus trees.	DECISION: GTD 25.07.2011
REF: 2874/10	Retention of stables, alterations to existing roof (per submitted drawings) and continued use of land as paddock (revised scheme to that previously permitted under planning permission 3062/06).	DECISION: GTD 15.12.2010
REF: 3062/06	Proposed change of use of agricultural land to paddock and erection of a stable block (following removal of existing buildings).	DECISION: GTD 22.05.2007
REF: 1836/05	Retention of vehicular access, storage facilities and parking area, and the erection of a shelter and hay storage building. All associated to adjacent paddock for the keeping and grazing of horses.	DECISION: REF 25.11.2005

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1. The application site extends to approximately 0.91 hectares and comprises part of an existing horse paddock set back from The Street, to the north of existing dwellings in the Quoits Meadow cul-de-sac.
- 1.2. To the north and east of the existing paddock lie agricultural fields, defined by hedgerow boundaries. An unmade access track runs adjacent to the south boundary of the paddock giving existing access to the paddocks and the agricultural fields to the east. Further to the south, on the opposite side of the track, lies the Grade II listed Orchard Farm with the existing housing estate at Walnut Tree Meadow beyond this. The existing Quoits Meadow estate and further dwellings fronting The Street lies to the west and south-west.
- 1.3. The site lies outside of, but adjacent to, the settlement boundary of the village. The site also affects the setting of a grade II listed building at Orchard Farm, to the south of the site, and affects an area of archaeological potential.

2. The Proposal

- 2.1. The application seeks approval of matters reserved by way of outline planning permission ref: DC/18/04191, and seeks approval of matters relating to Appearance, Scale, Layout and Landscaping for the 5 no. dwellings previously granted outline permission.
- 2.2. Matters of access have previously been considered and approved by way of outline planning permission ref: DC/18/04191 and have been approved, subject to conditions attached to that planning permission.
- 2.3. The application proposes 3 no. detached 1.5 storey, 5 bedroom, dwellings and associated garages, and 2 no. detached two-storey, 4 bedroom, dwellings, with integral garages.
- 2.4. The proposed 1.5 storey dwellings would have maximum ridge heights of 6.5 metres and the proposed two-storey dwellings would have maximum ridge heights of 7.8 metres.
- 2.5. The proposed dwellings all have on-site parking provision for at least 4 no. vehicles, within the proposed garages and on driveways immediately in front of them.
- 2.6. The proposals would include generously sized rear gardens, with proposed dwellings being located a minimum distance of 24 metres from any existing dwelling. The proposed layout also avoids back to back arrangements.
- 2.7. The proposed layout includes a shared private access road and access onto Quoits meadow, the principle of which has already been approved at outline planning stage. The proposed access road would have large green verges to either side.
- 2.8. The proposed layout also includes a large turning head within the development, suitable for use by Fire appliances. The layout also includes provision of a fire hydrant within the grass verge at the front of Plot 1.
- 2.9. The proposed also includes for the discharge of a number of conditions attached to the outline planning permission (DC/18/04191), relating to:
 - Hedgerows (Condition 9);
 - Surface Water Drainage Details (Condition 10);
 - Roads and Footpaths (Condition 11);
 - Parking and Turning (Condition 13);
 - Bin Collection Areas (Condition 14);
 - Fire Hydrants (Condition 15); and
 - Construction Management (Condition 16).

3. The Principle of Development

- 3.1. The principle of the proposed development, for the erection of 5 no. new dwellings, following demolition of 1 no. existing dwelling, has previously been considered and approved as part of outline planning permission ref: DC/18/04191.

- 3.2. There is not the opportunity to re-visit the principle of the proposal by way of this current reserved matters application. This also includes affordability and housing mix raised by the Ward Member in the call in request. The reserved matters are only

“scale” means the height, width and length of each building proposed within the development in relation to its surroundings;

“appearance” means the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture;

“landscaping”, in relation to a site or any part of a site for which outline planning permission has been granted or, as the case may be, in respect of which an application for such permission has been made, means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes—

(a) screening by fences, walls or other means;

(b) the planting of trees, hedges, shrubs or grass;

(c) the formation of banks, terraces or other earthworks;

(d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features;

“layout” means the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development;

It is these along with the details of the conditions before members.

4. Site Access, Parking and Highway Safety Considerations

- 4.1. The proposed estate road access to Quoits Meadow was considered and approved as part of outline planning permission ref: DC/18/04191, subject to conditions. The location of this proposed access as identified in the current reserved matters application is considered to be broadly as approved at outline stage and, therefore, acceptable and appropriate as part of the current submission.
- 4.2. Whilst it is noted that the proposed estate access road appears narrower than indicated at outline stage, and that it does not comprise a siding pedestrian footway as was previously indicated, it is considered that this forms part of matters relating to layout and not access and it is, therefore, considered appropriate to assess such matters at the current reserved matters stage.
- 4.3. The current layout proposes 4 no. on-site parking spaces per 4 and 5 bedroom dwelling proposed. Such provision is considered acceptable, on accordance with current SCC-Highways advisory parking standards and the proposal would not result in a need for tandem (three parked cars in a row, including garages) parking.

- 4.4. SCC Highways have assessed the current proposal and, whilst it is acknowledged that the current proposal does not contain a siding footway as indicated at outline stage, for a development of the scale proposed (5 no. new dwellings) SCC Highways advise this is acceptable and, therefore, it is presumed that pedestrians using the access driveway a shared surface is also considered acceptable. It is also considered that the proposed grassed verges would afford pedestrians sufficient refuge from vehicles, should such conflict occur.
- 4.5. Whilst it is agreed that the proposed access road layout varies to that indicated at outline stage it is not considered that the proposed layout would result in a severe impact on highway and pedestrian safety, such that refusal could be considered on such grounds. The proposed amount, design and location of on-site turning and parking is also considered to be in accordance with current highways advisory standards.
- 4.6. SCC-Highway have advised that the latest information submitted by the applicant is sufficient to discharge conditions: 11 (Roads and Footpaths); 13 (Parking and Turning); 14 (Bin Collection Areas); and 16 (Construction Management).
- 4.6. No objection is, therefore, raised with regards impact on highway safety.

5. Design, Layout and Impact on Street-scene Character

- 5.1. The proposed design and layout is generally considered to present a varied character of buildings and an appropriate low development density, sympathetic the edge of settlement character in this location.
- 5.2. Whilst it is agreed that the character of development proposed does not reflect that of the existing Quoits Meadow estate, the site is considered to be significantly detracted from this existing character area such that the proposed character and density is appropriate, without resulting in a significant impact on the existing street-scene.

6. Heritage Issues

- 6.1. Following deferral of the application at the previous committee, your Heritage Officers have reviewed the current layout, scale, appearance and landscaping detail proposed, and advise the following:
- 6.2. The application concerns Reserved Matters details for Appearance, Scale, Layout and Landscaping, following Outline approval, under DC/18/04191, for the erection of five dwellings, following demolition of an existing dwelling. The heritage concern relates to the potential impact of the works on the significance of Orchard Farmhouse, a Grade II Listed late sixteenth century (C16) timber-framed farmhouse, to the southeast.
- 6.3. The current application is a second submission for Reserved Matters details, following a previous submission under DC/20/03291, which was refused. Under that application, your heritage officers identified a medium level of less than substantial harm to Orchard Farmhouse, within the range of

harm originally identified at Outline Stage. Please refer to the heritage comments on DC/20/03291 for further detail (Appended).

- 6.4. An initial Reserved Matters scheme was submitted under the current application reference, followed by an amended scheme. As your Heritage Officers have not previously assessed either iteration, both schemes are considered as follows:

Initial Scheme

- 6.5. This scheme changes three of the dwellings, including the two closest to Orchard Farmhouse, to one-and-a-half storey dwellings of reduced height, with a more agricultural external appearance, compared to the larger scale two-storey dwellings proposed under DC/20/03291. Your Heritage Officers consider that this reduces the harm to Orchard Cottage from the previous Reserved Matters application, as these dwellings would likely be less-prominent intrusions into its formerly agricultural setting, given both the reduction in scale and change in appearance.
- 6.6. However, your Heritage Officers consider that there is likely still reasonable scope to reduce the scale (mass/height etc.) of all the dwellings further, without compromising their viability as dwellings, and that this could discernibly further mitigate the harm to Orchard Farmhouse.
- 6.7. Your Heritage Officers advise that there are also some changes to the layout of the dwellings from DC/20/03291, including positioning the garage block for Plots 1 and 2 slightly closer to Orchard Farmhouse. Nonetheless, your Heritage Officers consider that none of the changes to the layout would discernibly change the impact on the listed building over DC/20/03291.
- 6.8. Your Heritage Officers note an attenuation basin has now been added to the east of the site. However, they consider this would not result in any additional harm, subject to a condition if it is to have any associated boundary treatments or lighting, as sometimes this is proposed for these features.
- 6.9. Therefore, you Heritage Officers characterise the level of harm from this scheme as a low to medium level of less than substantial. Furthermore, they consider there is probably still scope to reduce the harm further within the parameters of the Outline approval, mainly through further reduction in the scale of the dwellings.

Amended Scheme

- 6.10. The amended scheme relocates the position of the Site Compound. Other than negating the need for a condition, your Heritage Officers would otherwise have requested regarding the original site compound location; this is not considered to affect the impact of the scheme on Orchard Farmhouse. There are no other changes evident that you Heritage Officers consider would affect the impact on Orchard Farmhouse over the initial iteration
- 6.11. Your Heritage Officers conclusion is that the layout, scale, appearance and landscaping details currently proposed would result in a low to medium level of less than substantial harm to a designated heritage asset (Orchard Farmhouse) because the proposed dwellings would still be fairly prominent intrusions into the historically rural character of the setting of Orchard Farmhouse, which contributes to its significance, despite their reduction in scale from the previous Reserved Matters Application. Your Heritage Officers advise that consideration should be given to further amendments to further mitigate the current harm identified to Orchard Farmhouse.
- 6.12. The NPPF paragraph 201 states that where a proposal will lead to less than substantial harm to the significance of heritage assets this harm should be weighed against the public benefits of the

proposal. Your Heritage Officers have identified that the current proposal would result in a low to medium level of less than substantial harm to the setting and significance of a designated Heritage Asset, that of the Grade II Listed Orchard Farmhouse, located in close proximity to the south of the site. Your Heritage Officer have also advised further amendments to the scheme in order to further mitigate the harm identified. It is the opinion and advice of your Planning Officers that the public benefits of the proposal, most significantly the increase in the supply of houses in support of local and national housing targets, are not so significant, by reason of the relatively small scale of the development proposal, and the absence of affordable housing, that such public benefits would justifiably outweigh the harm to the significance of the Heritage Asset identified.

7. Archaeology

- 7.1. The SCC Archaeological Unit has been consulted on the application and advise that Archaeological investigations on the site have been completed as part of the outline application DC/18/04191.
- 7.2. Despite the potential for Roman and medieval archaeological features and finds, as indicated by the Historic Environment Record, none were found during the evaluation. Based on the results of the archaeological evaluation SCC-Archaeology would not require any further archaeological work on the site and advise that the current reserved matters application does not require further conditions for archaeological investigation and recording.

8. Landscape Impact and Trees

- 8.1. The proposed scheme of native species soft landscape planting to site boundaries, and additional Tree planting to the south-east boundary, is welcomed. Such detail is considered sufficient to address the further information required by Condition 9 (Hedgerows) of the Outline Planning Permission (DC/18/04191).
- 8.2. The proposed landscaping scheme is considered appropriate for such an edge of settlement location, sufficient to soften and screen the development and mitigate harm to the setting and significance of the nearby heritage asset (as identified above).
- 8.3. Whilst it is noted that 2 no. significant Trees have been removed from the frontage of the site, these Trees were not protected by way of Tree Preservation Orders (TPOs) or a Conservation Area designation. As such no form of consent was required by the Council prior to their removal.
- 8.4. It is noted that the proposed landscaping scheme includes for the planting of a significant amount (over 14 no.) new trees within the site which would compensate the Trees lost and proposed to be lost as part of the overall development proposal and would increase the number of trees on the site and within the village more generally.

9. Impact on Residential Amenity

- 9.1. NPPF Paragraph 130 requires that all developments should ensure a high standard of amenity of all existing and future users. Furthermore, development plan policy H16 provides that the LPA will refuse development that materially reduces the amenity of adjacent dwellings.
- 9.2. By reason of: the proposed buildings' siting, of at least 24 metres from any existing neighbouring dwelling; The proposed buildings' orientation, not front or rear elevation directly facing rear gardens of existing neighbouring properties; and having also considered site level changes on and surrounding the site, the proposed development is not considered to result in significant harm to the amenities currently enjoyed by occupants of neighbouring properties in terms of visual dominance, loss of daylight, and loss of privacy.
- 9.3. By reason of the low noise impacts associated with such C3 land use class developments, compatible within existing residential environments, the proposal would not result in significant harm to the amenities currently enjoyed by occupants of neighbouring properties by reason of increased noise and disturbance.
- 9.4. The proposed access road is also considered to be an acceptable distance from existing neighbouring dwellings (minimum distance of 11 metres) so as to not result in significant harm to neighbouring amenity with regards noise and disturbance due to traffic movements.
- 9.5. The proposed design and layout is also considered to provide a high standard of amenity for future occupants.
- 9.6. Your Environmental Protection Officers have been consulted on the application proposal and have raised not objection with regards the proposal's impact on residential amenity. Environmental Protection Officers also raise no objection with regards the proposed discharge of condition 16 of the outline planning permission, with regards the proposed scheme of construction management.

10. Surface Water Drainage

- 10.1. The application includes detailed surface water drainage information in the interest of addressing the requirements of condition 10 of the outline planning permission.
- 10.2. The proposed scheme of surface water drainage involves surface water being directed to an attenuation basin to the east of the site, on land within the applicant's ownership to enable surface water to be attenuated for controlled sustainable drainage dispersal. The outline permission and scale of development (under 10 dwellings) does not automatically require a SuDs approach, but the applicant has sought to achieve this in this case. While it is unusual for the development of the basin to be beyond the red line plan, it is not beyond the scope of the planning condition to control and ensure it is fully implemented to serve the development. However, the applicant will need separate planning permission for the associated change and works of the basin that will need to be assessed on its own merits and will be a risk to the applicant.

- 10.3. The proposed drainage basin would be significantly large due to the clay nature of the soil which prevents rapid draining of surface water. Therefore, a large attenuation surface is needed.
- 10.4. The proposed drainage basin would have 1 in 3 and 1 in 4 side slopes, with a maximum water depth of 0.85 metres (33.46 inches) during a 1 in 100 year event. The maximum water depth within the basin, for a common 1 in 2 year event is calculated to be no more than 0.48 metres (18.9 inches).
- 10.5. The Lead Local Flood Authority have been consulted on the application proposal and have not raised objection to the proposed scheme. As such, the proposed scheme of surface water disposal is considered acceptable and sufficient to discharge condition 10 of the outline planning permission.

11. Other Matters

- 11.1. Matters relating to: Land Contamination; Ecology; and Flood Risk where previously considered as points of principle in relation to outline planning application DC/18/04191, and no objection was raised subject to compliance with conditions imposed by way of that planning permission. Such condition remain relevant to the current overall application proposal.

12. Parish Council Comments

- 12.1. It is considered that the matters raised by Stonham Aspal Parish Council have been addressed in the above report.

PART FOUR – CONCLUSION

13. Planning Balance and Conclusion

- 13.1. The principle of development has been agreed for the number of dwellings proposed as well as the access arrangements.
- 13.2. The detailed layout, scale, appearance and landscaping of the development proposal is considered to result in a low to medium level of less than substantial harm to the setting and significance of a designated heritage asset. The public benefits of the proposal are not considered to outweigh the level of harm identified.
- 13.3. No significant objection is raised with regards the following material issues: Highway Safety; Residential Amenity; Flood Risk and Surface Water Drainage; and Biodiversity.

RECOMMENDATION

REFUSE reserved matters for the following reasons, and/or those reasons as may be deemed necessary by the Chief Planning Officer:

RECOMMENDED REASON(S) FOR REFUSAL - IMPACT ON SIGNIFICANCE OF HERITAGE ASSET

Development plan policy CS5 requires all development proposals to protect, conserve and where possible enhance the built historic environment. Development Plan Policy HB1 requires that all such proposals should protect the character and appearance of all buildings of architectural or historic interest. Furthermore, the NPPF provides that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

The proposed layout and scale and appearance of the buildings proposed would constitute a considerable erosion of the remaining historically rural character of the setting of the Grade II Listed Orchard Farmhouse and harm its character. The proposal is considered to result in less than substantial harm to the setting and significance of this heritage asset. The public benefit(s) of the proposal are not considered to outweigh the level of harm identified. The proposal is, therefore, contrary to the provisions of the aforementioned planning policies for these reasons.

Philip Isbell – Chief Planning Officer
Sustainable Communities

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

Website: www.midsuffolk.gov.uk



REFUSAL OF RESERVED MATTERS

TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)
ORDER 2015

Correspondence Address:

Beech Architects
Church Farm Barn
The Street
Thorndon
IP23 7JR

Applicant:

Mr Tydeman
The Leas
The Street
Stonham Aspal
IP14 6DE

Date Application Received: 24-Jun-21

Application Reference: DC/21/03589

Date Registered: 02-Aug-21

Proposal & Location of Development:

Application for approval of reserved matters following grant of outline application DC/18/04191 dated: 07/02/2019 - Appearance, Landscaping, Layout and Scale for Erection of 5no. dwellings and construction of new access, following demolition of 1no. existing dwelling. Discharge of Condition 9 (Hedgerows), Condition 10 (Surface Water Drainage Details), Condition 11 (Roads and Footpaths), Condition 13 (Parking and Turning), Condition 14 (Refuse Bins and Collection Areas), Condition 15 (Fire Hydrants) and Condition 16 (Construction Management)

Land To The Rear Of The Leas, Quoits Meadow, Stonham Aspal, Suffolk

Section A – Plans & Documents:

This decision refers to drawing no./entitled 'Promap' - Red and Blue line plan - Scale 1:2500 received 16/01/2019 as the defined red line plan with the site shown edged red. Any other drawing showing land edged red whether as part of another document or as a separate plan/drawing has not been accepted or treated as the defined application site for the purposes of this decision.

The plans and documents recorded below are those upon which this decision has been reached:

Defined Red Line Plan 'Promap' - Red and Blue line plan - Scale 1:2500 - Received 16/01/2019
Topographic Survey 470 - 02 - Received 24/06/2021
Block Plan - Proposed - Including Floor Plans - 470 - 03 - H - Received 21/09/2021
- Construction Site Plan - 470 - 04 - H - Received 21/09/2021
Proposed Plans and Elevations - Plots 1, 2 & 3 - 470 - 05 - D - Received 02/08/2021
Proposed Plans and Elevations - Plots 4 & 5 - 470 - 06 - D - Received 02/08/2021
Proposed Plans and Elevations - Garages - 470 - 07 - B - Received 24/06/2021

Block Plan - Proposed - Including Roof Plans - 470 - 08 - E - Received 24/06/2021
- Highways Engineering Plan - 2007-469-002A - Received 02/08/2021
Drainage Details - Engineering Drawing - Whole Site - 2007-469-005A - Received 02/08/2021
- Hard Surface details - 2007-469-006 - Received 02/08/2021
- Hard Surface details - 2007-469-007 - Received 02/08/2021
- Private Drainage Details - 2007-469-009 - Received 02/08/2021
- Private Drainage Details - 2007-469-010 - Received 02/08/2021
- Private Drainage Details - 2007-469-011 - Received 02/08/2021
Drainage Details - Drainage Basin Details - 2007-469-012 - Received 02/08/2021
- Road Sectional Drawing - 2007-469-015A - Received 02/08/2021

Section B:

Mid Suffolk District Council as Local Planning Authority, hereby give notice that **RESERVED MATTERS HAVE BEEN REFUSED** for the development proposed in the application in accordance with the particulars and plans listed in section A for the following reasons:

1. REASON(S) FOR REFUSAL - IMPACT ON SIGNIFICANCE OF HERITAGE ASSET

Development plan policy CS5 requires all development proposals to protect, conserve and where possible enhance the built historic environment. Development Plan Policy HB1 requires that all such proposals should protect the character and appearance of all buildings of architectural or historic interest. Furthermore, the NPPF provides that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

The proposed layout and scale and appearance of the buildings proposed would constitute a considerable erosion of the remaining historically rural character of the setting of the Grade II Listed Orchard Farmhouse and harm its character. The proposal is considered to result in less than substantial harm to the setting and significance of this heritage asset. The public benefit(s) of the proposal are not considered to outweigh the level of harm identified. The proposal is, therefore, contrary to the provisions of the aforementioned planning policies for these reasons.

2. REASON(S) FOR REFUSAL - OUT OF KEEPING WITH SURROUNDING RURAL CHARACTER

Development Plan Policy GP1 provides that proposals should maintain or enhance the character and appearance of the site and their surroundings. Local Plan Policy H13 provides further that new housing development will be expected to achieve a high standard of design and layout and be of a scale and density appropriate to the site and its surroundings and should take account of the character of the proposal site and the relationship of the proposed development to its surroundings. Furthermore, Local Plan Policy H15 provides that proposed new housing should be consistent with the character of its setting.

The proposed housing development, for reasons of density, scale and design is considered to be out of keeping with the rural countryside character of the site and its surroundings, to the north-east and north-west, contrary to the aforementioned planning policies for these reasons.

SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:

NPPF - National Planning Policy Framework
FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
CS03 - Reduce Contributions to Climate Change
CS04 - Adapting to Climate Change
CS05 - Mid Suffolk's Environment
CS09 - Density and Mix
CS01 - Settlement Hierarchy
GP01 - Design and layout of development
HB01 - Protection of historic buildings
H13 - Design and layout of housing development
H15 - Development to reflect local characteristics
H16 - Protecting existing residential amenity
H17 - Keeping residential development away from pollution
CL08 - Protecting wildlife habitats
T02 - Minor Highway improvements
T09 - Parking Standards
T10 - Highway Considerations in Development

NOTES:

1. **Statement of positive and proactive working in line with the National Planning Policy Framework (NPPF)**

The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. The NPPF encourages a positive and proactive approach to decision taking, delivery of sustainable development, achievement of high quality development and working proactively to secure developments that improve the economic, social and environmental conditions of the area. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

2. **Refused Plans and Documents**

The plans and documents assessed in determination of this application are listed at Section A, above.

Babergh and Mid Suffolk District Councils have adopted Community Infrastructure Levy (CIL) charging which affects planning permissions granted on or after 11th April 2016 and permitted development commenced on or after 11th April 2016. If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling or holiday let of any size your development may be liable to pay CIL and you must submit relevant documents to our Infrastructure Team telling us more about your development, who will pay CIL and when the development will start. You will receive advice on the amount you have to pay and what you have to do and you can find more information about CIL on our websites here:

CIL in Babergh and CIL in Mid Suffolk or by contacting the Infrastructure Team on:
infrastructure@baberghmidsuffolk.gov.uk

This relates to document reference: DC/21/03589

Signed: Philip Isbell

Dated: 10th December 2021

**Chief Planning Officer
Sustainable Communities**

Appeals to the Secretary of State

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or consent, or to grant permission or consent subject to condition, they may appeal to the Secretary of State for Communities and Local Government. The applicant's right of appeal is in accordance with the appropriate statutory provisions which follow:

Planning Applications: Section 78 Town and Country Planning Act 1990

Listed Building Applications: Section 20 Planning (Listed Buildings and Conservation Areas) Act 1990

Advertisement Applications: Section 78 Town and Country Planning Act 1990
Regulation 15

Town and Country Planning (Control of Advertisements) Regulations 2007

Notice of appeal in the case of applications for advertisement consent must be served within eight weeks of receipt of this notice. Notice of Householder and Minor Commercial Appeals must be served within 12 weeks, in all other cases, notice of appeal must be served within six months of this notice. If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within six months of the date of this notice, whichever period expires earlier.

Appeals must be made on a form which is obtainable from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at <https://www.gov.uk/government/publications/modelnotification-notice-to-be-sent-to-an-applicant-when-permission-is-refused>

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he/she will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him/her that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by it, having regard to the statutory requirements*, to the provisions of the Development Order, and to any directions given under the Order. The Secretary of State does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him/her.

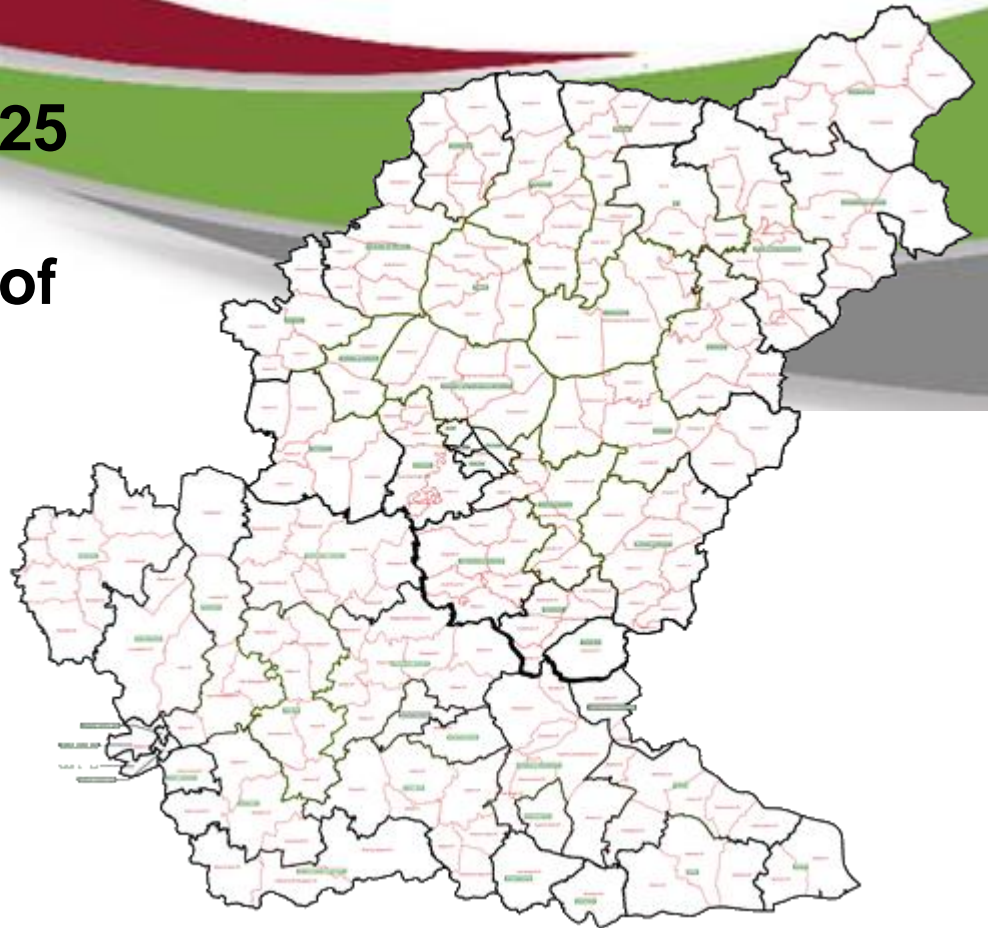
2. If permission or consent to develop land or carry out works is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonable beneficial use by the carrying out of any development or works which has been or would be permitted they may serve on the Council of the district in which the land is situated, a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Section 137 of the Town and Country Planning Act 1990 or Section 32 Planning (Listed Buildings and Conservation Areas) Act 1990.

*The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70 and 72(1) of the Act.

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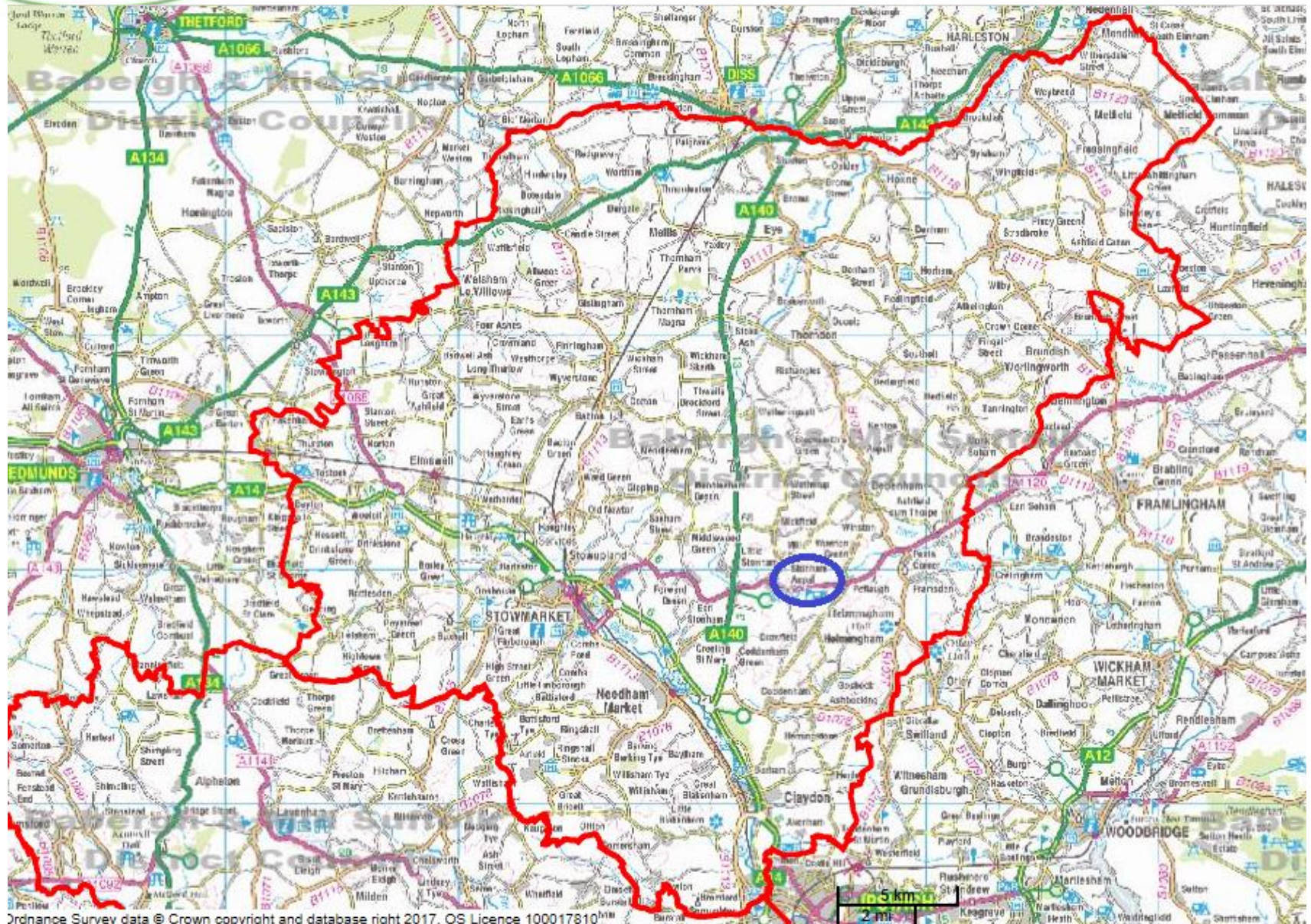
Application No: DC/22/00225

**Address: Land to the rear of
the Leas, Quoits Meadow,
Stonham Aspal**

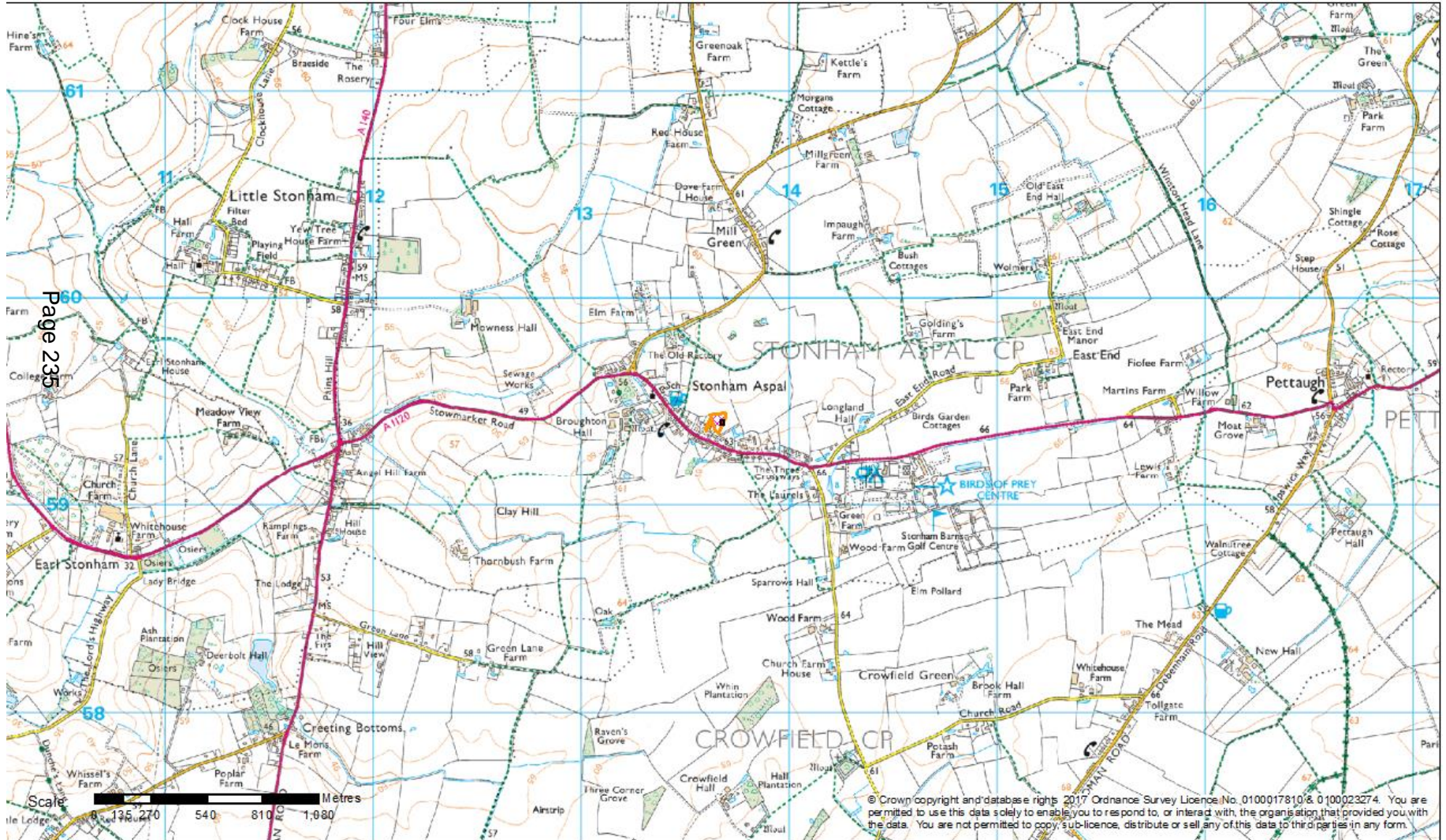


Site Location within District

Slide 2



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Page 236

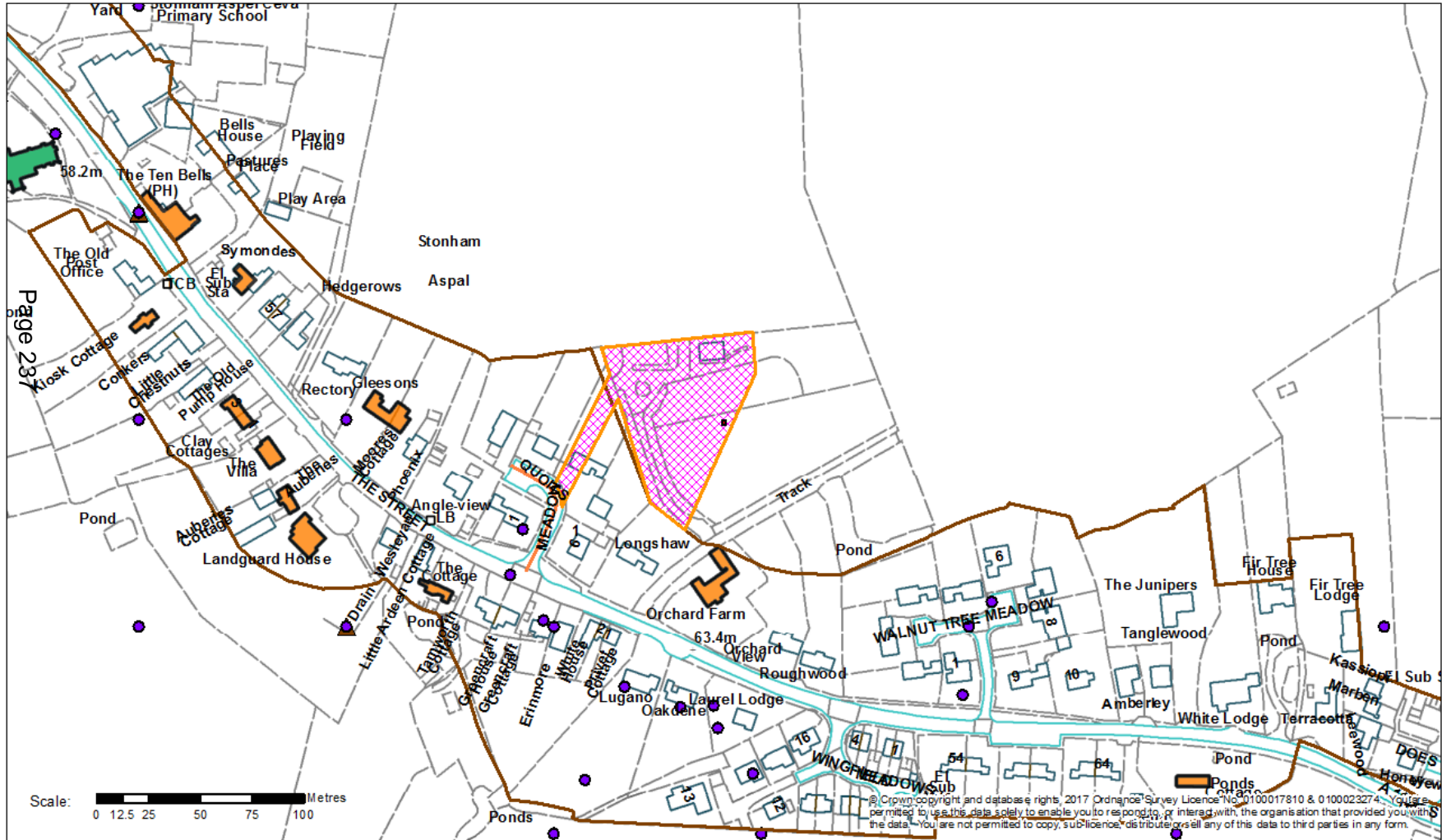
Constraints Map

● Biodiversity - Protected/Notable Species - e.g. Tawny Owl

▲ Biodiversity - Bats

— Built Up Area Boundaries

■ Grade I
■ Grade II
■ Grade II*



Aerial View

Slide 6



Site Location Plan







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Longshaw

Track

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Agenda Item 8c

Committee Report

Item No: 8D

Reference: DC/21/02582

Case Officer: Mahsa Kavyani

Ward: Gislegham.

Ward Member: Cllr Rowland Warboys

RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS

Description of Development

Full Planning Application - Erection of 3 pairs of semi-detached dwellings, and garages including access.

Location

Land west of Grange Road, Wickham Skeith, Suffolk

Expiry Date: 08/11/2021

Application Type: FUL - Full Planning Application

Development Type: Minor Dwellings

Applicant: Osborn Homes (East Anglia) Ltd

Agent: Mrs Sarah Roberts

Parish: Wickham Skeith

Site Area: 0.32ha

Density of Development: 19dph

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

Has a Committee Call In request been received from a Council Member (Appendix 1): Yes

Has the application been subject to Pre-Application Advice: Yes and the advice provided by Officers was positive

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason:

Ward member referral.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

NPPF - National Planning Policy Framework

NPPG-National Planning Policy Guidance
CL08 - Protecting wildlife habitats
CS01 - Settlement Hierarchy
CS02 - Development in the Countryside & Countryside Villages
CS05 - Mid Suffolk's Environment
GP01 - Design and layout of development
FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
T09 - Parking Standards
T10 - Highway Considerations in Development
H16 - Protecting existing residential amenity
H13 - Design and layout of housing development

Neighbourhood Plan Status

This application site is not within a Neighbourhood Plan Area.

Consultations and Representations

During the course of the application consultation and representations from third parties have been received. These are summarised below.

A: Summary of Consultations

Parish Council (Appendix 3)

Wickham Skeith Parish

The Parish Council of Wickham Skeith do not support this application for the following reasons:

1. Previously raised objections

Objections initially raised in WSPC's response to the outline planning application (DC/019/4389) still apply, and/or are exacerbated by the additional dwellings not included in the outline plan. These objections were:

"The application extends beyond the boundary submitted in the first phase of the Joint Local Plan Consultation, which followed consultation with residents, and may set a precedent for an increase in applications on land not included within the original submission."

"The application is for outline permission and there is concern that there could be an increase in the amount of proposed dwellings should approval be given and the next stage of detailed planning be applied for."

"The accumulative effect of permission being given to the following applications, as there will be a significant increase in traffic through such a small village, now being classified as a Hamlet village:

DC/19/04338 - 1 Grange Road

DC/19/04388 - Land adjacent to Bumbledown, Grange Road

DC/19/04389 - Land opposite 14-17 Grange Road

These applications, together with the recent approval of DC/19/0223, Land south of The Grange, Grange Road, represent potentially 8 new dwellings along Grange Road."

"Wickham Skeith is recognised as a non-sustainable village and there are not enough amenities to support this number of developments at this given time. There is mention of a bus service in the supporting documents, however, this no longer exists. The condition of Grange Road is already a concern to Highways as it is breaking away in sections and, with an increase in the amount of traffic through continued development at this end of the village, the highway itself will not be able to cope."

The concern about additional dwellings was well founded as this application is for 6 dwellings not 2 as in the previous application.

2. Traffic volume and road visibility

The application includes spaces to accommodate 18 vehicles. This will greatly increase the traffic volume in the village. The road visibility at the access road is inadequate as no provision is made within the plan to maintain the hedge so that 90 m visibility is always available. The road is not suitable at this point for on-road parking. There are 4 primary-school-aged children living opposite this development.

3. Infrastructure

Local primary schools have a very high level of student roll, and will come under increasing pressure as a likely result of the wider local development necessitating families transporting children to and from school in their cars each day. School transport is for one primary school and a high school.

Local healthcare provision is under pressure and facilities locally are limited.

There is no local bus service. The village is isolated from other forms of public transport.

4. Flooding

The council does not believe that the soakaway provided in the plan is sufficient. The plan shows no outflow for excess water in the soakaway, and concerns are held as to where this will go, as Grange Road has been subject to persistent flooding in recent years (as notified to the County Council by the parish council).

5. Ownership and management of hedgerows

There is no plan for the management of the hedges east and southern side of the site, after the site is handed over. This will quickly and detrimentally affect the road visibility at the access point.

The parish council is concerned about the retention and maintenance of oak, ash, and veteran apple trees within the eastern boundary. The oak shows signs of dead branches at the higher level which could be cause for concern for safety of road users and pedestrians, and there is no obvious provision for future maintenance.

5. Missing Objections and Consultee Reports

The parish council notes there are known letters of objection from parishioners not displayed on the District Council's planning portal. There are also missing reports from consultees. The parish council have acted in good faith looking at what has been provided, but does not believe this to be the complete set of information which should be available to us.

6. Environmental Officer's Report

The parish council notes with concern that the report on land contamination report says 'the simplified Envirocheck-type report and Land Contamination Questionnaire is not considered appropriate for a development of this scale'.

County Council Responses (Appendix 4)

Highways

No objection subject to conditions.

Internal Consultee Responses (Appendix 5)

Arboricultural Officer

I have no objection to this application. However, the line of tree protective fencing shown on the block plan should be annotated and include a specification in order for it to be effective.

This should then be made subject to condition

Environmental Health - Land Contamination

Having reviewed the application and supporting Phase I report by Geosphere Environmental (reference: 5788, DS/DESK/G, HS/2306.21) dated 23/6/2021 I can confirm that I have no objection to the proposed development from the perspective of land contamination.

Environmental Health - Noise/Odour/Light/Smoke

No objection subject to conditions.

Other

Suffolk Wildlife Trust

No response.

B: Representations

At the time of writing this report at least three comments have been received. It is the officer opinion that this represents three objections and one neutral representation. A verbal update shall be provided as necessary.

- Objections raised under the outline application
- Traffic volume and road visibility
- Strain on infrastructure
- Flooding risk
- Ownership and management of hedgerows.

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

PLANNING HISTORY

REF: DC/19/04389	Outline Planning Application (All Matters Reserved) - Erection of 2no. dwellings	DECISION: GTD 13.11.2019
REF: DC/20/00848	Submission of details under Outline Planning Permission DC/19/04389 - Access, Appearance, Landscaping, Layout and Scale for erection of 2no. dwellings	DECISION: GTD 22.04.2020

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1. The site is located on the western side of Grange Road, at the southern end of Wickham Skeith. The site comprised meadow land and is screened on all sides by mature trees and hedgerow and has a post and wire fence around the perimeter with an unused gateway onto Grange Road.
- 1.2. Semi-detached residential properties are opposite the site, on the eastern side of Grange Road. To the north are dwellings, to the south and rear (west) is open countryside.
- 1.3. The site is not in a Conservation Area. There are no listed buildings in the vicinity of the site.
- 1.4. The site is outside the adopted Wickham Skeith settlement boundary. It is inside the emerging Joint Local Plan proposed settlement boundary.
- 1.5. The site benefits from extant planning permission for two five-bedroom dwellings.

2. The Proposal

- 2.1. The application proposes the erection of six dwellings, comprising three semi-detached pairs accessed via shared arrangement from Grange Road (the same access as previously approved). The dwelling mix comprises 2 x 2 bedroom units and 4 x 3 bedroom units. The pairs of dwellings are sited centrally on the site and orientated such that principal aspect from living areas is to the rear, as per conventional/modern living arrangements.
- 2.2. All dwellings are double storey, incorporate pitched roofs and are finished in facing red brick and uPVC joinery.
- 2.3. A shingle finished shared access incorporating an 8m x 8m turning area is proposed to the front of the dwellings. A communal bin collection point is proposed at the site entrance.
- 2.4. Existing perimeter vegetation, including hedgerows, is retained and supplementary landscape planting proposed. A 1800mm close boarded fencing is proposed to internal boundaries to the rear of dwellings.
- 2.5. The plans detail ecological enhancements including bat boxes, hedgehog shelter, hedgehog friendly fence design and beehive shelters.
- 2.6. Approximate proposed density is 19 dwellings per hectare.

3. Policy Context

- 3.1. The proposal is an intensification of the approved residential use and therefore the principle of residential intensification must be assessed on its merits.
- 3.2. Paragraph 11 of the NPPF explains that there is a presumption in favour of sustainable development which comprises economic, social and environmental objectives. It indicates that where the development plan is absent, silent or policies which are most important for determining the application are out-of-date, planning permission should be granted unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF as a whole; or unless specific policies in the NPPF indicate that development should be restricted.

- 3.3. In view of advice in paragraph 11(d) of the NPPF, it is necessary to consider how consistent the most important policies in the development plan are with the NPPF, to assess what weight should be attached to them. The Midsuffolk District Council has over 9 years housing land supply (HLS), notwithstanding this, not all development plan policies can be given full weight. Paragraph 213 explains that due weight should be given to relevant policies according to their degree of consistency with the NPPF, the closer the policies in the plan to those in the NPPF, the greater the weight that may be given.
- 3.4. The development plan for the area comprises a combination of the Core Strategy 2008, the Core Strategy Focused Review 2012, and 'saved' policies of the Local Plan 1998. The Joint Local Plan is emerging. In accordance with the requirements of Paragraph 48 of the NPPF, limited weight is attached to the emerging Joint Local Plan in consideration of the merits of the proposal, given the preparatory stage of the document.
- 3.5. Having regard to the absence of a balanced approach as favoured by the NPPF, the policies most important for determining the application are deemed out-of-date, a position well established by the Inspectorate in recent Mid-Suffolk appeals. This conclusion is reached irrespective of Council's five year housing supply position. As a result, the weight to be attached to these policies has to be commensurately reduced and the default position at paragraph 11d of the NPPF is engaged, that is, granting permission unless:
- (i) the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development or
 - (ii) the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 3.6. Turning first to (i), footnote 7 at NPPF paragraph 11d states that the policies referred to at 11d are those in the NPPF relating to: habitats sites and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets; and areas at risk of flooding or coastal change. None of these matters are relevant to the scheme. The application therefore meets this test.
- 3.7. This leaves the second 'limb' of the paragraph 11d test, requiring an assessment of the adverse impacts and benefits of the proposal, and the associated balancing exercise. In this context, and noting the application is made in full, the key issues are:
- The sustainability credentials of the location;
 - The impact on the character and appearance of the area;
 - The impact on residential amenity;
 - The impact on highway safety;
 - The impact on local biodiversity values; and
 - Drainage and flood risk.

4. Sustainability of the Location

- 4.1. Adjacent to neighbouring dwellings to the north and east, the site is not isolated in the terms of NPPF paragraph 80.
- 4.2. The site lies approximately two miles to the north of a good range of services and facilities offered in Mendlesham, including two Public Houses, Shop, Bakery and Post Office, Church, Primary

School, Pre-School, Community Centre, Health Centre, Fish & Chip Shop and Hair Studio. Given the distance to these services, absence of footpaths and lack of alternative transport modes to the private motor vehicle, it is reasonable to conclude that accessing the Mendlesham services will be made by private vehicle. The outcome is a development that will lead to not insignificant vehicle movements, given the quantum of six dwellings proposed.

- 4.3. The fallback position, comprising two five-bedroom dwellings, also generates a not insignificant number of vehicle movements and must be factored in when assessing the sustainability of the site's location. The additional dwelling number proposed by the application will increase vehicle movements and lead to greater air quality degradation than if the approved scheme was implemented, and although the increase in degradation would not be substantial, the additional harm nonetheless constitutes an adverse impact weighing negatively in the planning balance.
- 4.4. Strategic Housing Economic Land Availability Assessment (SHELAA) has identified the subject site suitable for residential development for 5 dwellings. This document forms part of the New Joint Local Plan and forms an allocation for this site for 5 dwellings. Whilst the new JLP currently has limited material weight, its findings with regards to sustainability of the site cannot be reasonably disregarded. As a result, this weighs in favour of the proposal and given some material weight.

5. Design, Layout and Landscape Character

- 5.1. NPPF paragraph 130(c) states that planning decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting. The NPPF states that local authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness.
- 5.2. Local Plan Policy GP01 calls for proposals to, amongst other matters, maintain and enhance the character and appearance of their surroundings. Local Plan Policy H13 expects a high standard of design and layout for housing developments. Local Plan Policy H14 encourages a variety of house types and designs to cater for different accommodation needs, and to avoid undue uniformity.
- 5.3. Policy CS5 of the Core Strategy seeks to protect and conserve landscape qualities taking into account the natural environment and the historical dimension of the landscape as a whole rather than concentrating solely on selected areas, protecting the District's most important components and encouraging development that is consistent with conserving its overall character. Policy CS5 requires development to be of a high-quality design that respects the local distinctiveness and the built heritage of Mid Suffolk, enhancing the character and appearance of the district.
- 5.4. The site is not in an area of special character designation such as an Area of Outstanding Natural Beauty or Special Landscape Area. Nor is the site adjoining, or in proximity to, any designated landscape areas of special significance. The site is not affected or has the potential to impact any designated heritage assets.
- 5.5. The site is visually well contained, with vegetation to all site boundaries, including a 4 plus metre high hedgerow to the southern boundary and significant frontage planting, providing effective visual screening from all vantage points along Grange Road. Its topography is flat and not elevated above neighbouring land. The site sits adjacent established linear residential development. Developing the site for dwellings would result in landscape change, owing to its undeveloped state, however this change would be entirely localised, and the dwellings would read as a continuation of the linear development pattern. Given the site can be already developed with

two large five-bedroom dwellings, the proposal cannot be considered an unacceptable intrusion into open countryside.

- 5.6. The density is greater than that the two previously approved or the five allocated for but, at 19 dwellings per hectare it is far beyond the current policy requirement for 30 dwellings per hectare, but commensurate with neighbouring dwelling density. The layout, comprising three double storey semi-detached pairs of dwellings, essentially mirrors the post-war housing opposite, which also comprises double storey semi-detached pairs. The width of the plots is not dissimilar to the width of the plots opposite. Like the neighbouring dwellings, the subject dwellings are well set back into the respective plots, sited comfortably and centrally on each plot. Meaningful separation between the dwellings offers good visual relief, and importantly, a built form rhythm/spacing that follows the neighbouring development pattern. The generous setbacks from the road and between dwellings retains the semi-rural character of the area.
- 5.7. The design and form of the dwellings is uncomplicated and traditional. There is a variation in scale and design treatments, providing visual interest and avoiding the undue uniformity referred at Policy H14.
- 5.8. The frontage hedgerow is to be retained, as are the significant trees on the site most notably to the front and rear boundaries. Tree protection measures form part of the proposal to ensure tree retention. The Arboricultural Officer does not object to the scheme. The single access point to be shared by all dwellings, rather than providing each dwelling with an access, limits the streetscene change, maintaining the verdant character. Supplementary landscape planting will reinforce local landscape character. Hard landscaping includes visually softer design elements, such as the shingle accessway and permeable brick weave private drives and hardstand areas. All of these measures combine to provide for a site responsive landscape character outcome.

6. Site Access, Parking and Highway Safety

- 6.1. Local Plan Policy T10 requires the consideration of a number of highway matters when determining planning applications, including; the provision of safe access, the safe and free flow of traffic and pedestrian safety, safe capacity of the road network and the provision of adequate parking and turning for vehicles. Policy T10 is a general transport policy which is generally consistent with Section 9 of the NPPF on promoting sustainable transport, and therefore is afforded considerable weight.
- 6.2. The proposed access arrangements is unchanged from that already approved. The level of proposed on-site parking provision and the dimensions of all spaces comply with the Suffolk Guidance for Parking 2019. There is ample cycle storage space. Electric vehicle infrastructure for each dwelling is specified in the supporting statement and details can be secured by planning condition. The Highways Authority does not object to the six dwelling scheme. Waste storage areas are easily provided for each dwelling and collection will be from the roadside as elsewhere along Grange Road.
- 6.3. Objectors and the Parish Council are concerned with the increase in traffic resulting from the development and its impact on the local road network and potential for highway safety harm. For the reasons above the scheme is considered to comply with Local Plan Policy T09 and T10. In light of this compliance, and the absence of an objection from the Highways Authority, officers do not consider that there are sufficient highway safety related grounds to withhold planning permission.

7. Residential Amenity

- 7.1. The NPPF sets out a number of core planning principles as to underpin decision taking, including, seeking to secure a good standard of amenity for all existing and future occupants of land and buildings. Policy H13 of the Local Plan seeks to ensure new housing development protects the amenity of neighbouring residents. Policy H16 of the Local Plan seeks to protect the existing amenity of residential areas.
- 7.2. The rear and southern adjacent land is undeveloped and therefore the interface to this land is not sensitive in amenity terms. The development is set in sufficiently from the northern site boundary as to not impinge visually on the amenity of the northern neighbour at 7 Grange Road. There are no habitable windows in the northern flank elevation of the dwelling nearest to the northern boundary, preventing overlooking of 7 Grange Road.
- 7.3. Each dwelling is provided with adequate private open space to the rear. The internal amenity levels for future occupants, for each dwelling, are acceptable.
- 7.4. The proposal accords with Policy H13 and H16 in respect to amenity.

8. Biodiversity Values

- 8.1. Biodiversity enhancements are proposed in the form of bat boxes, hedgehog shelter, hedgehog friendly fence design and beehive shelters. The proposal will result in biodiversity net gain in accordance with relevant legislation and the NPPF.

9. Land Contamination, Flood Risk, Drainage and Waste

- 9.1. The Environmental Health Land Contamination Officer, having reviewed the supporting Phase I report by Geosphere Environmental, does not object to the scheme.
- 9.2. The site is in Flood Zone 1 where there is a very low level of flood risk. Drainage details can be adequately addressed by planning condition, there is nothing about the site context to indicate that these details should accompany the application.

10. Economic and Social Benefits

- 10.1. Six dwellings increases the local housing supply. This is consistent with NPPF paragraph 60, which sets out the aim of significantly boosting the supply of homes. The benefit associated with the increase in the District's housing stock is however moderated by the fact the district has a five plus year housing supply, nonetheless, it is a social benefit of some substance.
- 10.2. The development provides two smaller, two bedroom units and four three bedroom units. The approved scheme provides two five bedroom units. The current scheme therefore offers a greater variety in dwelling types, increasing local housing choice and affordability, better responding to the district's identified needs. This is a significant social benefit to the public and a distinct advantage of the scheme over the approved development.
- 10.3. Although relatively short lived, a six dwelling development generates local jobs and local spend during construction, an economic benefit to the local community. As acknowledged in the NPPF, a development in one village may support services in a nearby village. That is the case here, with the development benefitting the services in Mendlesham.

11. Parish Council Comments

11.1. The concerns of the Parish Council are acknowledged and have been considered and addressed throughout this report.

PART FOUR – CONCLUSION

12. Planning Balance and Conclusion

- 12.1. The most important development plan policies for determining the application are out-of-date, notwithstanding the 9-year HLS position. This engages two tests: (a) NPPF paragraph 11(d)(i) - determining whether the proposal offends NPPF policies that protect particular assets of particular importance to a degree the application should be refused; and (b) NPPF paragraph 11(d)(ii) – determining whether the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits.
- 12.2. The proposal does not adversely affect any particular assets sought for protection by the NPPF, the first test is met.
- 12.3. SHELAA has identified the subject site suitable for residential development for 5 dwellings. This document forms part of the New Joint Local Plan, whilst the new JLP currently has limited material weight, its findings with regards to sustainability of the site and its allocation for residential development, cannot be ignored. As a result, this weighs in favour of the proposal and given material weight.
- 12.3. The adverse impacts of the proposal relate primary to the environmental harm associated with vehicle trips generated by the six dwellings. This will cause air quality degradation. Landscape harm is extremely low and therefore does not contribute in any significant way to the proposal's environmental harm.
- 12.4. Turning to the benefits, these principally relate to social matters, with the addition of smaller dwellings increasing the variety in homes on offer, responding more effectively to the district's housing needs than the previous 2 x five-bedroom scheme. The development will offer more affordable housing. Economic benefits are more modest but nonetheless tangible and positive in planning balance.
- 12.5. Many aspects of the scheme attract neutral weight, including highway safety and residential amenity. Matters such as flood risk and ecology are either acceptable or are able to be managed effectively by way of planning conditions.
- 12.6. Chapter 11 of the NPPF sets out the need to make effective and efficient use of land. With an increased development intensity, the current proposal offers a more effective and efficient use of the land than the previous development. This is delivered by way of a well designed and attractive development that does not compromise the area's prevailing character, amenity or wider environment.
- 12.7. Noting the above, the adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits. The second test at NPPF paragraph 11(d) is met. In such instance the NPPF directs that planning permission is to be granted. In accordance with that direction, planning permission is recommended.

RECOMMENDATION

That authority be delegated to the Chief Planning Officer to GRANT planning permission subject to the following conditions and informatives:

Conditions

- Standard time limit (3yrs for implementation of scheme/Outline/Reserved/Section73?)
- Approved Plans
- Biodiversity enhancements agree prior to occupation
- Landscaping scheme implemented as approved plans
- Protective tree fencing specifications to be agreed
- Highways Authority conditions (as set out by SCC)
- Swift boxes installation scheme to be agreed
- Construction Management Plan to be agreed.
- Removal PD Rights for extensions and alterations

Informatives

- Proactive working statement
- SCC Highways notes
- Support for sustainable development principles

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Application No: DC/21/02582

Location: Land West Of, Grange Road,
Wickham Skeith, Suffolk

		Page No
Appendix 1: Call In Request	Yes	
Appendix 2: Details of Previous Decision	N/a	
Appendix 3: Town/Parish Council/s	Wickham Skeith	
Appendix 4: National Consultee Responses	None	
Appendix 5: County Council Responses	SCC Highways	
Appendix 6: Internal Consultee Responses	Arboricultural Officer Environmental Health (Land Contamination), Environmental Health (noise/odour/light)	
Appendix 7: Any other consultee responses	None	
Appendix 8: Application Site Location Plan	Yes	
Appendix 9: Application Plans and Docs	Yes	
Appendix 10: Further information	N/a	



Babergh and Mid Suffolk District Councils



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

Mahsa Kavyani



Babergh and Mid Suffolk District Councils

Comments for Planning Application DC/21/02582

Application Summary

Application Number: DC/21/02582

Address: Land West Of Grange Road Wickham Skeith Suffolk

Proposal: Full Planning Application - Erection of 3No pairs of semi-detached dwellings, and garages including access.

Case Officer: Mahsa Kavyani

Customer Details

Name: Mr Huw Roberts

Address: Wickham Skeith Village Hall, The Green, Wickham Skeith Eye, Suffolk IP23 8LX

Comment Details

Commenter Type: Parish Clerk

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affects Local Ecology/Wildlife
- Conflict with District plan
- Development too high
- Drainage
- Inadequate public transport provisions
- Increased Traffic/Highways Issues
- Other - give details
- Over development of site
- Strain on existing community facilities

Comment: The revised application do not appear to take into account the discussion the council had with the applicant at the council meeting of 13th September 2021.

The objections the council raised under the previous version of the application still stand. For the details, see the Council's comments submitted by the Clerk previously under this application number. In summary, those objections are:

1. Objections raised under the outline application, including:

The application extends beyond the boundary submitted in the first phase of the Joint Local Plan Consultation, which followed consultation with residents, and may set a precedent for an increase in applications on land not included within the original submission.

2. Traffic volume and road visibility
3. Strain on infrastructure

4. Flooding risk

5. Ownership and management of hedgerows. The Council would still like clarification of who will be responsible for the maintenance of the hedges on the frontage facing the road.

The council believes six dwellings is too many, and is overdevelopment of the plot.

The original application had two 5-bedroom dwellings on the plot. Has the applicant considered if there is an opportunity to instead build two pairs of 3-bedroom dwellings on the same footprint as the original application (ie. four dwellings in total)?

Comments for Planning Application DC/21/02582

Application Summary

Application Number: DC/21/02582

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Case Officer: Mahsa Kavyani

Customer Details

Name: Mr Huw Roberts

Address: Wickham Skeith Village Hall, The Green, Wickham Skeith Eye, Suffolk IP23 8LX

Comment Details

Commenter Type: Parish Clerk

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affects Local Ecology/Wildlife
- Application is lacking information
- Conflict with District plan
- Drainage
- Inadequate Access
- Inadequate public transport provisions
- Increase danger of flooding
- Increased Traffic/Highways Issues
- Other - give details
- Over development of site
- Scale
- Strain on existing community facilities

Comment: The Parish Council of Wickham Skeith do not support this application for the following reasons:

1. Previously raised objections

Objections initially raised in WSPC's response to the outline planning application (DC/019/4389) still apply, and/or are exacerbated by the additional dwellings not included in the outline plan.

These objections were:

"The application extends beyond the boundary submitted in the first phase of the Joint Local Plan Consultation, which followed consultation with residents, and may set a precedent for an increase in applications on land not included within the original submission."

"The application is for outline permission and there is concern that there could be an increase in the amount of proposed dwellings should approval be given and the next stage of detailed planning be applied for."

"The accumulative effect of permission being given to the following applications, as there will be a significant increase in traffic through such a small village, now being classified as a Hamlet village:

DC/19/04338 - 1 Grange Road

DC/19/04388 - Land adjacent to Bumbledown, Grange Road

DC/19/04389 - Land opposite 14-17 Grange Road

These applications, together with the recent approval of DC/19/0223, Land south of The Grange, Grange Road, represent potentially 8 new dwellings along Grange Road."

"Wickham Skeith is recognised as a non-sustainable village and there are not enough amenities to support this number of developments at this given time. There is mention of a bus service in the supporting documents, however, this no longer exists. The condition of Grange Road is already a concern to Highways as it is breaking away in sections and, with an increase in the amount of traffic through continued development at this end of the village, the highway itself will not be able to cope."

The concern about additional dwellings was well founded as this application is for 6 dwellings not 2 as in the previous application.

2. Traffic volume and road visibility

The application includes spaces to accommodate 18 vehicles. This will greatly increase the traffic volume in the village. The road visibility at the access road is inadequate as no provision is made within the plan to maintain the hedge so that 90 m visibility is always available. The road is not suitable at this point for on-road parking. There are 4 primary-school-aged children living opposite this development.

3. Infrastructure

Local primary schools have a very high level of student roll, and will come under increasing pressure as a likely result of the wider local development necessitating families transporting children to and from school in their cars each day. School transport is for one primary school and a high school.

Local healthcare provision is under pressure and facilities locally are limited.

There is no local bus service. The village is isolated from other forms of public transport.

4. Flooding

The council does not believe that the soakaway provided in the plan is sufficient. The plan shows no outflow for excess water in the soakaway, and concerns are held as to where this will go, as Grange Road has been subject to persistent flooding in recent years (as notified to the County Council by the parish council).

5. Ownership and management of hedgerows

There is no plan for the management of the hedges east and southern side of the site, after the site is handed over. This will quickly and detrimentally affect the road visibility at the access point.

The parish council is concerned about the retention and maintenance of oak, ash, and veteran apple trees within the eastern boundary. The oak shows signs of dead branches at the higher level which could be cause for concern for safety of road users and pedestrians, and there is no obvious provision for future maintenance.

5. Missing Objections and Consultee Reports

The parish council notes there are known letters of objection from parishioners not displayed on the District Council's planning portal. There are also missing reports from consultees. The parish council have acted in good faith looking at what has been provided, but does not believe this to be the complete set of information which should be available to us.

6. Environmental Officer's Report

The parish council notes with concern that the report on land contamination report says 'the simplified Envirocheck-type report and Land Contamination Questionnaire is not considered appropriate for a development of this scale'.

Your Ref:DC/21/02582
Our Ref: SCC/CON/2054/21
Date: 21 May 2021
Highways Enquiries to: Highways.DevelopmentControl@suffolk.gov.uk



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

Email: planning@babberghmidsuffolk.gov.uk

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

For the attention of: Mahsa Kavyani

Dear Mahsa,

TOWN AND COUNTRY PLANNING ACT 1990

CONSULTATION RETURN: DC/21/02582

PROPOSAL: Full Planning Application - Erection of 3No pairs of semi-detached dwellings, and garages including access.

LOCATION: Land West Of, Grange Road, Wickham Skeith, 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:

Condition: Before the access is first used visibility splays shall be provided as shown on Drawing No. 02A with an X dimension of 2.4m and a Y dimension of 90m and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Condition: The vehicular access shall be laid out and completed in all respects in accordance with Drawing No. DM01 and with an entrance width of 4.5m and made available for use prior to occupation.

Thereafter the access shall be retained in the specified form.

Reason: To ensure that the access is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety.

Condition: Prior to the dwellings hereby permitted being first occupied, the vehicular access onto the highway shall be properly surfaced with a bound material for a minimum distance of 5 metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the local planning authority.

Reason: To secure appropriate improvements to the vehicular access in the interests of highway safety.

Condition: The vehicular access hereby permitted shall be a minimum width of 4.5 metres for a distance of 5 metres measures from the nearby edge of the carriageway.

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

Condition: The areas to be provided for storage of Refuse/Recycling bins as shown on Drawing No. 02A shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

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

Condition: The use shall not commence until the area(s) within the site shown on Drawing No. 02A 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.

Note: It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. These works will need to be applied for and agreed with Suffolk County Council as the Local Highway Authority. Application form for minor works licence under Section 278 of the Highways Act 1980 can be found at the following webpage:

www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/

Yours sincerely,

Kyle Porter
Development Management Technician
Growth, Highways and Infrastructure

From: David Pizzey

Sent: 07 May 2021 10:55

Subject: DC/21/02582 Land West Of, Grange Road, Wickham Skeith

Hi Mahsa

I have no objection to this application. However, the line of tree protective fencing shown on the block plan should be annotated and include a specification in order for it to be effective. This should then be made subject to condition.

Kind regards

David Pizzey FArborA
Arboricultural Officer

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

Sent: 11 Oct 2021 12:13:54

To:

Cc:

Subject: FW: DC/21/02582. Land Contamination

Attachments:

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

Sent: 11 October 2021 12:00

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

Cc: Mahsa Kavyani <Mahsa.Kavyani@babberghmidsuffolk.gov.uk>

Subject: DC/21/02582. Land Contamination

EP Reference : 298676

DC/21/02582. Land Contamination

Land West Of, Grange Road, Wickham Skeith, EYE, Suffolk.

Erection of 3No pairs of semi-detached dwellings, and garages including access.

Having reviewed the application and supporting Phase I report by Geosphere Environmental (reference: 5788,DS/DESK/GF,HS/2306.21) dated 23/6/2021 I can confirm that I have no objection to the proposed development from the perspective of land contamination. I would only request that the LPA are contacted in the event of unexpected ground conditions being encountered during construction and that the below minimum precautions are undertaken until such time as the LPA responds to the notification. I would also advise that the developer is made aware that the responsibility for the safe development of the site lies with them.

Please could the applicant be made aware that we have updated our Land Contamination Questionnaire and advise them that the updated template is available to download from our website at <https://www.babergh.gov.uk/environment/contaminated-land/land-contamination-and-the-planning-system/>.

Kind regards

Nathan

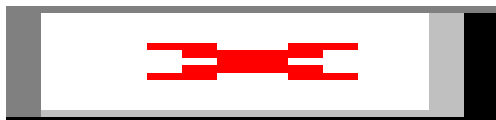
Nathan Pittam BSc. (Hons.) PhD
Senior Environmental Management Officer

Babergh and Mid Suffolk District Councils – Working Together

Email: Nathan.pittam@babberghmidsuffolk.gov.uk

Work: 01449 724715

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



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

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

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

Sent: 13 July 2021 16:48

To: Daniel Cameron <Daniel.Cameron@baberghmidsuffolk.gov.uk>

Subject: RE: DC/21/02582 | Full Planning Application - Erection of 3No pairs of semi-detached dwellings, and garages including access. | Land West Of Grange Road Wickham Skeith Suffolk

Hi Daniel,

Thanks for sending this over,

I must have missed the agents email as I was on leave and don't recall seeing it. I am happy with the management plan attached to the email and would be happy for the planning Officer to remove the requirement for a pre commencement condition

Regards

Andy

Andy Rutson-Edwards, MCIEH AMIOA

Senior Environmental Protection Officer

Babergh and Mid Suffolk District Council - Working Together

Tel: 01449 724727

Email andy.rutson-edwards@baberghmidsuffolk.gov.uk

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

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

Sent: 06 May 2021 10:59

To: Mahsa Kavyani <Mahsa.Kavyani@baberghmidsuffolk.gov.uk>; BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>; BMSDC Planning Mailbox <planning@baberghmidsuffolk.gov.uk>

Subject: DC/21/02582

Environmental Health -
Noise/Odour/Light/Smoke

APPLICATION FOR PLANNING PERMISSION - DC/21/02582

Proposal: Full Planning Application - Erection of 3No pairs of semi-detached dwellings, and garages including access.

Location: Land West Of, Grange Road, Wickham Skeith, Suffolk

Thank you for the opportunity to comment on this application . Environmental Protection have no objections in principle. However, Construction activities give rise to the potential to cause disruption to the nearby amenity during the development. As such I would recommend the following conditions:

- Construction Hours

Construction activities on the hereby permitted development shall only operate between the hours of 08.00 and 18.00hrs Mondays to Fridays and between the hours of 09.00 and 16.00hrs on Saturday. There shall be no working and/or use operated on Sundays and Bank Holidays. There shall be no deliveries to the development/use arranged for outside of these approved hours.

- Prohibition on burning.

No burning shall take place on site at any stage during site clearance, demolition or construction phases of the project.

- Dust control

The development shall not be commenced until a scheme specifying the provisions to be made to control dust emanating from the site has been submitted to and approved in writing by the local planning authority. The agreed scheme shall then be implemented in full before the proposed development is started, including demolition and site clearance.

- Construction Management Plan

No development shall commence until a construction management plan has been submitted to and approved in writing by the Local Planning Authority. The construction management plan shall include details of:

- Operating hours (to include hours for delivery)
- Details of the scheduled timing/phasing of the development for the overall construction period

- Means of access, traffic routes, vehicle parking and manoeuvring areas (site operatives and visitors)
- protection measures for footpaths surrounding the site
- Loading and unloading of plant and materials
- Wheel washing facilities
- Lighting
- Location and nature of compounds, pottraloos and storage areas (including maximum storage heights) and factors to prevent wind-whipping of loose materials
- Waste storage and removal
- Temporary buildings and boundary treatments
- Dust management measures
- Noise and vibration management (to include arrangements for monitoring, and specific method statements for piling) and;
- Litter and waste management during the construction phases of the development. Thereafter, the approved construction plan shall be fully implemented and adhered to during the construction phases of the development hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Note: the Construction Management Plan shall cover both demotion and construction phases of the above development. The applicant should have regard to BS 5228:2009 Code of Practice of Noise and Vibration Control on Construction and Open Sites in the CMP.

Reason – To minimise detriment to nearby residential amenity.

Andy

Andy Rutson-Edwards, MCIEH AMIOA

Senior Environmental Protection Officer

Babergh and Mid Suffolk District Council - Working Together

MEMBER REFERRAL TO COMMITTEE

(Completed form to be sent to Case Officer and Corporate Manager – Growth & Sustainable Planning)

Planning application reference	DC/21/02582 Full Planning Application - Erection of 3No pairs of semi-detached dwellings, and garages including access. Land West Of Grange Road Wickham Skeith Suffolk
Parish	Wickham Skeith
Member making request	Rowland Warboys
Please describe the significant policy, consistency or material considerations which make a decision on the application of more than local significance	<p>This proposed development is one the edge of the settlement adjacent to open countryside and within a conservation area. The initial outline permission for two houses allowed for considerable buffering in terms of landscaping but this new proposal for six dwellings does not have sufficient room for landscaping on the southern boundary – plot 6. Does not satisfy requirements under: NPPF 15 Conserving and Enhancing the Natural Environment, CS02 nor NPPF Achieving Well designed places.</p> <p>With regards to MSDC Design expectations – the buildings are not orientated to permit the efficient fitting of passive or active solar panels – all ridges are aligned north to south. DEVF1 section 15 Contrary to H13</p> <p>Grange Road floods regularly, the drain that runs alongside the road opposite from the proposed development is a tributary of the R. Dove – the proposed SUDS is considered inadequate to prevent the run-off of water.</p> <p>NPPF Paragraphs 77, 78 This proposal does not meet local needs, nor will it enhance the vitality of the rural community. This is a small hamlet that is without regular public transport and this scale of development will stress the capacity of the narrow road system.</p> <p>Quoting from the officer’s report for TWO dwellings: The proposed dwellings by way of siting, scale, form and detailed design is considered appropriate development in the locality. The proposed design, materials, layout and scale are considered to respect the character of the area, not constitute over development of the plot and not harm local distinctiveness. The site is therefore considered to be in accordance with Policy H13 & H15 of the Mid Suffolk Local Plan. This enlargement is not in line with these</p>

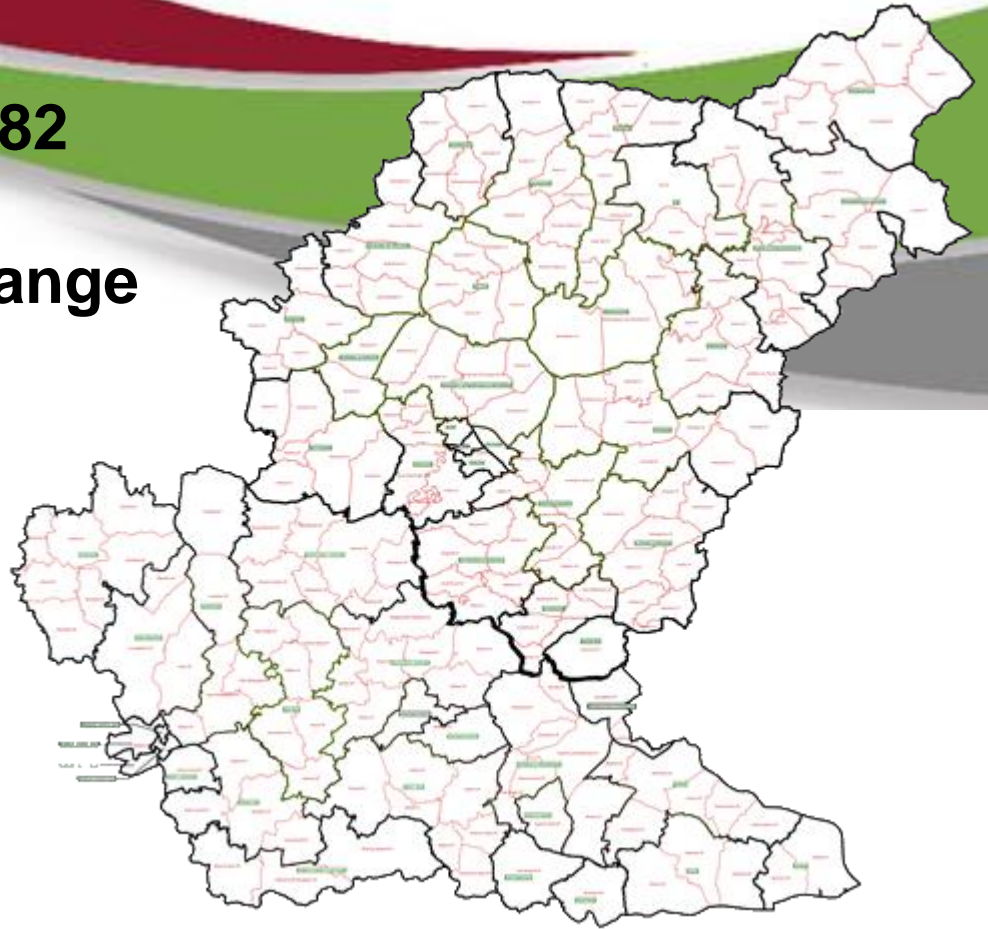
	<p>There is no maintenance plan for the mature hedgerow nor the visibility splay to the front of the proposed development.</p> <p>This hedgerow contains oak, ash, and veteran apple which are considered to be of significance by the local tree warden.</p>
<p>Please detail the clear and substantial planning reasons for requesting a referral</p>	<p>Inaccurate statements on DEVF1</p> <p>Contrary to NPPF 12 and 15 NPPF Paragraphs 77, 78</p>
<p>Please detail the wider District and public interest in the application</p>	<p>This is overdevelopment in a conservation area that does not sympathetically address the fact it is on the edge of the settlement area.</p> <p>The issue of surface water drainage is of significance to the wider community.</p> <p>There has been no consultation between the developer and the Parish Council nor community of Wickham Skeith</p>
<p>If the application is not in your Ward please describe the very significant impacts upon your Ward which might arise from the development</p>	
<p>Please confirm what steps you have taken to discuss a referral to committee with the case officer</p>	<p>I have discussed this with Mr Pateman-Gee in the absence on leave of the case officer</p>

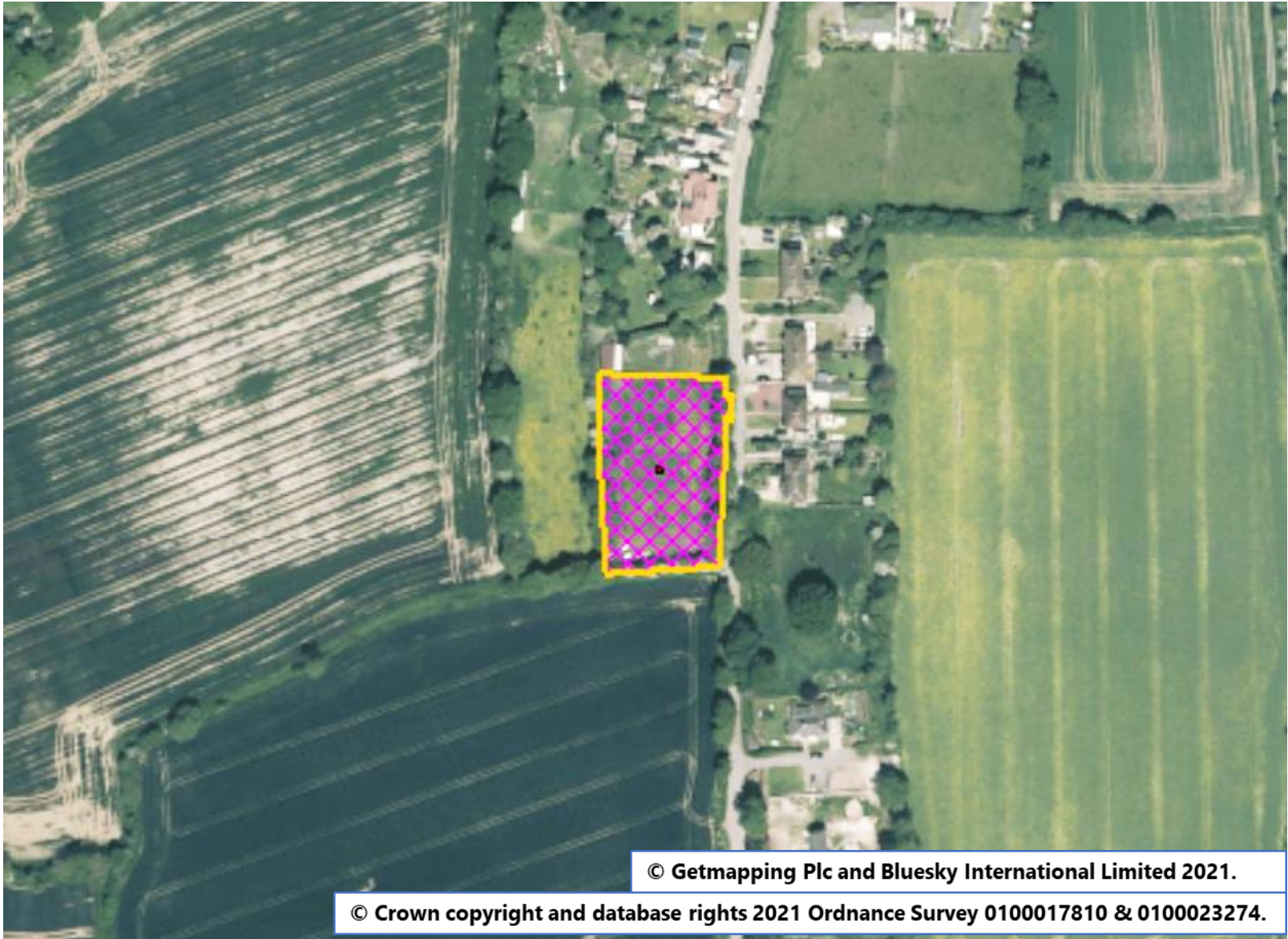
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Application No: DC/21/02582

**Address: Land West of Grange
Road, Wickham Skeith**

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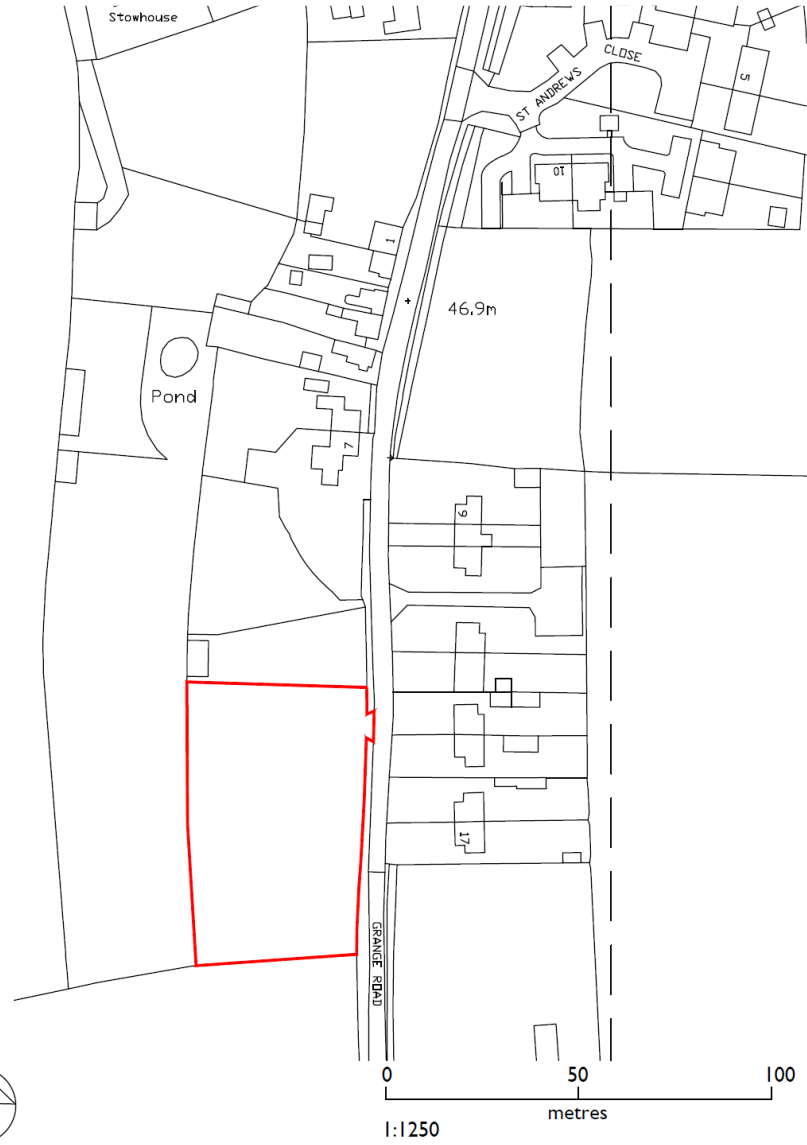
Aerial Map – wider view

Slide 3




Site Location Plan


Slide 4



Constraints Map

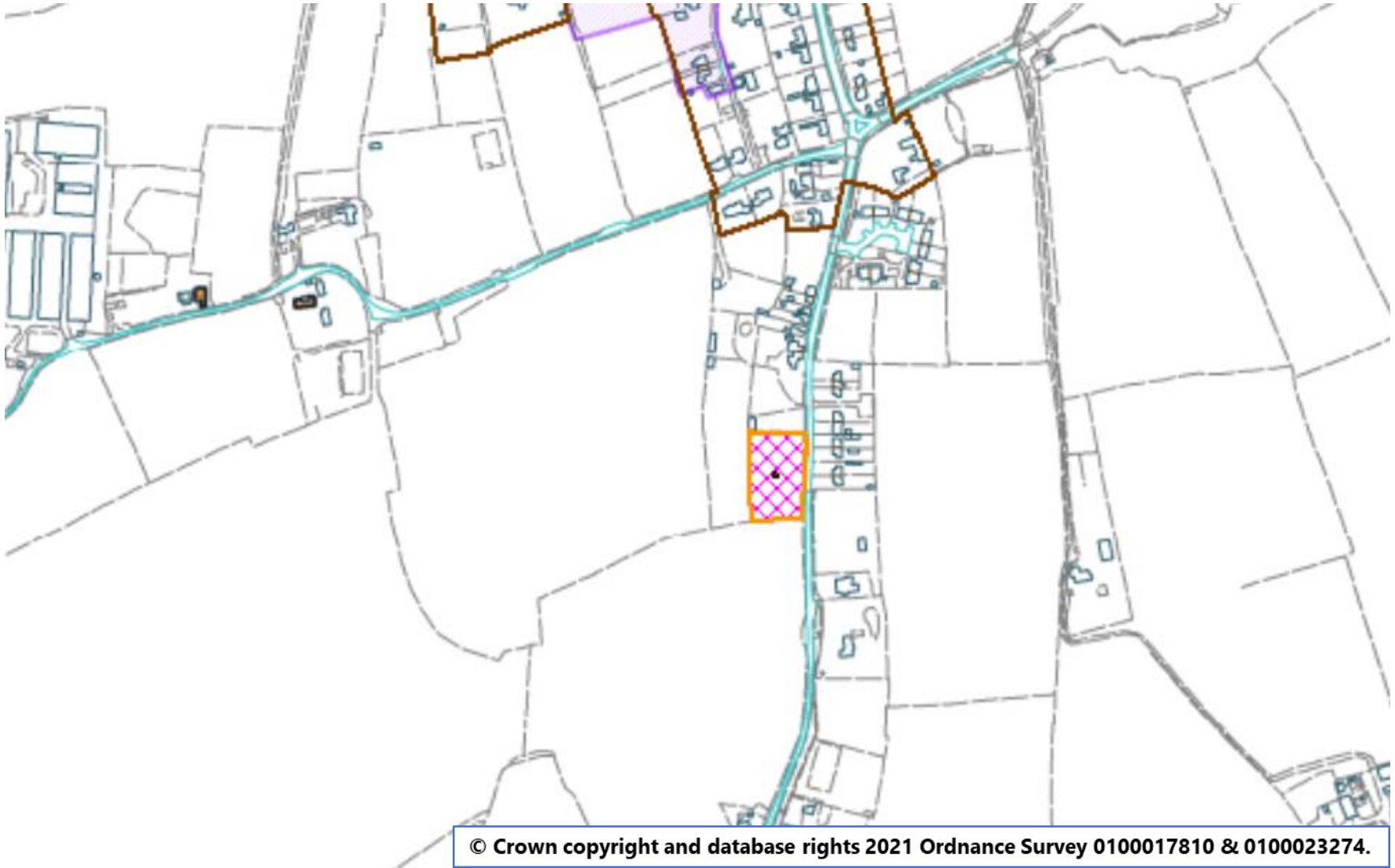
Slide 5

 Built Up Area Boundaries

 Conservation Area

Listed Buildings

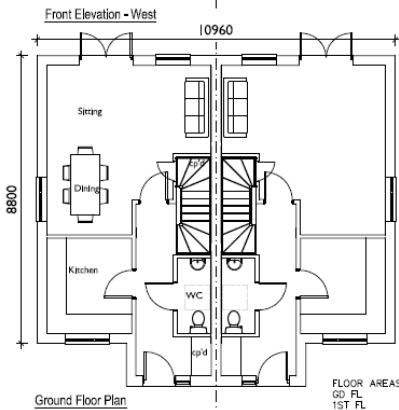
 Grade II



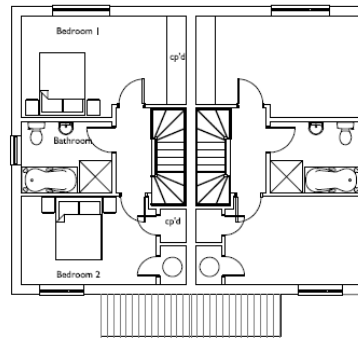
Page 279

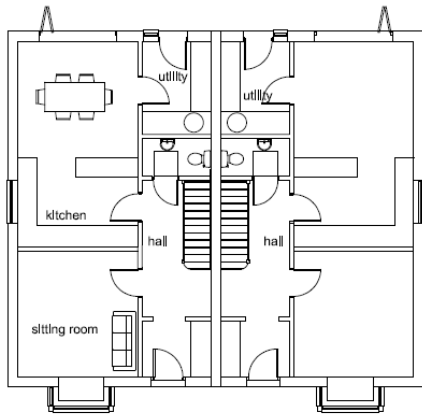


THIS LAYOUT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A FULL UNDERGROUND AND OVERGROUND SERVICES SURVEY AND MAY BE SUBJECT TO CHANGE IF SERVICES ARE FOUND SUBSEQUENTLY.
IF FULL ACCESS TO ALL BOUNDARIES WAS NOT POSSIBLE FINAL DIMENSIONS TO BOUNDARIES & LEVELS WILL BE SUBJECT TO FURTHER CONFIRMATION

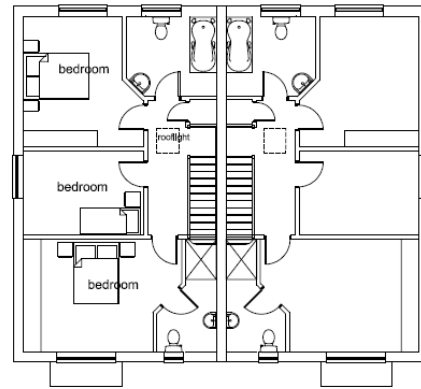


FLOOR AREAS
GND FL 44sqm
1ST FL 41sqm
TOTAL 85sqm



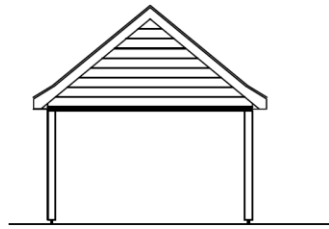


Ground Floor		
FLOOR AREAS	03 FL	61sqm
1ST FL		61sqm
TOTAL		122sqm

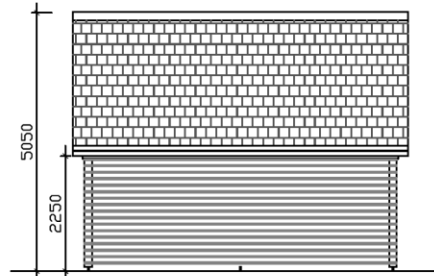


First Floor





Elevation to Rear



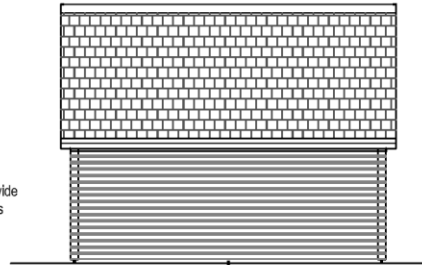
Elevation to Side



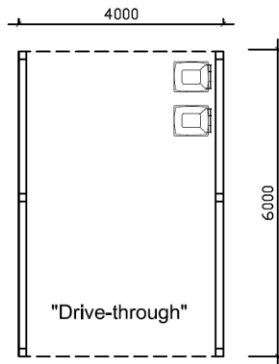
Elevation to Front

Tile finish
to match dwelling

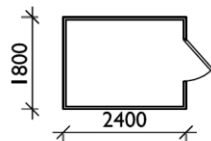
Composite boarding to provide
30min fire resistance to sides



Elevation to Side



Car Port



Secure Cycle Store
Scale 1:100

