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| COMMITTEE: | DEVELOPMENT CONTROL COMMITTEE B |
| DATE: | WEDNESDAY, 3 AUGUST 2022 9.30 AM |
| VENUE: | CEDARS PARK COMMUNITY CENTRE, PINTAIL ROAD, STOWMARKET, IP14 5FP |

| Councillors | |
|--|---|
| <u>Conservative and Independent Group</u> James Caston Peter Gould Kathie Guthrie (Chair) Dave Muller (Vice-Chair) | <u>Green and Liberal Democrat Group</u> Andrew Mellen Mike Norris Andrew Stringer Rowland Warboys |

The Council, members of the public and the press may record/film/photograph or broadcast this meeting when the public and the press are not lawfully excluded.

AGENDA

PART 1

MATTERS TO BE CONSIDERED WITH THE PRESS AND PUBLIC PRESENT

Page(s)

- 1 **APOLOGIES FOR ABSENCE/SUBSTITUTIONS**
 - 2 **TO RECEIVE ANY DECLARATIONS OF PECUNIARY OR NON-PECUNIARY INTEREST BY MEMBERS**
 - 3 **DECLARATIONS OF LOBBYING**
 - 4 **DECLARATIONS OF PERSONAL SITE VISITS**
 - 5 **SA/22/5 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 6 JULY 2022** 5 - 12
 - 6 **TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION SCHEME**
 - 7 **SA/22/6 SCHEDULE OF PLANNING APPLICATIONS** 13 - 14
- Note: The Chairman may change the listed order of items to accommodate visiting Ward Members and members of the public.*
- a **DC/21/06825 LAND TO THE SOUTH OF SUGGENHALL FARM, CHURCH LANE, RICKINGHALL, IP22 1LL** 15 - 136

b **DC/21/06379 LAND EAST OF, ASHFIELD ROAD, ELMSWELL, 137 - 242
SUFFOLK**

8 **SITE INSPECTION**

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

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

Notes:

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

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

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

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

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

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

Date and Time of next meeting

Please note that the next meeting is scheduled for Wednesday, 31 August 2022 at 9.30 am.

For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact Alicia Norman or Committee Services on: 01473 296384 or Email: Committees@baberghmidsuffolk.gov.uk

Introduction to Public Meetings

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

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14 DECLARATIONS OF PERSONAL SITE VISITS

14.1 Councillor Mellen declared a personal site visit in respect of application number DC/22/01535.

15 SA/22/3 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 8 JUNE 2022

15.1 It was resolved that the minutes of the meeting held on 8 June 2022 were confirmed and signed as a true record.

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

16.1 None received.

17 SA/22/4 SCHEDULE OF PLANNING APPLICATIONS

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

| Application Number | Representations From |
|---------------------------|--|
| DC/22/01535 | Philip Cobbold (Agent) Councillor Andrew Mellen (Ward Member) |
| DC/22/00661 | Nick Davey (Agent) Councillor John Field (Ward Member) |
| DC/21/05468 | Jane Every (Parish Council) William Petersen (Objector) Neil Waterson (Applicant) Councillor James Caston (Ward Member) |

18 DC/22/01535 LAND AT, BLACKSMITH ROAD, COTTON, IP14 4QN

18.1 Item 7A

| | |
|----------------------|---|
| Application Proposal | DC/22/01535 Application for Outline Planning Permission (All Matters Reserved) Town and Country Planning Act 1990 - Erection of 1 self-build detached dwelling with garage. |
| Site Location | Land At, Blacksmith Road, Cotton, IP14 4QN |
| Applicant | Mrs. M. Youssef |

18.2 Councillor Mellen declared himself as the Ward Member for this item and confirmed that he would not debate or vote on the application.

18.3 The Case Officer presented the application to the Committee outlining the proposal before Members including the location of the site, the constraints, the proposed site layout, access to the site, and the Officer recommendation for refusal.

- 18.4 Members considered the representation from the Agent.
- 18.5 Members considered the representation from Councillor Andrew Mellen who spoke as the Ward Member.
- 18.6 Members debated the application on issues including: the parish council's objections to the proposed application, the location of the application in open countryside, the potential loss of vegetation, lack of supporting development details, and the allocation of land for self-builds.
- 18.7 Councillor Muller proposed that the application be refused as detailed in the Officer's recommendation.
- 18.8 Councillor Warboys seconded the proposal.

By a unanimous vote

It was RESOLVED:

That the Chief Planning Officer be authorised to REFUSE Planning Permission based on the following reasons:

1. The proposal is in a countryside location where the development of a new dwelling would not materially enhance or maintain the vitality of the rural community. Future occupants will, moreover, be likely to be reliant upon the private car to access services, facilities and employment. The District Council has an evidenced supply of land for housing in excess of 9 years and has taken steps to boost significantly the supply of homes in sustainable locations. On this basis the proposal would not promote sustainable development and would be contrary to the adopted policies of the development plan which seek to direct the majority of new development to towns and key service centres listed in the Core Strategy 2008 with some provision to meet local needs in primary and secondary villages under policy CS1. In the countryside development is to be restricted having regard to policy CS2 and it is considered that in the circumstances of this application the direction of new housing development to more sustainable locations is of greater weight than the delivery of one additional dwelling in a less sustainable location. Having regard to the significant supply of land for homes in the District it is considered that the objectives of paragraph 60 of the NPPF are being secured and that on the considerations of this application the objective to boost significantly the supply of homes should be given reduced weight. It is considered that the development of this site would cause adverse impacts to the proper planning of the District having regard to the above mentioned development plan objectives to secure planned development in more sustainable locations rather than piecemeal development in less sustainable locations which significantly and demonstrably outweigh the limited benefits of this development. As such the proposal is not acceptable in principle, being contrary to paragraphs 8 and 11 of the NPPF (2021), Policy H7 of the Mid Suffolk Local Plan (1998), Policies CS1 and CS2 of the Core Strategy (2008) and Policy FC1 and FC1.1 of the Core Strategy Focused

Review (2012).

2. The proposed development results in the imposition of built development into the open countryside in a location where this would result in significant impacts on the character and appearance of the countryside, failing to protect or conserve landscape qualities and adversely impact the character of the countryside. As such the proposal would fail to comply with the requirements of Policy CL8 of the adopted Mid Suffolk Local Plan (1998), Policy CS5 of the Mid Suffolk Core Strategy (2008), and chapter 15 of the NPPF (2018).

3. The application fails to adequately demonstrate that the proposed development would not adversely impact protected species and deliver biodiversity net gain. The proposal is therefore contrary to policies CL8 of the adopted Mid Suffolk Local Plan (1998), CS5 of the Mid Suffolk Core Strategy (2008) and chapter 15 of the National Planning Policy Framework 2021, the Conservation of Habitats and Species Regulations 2010 and the Natural Environment and Rural Communities Act 2006.

19 DC/22/00661 PORT ONE LOGISTICS PARK, BLACKACRE HILL, BRAMFORD ROAD, GREAT BLAKENHAM, IP6 0RL

19.1 Item 7B

| | |
|----------------------|---|
| Application Proposal | DC/22/00661 Submission of Details (Reserved matters) Application for Outline Planning Permission DC/20/01175. Appearance, Landscaping, Layout and Scale in relation to the construction of Phase 5 / Units 7, 8, 9 & 10. |
| Site Location | Port One Logistics Park, Blackacre Hill, Bramford Road, Great Blakenham. IP6 0RL |
| Applicant | Curzon de Vere Ltd |

19.2 Councillor Mellen resumed his place on the committee.

19.3 The Case Officer presented the application to the Committee outlining the proposal before Members including the wider location of the site, the location of the reserved matters application within the context of the approved outline permission, the constraints, the proposed layout, pedestrian and cycle accessibility, the proposed elevations, proposed parking provisions, the drainage plans, the additional conditions as set out in the Tabled Papers, and the Officer recommendation for approval.

19.4 The Case Officer responded to questions from Members on issues including: the proposed landscaping, traffic management on the site, the holding objection from the Lead Local Flood Authority (LLFA), parking provisions for cars within the proposed lorry service areas, electric vehicle charging points, the location of pedestrian pathways, and footpath connectivity.

19.5 The Case Officer responded to questions from the Ward Member on issues including: the drainage strategy, the lighting condition required by Place

Services, and the Section 106 agreement.

- 19.6 Members considered the representation from the Agent.
- 19.7 The Agent responded to questions from Members on issues including: the location of the proposed car parking spaces, traffic management, the potential separation of car parking spaces and commercial vehicle loading bays, and business rates.
- 19.8 Members considered the representation of Councillor John Field who spoke as the Ward Member.
- 19.9 Members debated the application on issues including: potential employment opportunities, the proposed electric vehicle charging points, the landscaping strategy, a parking area management plan, and photovoltaic (PV) lighting on the site.
- 19.10 Councillor Caston proposed that the application be approved as detailed in the Officer recommendation along with the additional condition in the tabled papers regarding landscaping mound details and an additional condition for a parking management plan as determined by the committee.
- 19.11 Councillor Muller seconded the proposal.

By a unanimous vote

It was RESOLVED:

That the Reserved Matters details be APPROVED

That authority be delegated to the Chief Planning Officer to APPROVE reserved matters subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:

- **Approved plans**
- **Link back reference to outline pp commencement period**
- **Full planting details with contoured finished levels plan for and management plan in respect of the new planting area west of the site prior to occupation of any unit 7, 8, 9 and/or 10**
- **As requested by SCC Highways with such conditions being required prior to occupation and not commencement as the implementation of the identified details cannot physically precede commencement**
- **As requested by Waste Services**

An additional condition for landscaping mound details:

- **To require the submission of further landscaping mound details [within the Blakenham Estate to the west of units 7, 8, 9 and 10] prior to the mound being constructed. This is to ensure that the mound when formed is capable of sustaining long-term healthy tree and hedgerow life as a result of having a topsoil layer that is sufficiently deep and viable, free from any contamination, debris clay,**

chalk, or other materials likely to adversely impact long term viability of the planting and with appropriate natural drainage.

An additional condition for parking management for joint lorry and car parking areas.

And the following informatives:

- Public Rights of Way (PRoW)
- Waste Services
- Archaeology
- Ecology

20 DC/21/05468 LAND TO THE SOUTH OF, BULLEN LANE, BRAMFORD, SUFFOLK, IP8 4JD

20.1 Item 7C

| | |
|----------------------|--|
| Application Proposal | DC/21/05468 Full Planning Application - Construction and operation of a 100MW Battery Energy Storage System (BESS), and related infrastructure with associated access, landscaping, and drainage. |
| Site Location | Land To The South Of, Bullen Lane, Bramford, Suffolk IP8 4JD |
| Applicant | Bramford Power Ltd |

20.2 A short break was taken before the commencement of application number DC/21/05468 between 10:31am and 10:40am.

20.3 Councillor Caston declared himself as the Ward Member for this application and confirmed that he would not debate or vote on the item.

20.4 The Case Officer presented the application to the Committee outlining the proposal before Members including the location of the site, the constraints of the site, the proposed landscaping on the site, potential ecological impacts, the proposed layout plan, the proposed elevations of the units, the cumulative impact on renewable energy schemes within the area, access to the site, and the Officer recommendation for approval.

20.5 The Case Officer responded to questions from Members on issues including: the impacts on the adjacent field, the potential for water contamination on site, the fire risk of the equipment used and the fire safety strategy.

20.6 Members considered the representation from Bramford Parish Council's Clerk.

20.7 Members considered the representation from an Objector.

20.8 The Objector responded to questions from Members on issues including: the

proximity of his street to the proposed development site, and the potential noise impact.

20.9 Members considered the representation from the Agent.

20.10 The Agent responded to questions from Members on issues including: the fire safety strategy, the connectivity of the site to the nearby sub-station, the intended timescale for construction, lighting provisions, the strategy for removing equipment from the site at its end of life, the source of electricity for the site, and whether alternate sites were considered for this development.

20.11 Members considered the representation from Councillor James Caston who spoke as the Ward Member.

20.12 The Ward Member responded to questions from Members on issues including: the suitability of the proposed site for potential agricultural purposes, and the current use of the land.

20.13 Members debated the application on issues including: the fire risk on the site, the potential for water contamination, the demand for batteries, the potential use of the land for agricultural purposes, the ecological and environmental impact, the proposed landscaping, and the potential noise impact of the site.

20.14 Councillor Dave Muller proposed that the application be approved as detailed in the Officer recommendation with an additional condition for a scheme to be put together for fire water provision.

20.15 Councillor Rowland Warboys seconded the proposal.

By a vote of 4 For and 1 Abstention

It was RESOLVED:

That authority be delegated to the Chief Planning Officer to GRANT planning permission subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:

- **Standard time limit**
- **Temp PP 40 years plus removal and reinstatement if operation ceases for a period of 6 months or at the end of the 40 year life. Reinstatement scheme to be agreed including biodiversity review, mitigation and details of retained landscape planting**
- **Approved Plans (Plans submitted that form this application)**
- **Access improvement works**
- **Access surface material details**
- **Archaeology**
- **Carry out in accordance with arboricultural report**
- **Carry out in accordance with ecological assessment**
- **CEMP**
- **Construction management plan including deliveries, vehicle routing and**

working hours

- **Dormouse survey**
- **Fire safety strategy**
- **Landscape planting and management scheme**
- **LEMP**
- **No burning of waste on site**
- **Noise assessment**
- **Visibility splays**
- **Wildlife sensitive lighting scheme to incorporate light pollution prevention design**
- **Carry out in accordance with surface water drainage strategy**
- **Submission of surface water drainage verification report**

With the additional condition:

- **That a scheme for fire water provision be put together**

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

- **Proactive working statement**
- **SCC Highways note**

21 SITE INSPECTION

21.1 None received.

The business of the meeting was concluded at 11:43am.

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Chair

Agenda Item 7

MID SUFFOLK DISTRICT COUNCIL

DEVELOPMENT CONTROL B COMMITTEE

03 AUGUST 2022 - 09:30

INDEX TO SCHEDULED ITEMS

| <u>ITEM</u> | <u>REF. NO</u> | <u>SITE LOCATION</u> | <u>MEMBER/WARD</u> | <u>PRESENTING OFFICER</u> | <u>PAGE NO</u> |
|-------------|----------------|---|---|---------------------------|----------------|
| 7A | DC/21/06825 | Land to the South of Suggenhall Farm, Church Lane, Rickingham, IP22 1LL | Cllr Jessica Fleming / Rickingham | Averil Goudy | |
| 7B | DC/21/06379 | Land East of, Ashfield Road, Elmswell, Suffolk | Cllr Sarah Mansel & Cllr Helen Geake / Elmswell & Woolpit | Mahsa Kavyani | |

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Agenda Item 7a

Committee Report

Item No: 7A

Reference: DC/21/06825

Case Officer: Averil Goudy

Ward: Rickingham.

Ward Member/s: Cllr Jessica Fleming.

RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS

Description of Development

Full Planning Application - Development of a photovoltaic solar array, battery storage and ancillary infrastructure.

Location

Land To The South Of Suggenhall Farm, Church Lane, Rickingham, IP22 1LL

Expiry Date: 10/08/2022

Application Type: FUL - Full Planning Application

Development Type: Major Small Scale - All Other

Applicant: RNA Energy Ltd

Agent: Mr Tom Roseblade

Parish: Rickingham Superior

Site Area: 11.57ha

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

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

Has the application been subject to Pre-Application Advice: Yes – EIA Screening

Reference DC/21/04419 (Not EIA)

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason:

In accordance with the Mid Suffolk scheme of delegation as the proposal is for a renewable energy development as defined by government guidance.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

Adopted Mid Suffolk Local Plan (1998)

CL03 - Major utility installations and power lines in countryside

CL08 - Protecting wildlife habitats

CL09 - Recognised wildlife areas
CL11 - Retaining high quality agricultural land
H16 - Protecting existing residential amenity
T10 - Highway Considerations in Development
HB01 - Protection of historic buildings
GP01 - Design and layout of development
RT12 - Footpaths and Bridleways

Adopted Mid Suffolk Core Strategy Focused Review (2012)

FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development

Adopted Mid Suffolk Core Strategy (2008)

CS01 - Settlement Hierarchy
CS02 - Development in the Countryside & Countryside Villages
CS03 - Reduce Contributions to Climate Change
CS05 - Mid Suffolk's Environment

NPPF - National Planning Policy Framework
NPPG - National Planning Policy Guidance

Other relevant documents:

- Planning guidance for the development of large scale ground mounted solar PV systems (BRE, 2014). This national guidance sets out best practice for large ground mounted arrays in respect of planning considerations and requirements.
- National Policy Statements: The policy context for the determination of NSIP scale proposals. This development is below the threshold for consideration as an NSIP but EN-1 and the revised draft EN-3 provide helpful context and an indication of the government's direction of travel in respect of renewable energy development.
- Energy Security Strategy 2022: Reinforces the net zero agenda and sets out a package of priorities, funding and policy objectives to move the country back to energy independence This includes provision for onshore wind, solar and other technology including recognition of the need for network capacity and flexibility such as battery storage.
- Net Zero strategy 2021: A decarbonisation plan setting out the UK objective of achieving net-zero emissions by 2050. Part of the plan for "Building Back Better" after the covid pandemic.
- Energy white paper 2020: Builds on the Ten-point plan for a green industrial revolution, addressing the transformation of our energy system, promoting high-skilled jobs and clean, resilient economic growth as we deliver net-zero emissions by 2050.
- United Kingdom Food Security Report 2021: Sets out an analysis of statistical data relating to food security.

Neighbourhood Plan Status

This application site is within the Botesdale and Rickinghall Neighbourhood Plan Area. The Neighbourhood Plan was formally adopted in January 2020. Accordingly, the Neighbourhood Plan is afforded full weight for decision-taking purposes. Of relevance to this application are the following policies:

Policy B&R 1 – Spatial Strategy
Policy B&R 14 – Protection of Heritage Assets
Policy B&R 15 – Design Considerations
Policy B&R 20 – Open Space, Sport and Recreation Facilities
Policy B&R 21 – Public Rights of Way

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)

Rickinghall Parish Council [Objection]

- Acknowledge NPPF presumption in favour of sustainable development
- Nature of the project would allow for adaptation and restoration of balance (wildlife and nature)
- Request more information about the effect on Skylarks
- Potential conflict with Neighbourhood Plan policy B&R20
- Effect on two neighbouring properties: loss of amenity, glint/glare, noise and visual impact

Rickinghall Parish Council [Objection]

- Revised location for buildings is more visually prominent
- Time taken for hedge screening to mature
- Loss of arable land – needs justification
- Conflict with Neighbourhood Plan policy B&R20
- Request a more comprehensive approach is given to the alternative energy sources in the UK

Cllr Jessica Fleming [Objection]

- Landscape and visual impacts
- Impact on designated heritage assets
- Impact on local businesses
- Cumulative impact with other solar proposals in the District
- Loss of agricultural land
- Inefficient use of land

National Consultee (Appendix 4)

Historic England [Objection]

- Harm to Grade I listed building through inappropriate development within its setting
- This harm could be mitigated by reducing the number of solar panels, moving the development out of the northern and western arms of the field and increasing planting along the boundaries

Historic England [Objection]

- Welcome reduction in panels and has lessened the impact on the Grade I church
- Continue to result in less than substantial harm to the designated heritage asset
- Should the LPA be minded to approve, thicker planting along the western boundary should be provided

Ministry of Defence

“No safeguarding objections to this proposal”.

Environment Agency

No response received to date.

Civil Aviation Authority

No response received to date.

County Council Responses (Appendix 5)

SCC Archaeology

- Site lays near sites of archaeological interest and groundworks have potential to damage or destroy any archaeological remains
- Conditions for WSI and site investigation and post investigation assessment

SCC Flood and Water Management

No objection, subject to conditions for:

- Submission of a strategy for the disposal of surface water [prior to commencement]
- Details of the implementation, maintenance and management of the strategy for the disposal of surface water [prior to commencement]
- Submission of a surface water drainage verification report
- Submission of a Construction Surface Water Management Plan [prior to commencement]

SCC Fire and Rescue

- Request a Fire Risk Management Plan to be submitted

SCC Travel Plan

No response received to date.

SCC Highways

No objection, subject to conditions for:

- Details of proposed access [prior to commencement]
- Provision of visibility splays [prior to use]
- Details of surface water discharge [prior to commencement]
- Submission of a Construction Management Plan [prior to commencement]
- Submission of a Deliveries Management Plan [prior to commencement]
- Details of loading, unloading, manoeuvring and parking areas and EV charging [prior to commencement]

SCC Rights of Way

No objection, subject to comments/informatives.

Internal Consultee Responses (Appendix 6)

Environmental Health – Air Quality

No objections.

Environmental Health – Noise/Odour/Light/Smoke

No objection, subject to conditions for:

- Noise assessment to ensure compliance with submitted assessment [prior to beneficial use]
- External lighting restriction
- Method for reporting glare complaints and programme for mitigation [prior to beneficial use]
- Construction hours restriction
- Burning restriction / Dust and litter nuisance minimised
- Construction Management Plan [prior to commencement]

Environmental Health - Land Contamination

No objections.

Place Services – Heritage

- Detrimental visual impact on the views of the open landscape to the south of Suggenhall Farmhouse (Grade II listed)
- Detrimental impact on the strong visual links between the application site and Suggenhall Farmhouse
- Result in less than substantial harm
- A reduction in the scale of the solar farm may be effective mitigation

Place Services – Heritage

- The amended proposal has gone some way to reducing the harm to the heritage asset
- Result in less than substantial harm (now considered at the lower end of the scale)

Place Services – Landscape

Holding objection until the following is submitted and agreed:

- Topographical Survey
- Arboricultural Assessment
- Outstanding sections of the LVIA and a landscape and visual cumulative impact assessment

Place Services – Landscape

- No landscape objection to the revised layout
- There will be a change in the landscape character and potentially some loss of visual amenity
- Recommends consideration of further reduction to the array, extent and scale of buffer planting to the north and west boundary would obscure desirable views, further details of the materials, colours and finishes of the built form
- Should the LPA be minded to approve, conditions recommended for landscape details [prior to commencement], advanced planting [prior to commencement] and Landscape Management Plan [prior to commencement]

Place Services – Ecology

Holding objection due to insufficient ecological information upon Priority Species (farmland bird species, particularly Skylark)

Place Services – Ecology

Holding objection due to insufficient ecological information upon Priority Species (farmland bird species, particularly Skylark). Do not consider adequate evidence has been provide to demonstrate that the development would have a negligible impact on priority species

Planning Policy

No CIL charge or liability.

Arboricultural Officer

No response received to date.

Other Consultee Responses (Appendix 7)

Suffolk Wildlife Trust

- Presence of Skylarks locally
- Requirement for a breeding bird survey
- Conditions recommended for a Landscape Environment Management Plan (LEMP) and a Biodiversity Enhancement Strategy

Suffolk Wildlife Trust [Objection]

- Maintain previous comments that a breeding bird survey is required to determination
- If Skylarks are present on site a Skylark Mitigation Strategy may be required

Suffolk Preservation Society

- Observations around policy, landscape and visual impact and heritage
- Should the LPA be minded to approve, conditions recommended for a Landscape and Ecological Management Plan and a shorter consent duration

B: Representations

At the time of writing this report at least 40 letters/emails/online comments have been received. It is the officer opinion that this represents 30 objections, 10 support and 0 general comments. A verbal update shall be provided as necessary.

A valid petition opposing the application was received containing 102 validated signatures and 7 rejected (for no address being supplied).

Members should be aware that concern has been raised regarding the location of some of the representations received and their distance from the application site. MSDC no longer set a distance restriction in which to control representations received and it is possible that people who are not resident in the locality have a legitimate interest in the application, for example if they were to own property nearby. Whilst some comments have been received from villages within Mid Suffolk which are not surrounding Rickingham, the content of the comments are not materially different to those received from within Rickingham and surrounding villages and are therefore considered equally here.

In addition, it has been brought to the attention of Officers that several of the representations received may be from people with a conflict of interest with the landowner or application site. However, this is not a matter relevant to the determination of this planning application. The comments have been accepted or refused depending on their compliance with the Councils representation policy.

Summary of Third-Party Objection Comments Received –

- Loss of arable land
- Solar panels should be on new developments
- Cumulative loss of open spaces
- Ruined vistas / loss of views
- Impact on Brown Hare's habitat

- Impact on mental health
- Impact on rural setting
- Cumulative impact of housing developments and other solar proposals
- Unacceptable light pollution
- Potential contamination from Lithium batteries
- Reduction in people's initiative to exercise
- No local benefits
- Inappropriate location for development
- Industrialisation of the countryside
- Emotional stress to residents
- Excessive scale
- Conflict with Neighbourhood Plan
- Impact of glare
- Impact on archaeology
- Impact on use of PROW

Summary of Third-Party Support Comments Received –

- Contribution to climate crisis mitigation
- Small scale
- Poor quality land and is not high productivity
- Diverse income for the farm
- Footpaths would remain unchanged
- No land contamination impacts
- Continued agricultural use (sheep grazing)

(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/21/04419 | Environmental Impact Assessment Screening Request for proposed development of a 7MW solar farm. | DECISION: EAN 18.08.2021 |
|-------------------------|---|------------------------------------|

| | | |
|---------------------|--|------------------------------------|
| REF: 0544/11 | Erection of 15m (to hub) Wind Turbine. | DECISION: WDN 12.05.2011 |
|---------------------|--|------------------------------------|

Other applications/pre-applications for solar development pending consideration in the District:

| | | |
|---|--|----------------------|
| Grange Farm, Old Bury Road, Palgrave | Planning Application - Mixed use development comprising installation of a ground mounted solar photovoltaic (PV) farm; along with continued agricultural use, ancillary infrastructure, substation, security fencing, landscaping provision, ecological enhancements and associated works. | DECISION: PCO |
| REF: DC/22/02667 | | |

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|-------------------------|--------------------------------|----------------------|
| Palgrave | Pre-application for solar farm | DECISION: PCO |
| REF: DC/22/02592 | | |

| | | |
|---|---|-----------------------------|
| <p>Land North of Tye Lane, Bramford</p> <p>REF: DC/21/04711</p> | <p>Planning Application - Change of use from agricultural land to solar farm and construction of a solar farm (up to 49.9MW) with associated grid connection cable route, infrastructure and planting.</p> | <p>DECISION: PCO</p> |
| <p>Land North of Tye Lane, Bramford</p> <p>REF: DC/22/00683</p> | <p>Full Planning Application - Installation of a solar array, battery energy storage system and associated infrastructure and construction of vehicular accesses and roadways.</p> | <p>DECISION: PCO</p> |
| <p>Land At Woodlands Farm, Stowmarket Road, Badley</p> <p>REF: DC/22/01530</p> | <p>Full Planning Application - Installation of a solar array, associated infrastructure and construction of new vehicular access</p> | <p>DECISION: PCO</p> |
| <p>Land To The South Of Church Farm, Somersham, IP8 4PN And Land To The East Of The Channel, Burstall, IP8 4JL</p> <p>REF: DC/20/05895</p> | <p>Full Planning Application - Installation of renewable energy generating station, comprising ground-mounted photovoltaic solar arrays and battery-based electricity storage containers together with substation, inverter/transformer stations, site accesses, internal access tracks, security measures, access gates, other ancillary infrastructure, landscaping and biodiversity enhancements including Nature Areas.</p> | <p>DECISION: PCO</p> |

***This list includes some of the key developments within the immediate vicinity of the site that are relevant material considerations in the assessment of the application. It is not exhaustive insofar as considerations of cumulative impacts.**

PART THREE – ASSESSMENT OF APPLICATION

1.0 The Site and Surroundings

- 1.1 The application site is located within an area of countryside, approximately 650m from the main built-up area of Rickinghall, between Church Lane to the northern boundary and the B1113 Finningham Road to the southern boundary. The site is 11.3ha of Grade 3 agricultural land, with the surrounding area characterised by various agricultural holdings. The Grade II listed Suggenhall Farmhouse lies immediately north of the site on Church Lane, with an electricity distribution site also to the north on Church Lane. The application site is in flood zone 1.
- 1.2 The character of the immediate area is predominantly agricultural in nature with a relatively flat, open, landscape offering broad views across the site from the highway and a public right of way located c.70m to the east of the site, which runs south from Church Lane.
- 1.3 The site does not fall within a designated Conservation Area. There are no listed buildings within the proposed site area, but the Grade II listed Suggenhall Farmhouse lies to the north, with several

other listed buildings of varying classifications in the wider area and two Scheduled Monuments within 3km of the site.

2.0 The Proposal

2.1 Full planning permission is sought for a photovoltaic solar array with associated battery storage and ancillary infrastructure for a period of 40 years (after which the site would be reinstated and returned to the existing agricultural use).

2.2 The development comprises the following elements:

- c.10,600 Photovoltaic Solar Panels and associated support frames;
- 24no. String Inverters;
- 1no. Transform Station;
- 4no. battery storage container with associated inverter/transformers;
- 1no. DNO substation;
- 1no. switch-room building;
- 1no. control room building;
- Grid connection cable to UKPN's Rickinghall Primary Station;
- c.0.58km of permanent new/resurfaced internal access tracks (3.5m wide and constructed using Type 1 stone);
- c.0.6km of temporary re-surfaced access track;
- 2no. improved existing access points off Church Lane and B1113 Finningham Road;
- c.2km deer/stock fencing;
- c.80m of 4m high acoustic fencing;
- c.13no. 3m high CCTV cameras;
- c.1.1km hedgerow planting (new and gapping up of existing);
- c.38 hedgerow trees;
- c.230 sqm of woodland edge planting;
- c.2920 sqm of woodland planting; and
- c2.2 hectares of species-rich grassland.

2.3 A brief description of the main infrastructure is set out below:

Solar Panels - There will be approximately 10,600 solar panels mounted to a steel and aluminium frame at a 20° angle, facing south. The maximum height will be 2.4 m with the lowest height of the panels being 800mm above the ground level, allowing adequate space for grazing animals.

Stringer Inverters - The proposal requires up to 24 string inverters which attach to the end of solar panel rows. These will measure approximately 1.04m by 0.7m high and 0.37m deep.

Transformer Stations - The proposed station measures approximately 6.01m by 2.9m and 2.9m high (maximum height 3.4m high with foundations). This station would contain transformers that enable the solar farm to connect to the on-site DNO substation.

Battery Energy Storage System (BESS) Containers - There will be a requirement of four BESS containers, measuring 12.19m by 2.44 m and 2.59m high (maximum height 3m with foundations). The external colour will be Harrods Green or similar.

Various buildings - The DNO Substation, Switch-room, Control Centre buildings would be positioned close to one another on the western boundary of the northern field. The DNO Substation

would have a footprint of 8 sqm, Switch-room building would be 19 sqm and the Control Centre would be 11 sqm.

Acoustic Fencing - Acoustic fencing of 4m high is proposed around the BESS containers, two sides of the transformer station and around two sides of the DNO Substation and Switch-room building. The design of this fencing is to be confirmed post determination through condition (Noise Assessment).

2.4 During the course of determination, the following revisions to the proposed development have taken place:

- Reduction of c.8% in no. of solar panels (panels removed from northern and western fields);
- Greater offset from Church Lane to provide buffer;
- Reduction of c.11.5% in footprint of land within boundary fence from 8.94ha to 7.91ha;
- Reduction in footprint of the battery compound; and
- Relocation of DNO Substation and associated buildings away from Church Lane.

2.5 The solar array would have a peak capacity of 6.8MW with a maximum export capacity of 5MW due to the size of the grid connection at Rickingham Primary Substation. Battery storage enables energy generated from renewable sources, like solar and wind, to be stored outside of the national and local transmission and distribution network and then released onto the grid when customers need power most, ensuring a continual supply of energy outside the constraints of the intermittent nature of solar and wind generation. BESS are an integral part of the transition to net zero and ensuring security of supply.

3.0 The Principle of Development

3.1 In considering this planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan includes the saved policies of the Mid Suffolk Local Plan 1998, Core Strategy 2008 and Core Strategy Focused Review 2012.

3.2 These policies and documents will be replaced by the emerging Babergh and Mid Suffolk Joint Local Plan (JLP) once it is adopted, which includes proposed policy LP27 – ‘Energy sources, storage and distribution’ which seeks to encourage the development of renewable energy in line with national policy. The JLP is therefore also a material consideration, albeit of limited weight at this time because it is not yet adopted. Following an Exploratory Meeting with the Planning Inspectorate held on 16th December 2021 the JLP is progressing in two parts. Part 1 would set the housing requirement for the districts and provide an up-to-date development plan, but specific sites would be allocated in Part 2.

3.3 The progress of the JLP examination is not considered to alter the weight to be afforded to the JLP and for the avoidance of doubt Members are advised to place no determinative weight on policy LP27 at the present time. The starting point for the determination of the application remains the current development plan, in accordance with the S38(6) duty under the Planning and Compulsory Purchase Act 2006, and material planning considerations including the NPPF.

3.4 Policies CS1 and CS2 of the Mid Suffolk Core Strategy 2008 set out the types of development that are likely to be considered appropriate inside defined settlements (CS1) and within the countryside comprising the rest of the district (CS2). These policies state development within the countryside, as in the case of this site, is restricted to certain types of development, including for renewable

energy. In the circumstances of this application, whereby the determinative element of the proposal is not reliant on its location inside or outside a defined settlement, but rather the impacts of the development. These policies are considered to accord with the objectives of the NPPF insofar as they provide for the principle of renewable energy development in the countryside and are therefore afforded full weight.

3.5 Policy CS3 of the Mid Suffolk Core Strategy 2008 states that:

“The Council will promote and encourage the appropriate development of stand alone Renewable Energy schemes to assist in achieving the Regional Spatial Strategy's target of 10% total electricity consumption in the East of England by 2010 and 17% by 2020.”

Although this policy is considered to be out of date as it refers to the targets within the now revoked Regional Spatial Strategy, the objective of encouraging renewable energy development to contribute to an overarching objective of decarbonisation aligns with the priorities of the net zero agenda and the principles of the NPPF. This policy is therefore acknowledged on that basis and afforded limited weight. Members are advised not to place no determinative weight on policy CS3.

3.6 Policies FC1 and FC1.1 of the Core Strategy Focussed Review 2012 are relevant to the determination of this application in general terms, by reflecting the NPPF presumption in favour of sustainable development, including for renewable energy proposals, providing the impacts of the development are or can be made acceptable. In such cases FC1 states that applications which accord with the Local Plan will be approved without delay. FC1.1 seeks conservation and enhancement of the local character of the district and following para 3.7 specifically mentions renewable energy:

“The environmental and landscape sensitivity of the district means that large-scale, on-shore renewable energy generation will often be difficult to accommodate in the landscape in an acceptable way”

These policies are considered to accord with the NPPF and are afforded full weight. The impact of the development on the landscape is considered in detail in the landscape section below.

3.7 Whilst it is likely that policy CL3 (Major utility installations and power lines in the countryside) of the Mid Suffolk Local Plan 1998 was not written with solar array development, as proposed here, in mind, as what could be reasonably termed a major utility installation the general objective to “... ensure minimal intrusion in the landscape...” reflects the objectives of the NPPF and the issue identified in the Core Strategy Focused Review and so is considered to have relevance to the determination of this application and is afforded significant weight.

Other policies in the Mid Suffolk development plan that are relevant to the consideration of this application because of their objectives relating to a specific issue or impact are discussed in the relevant section of the assessment below.

3.8 The NPPF must also be taken into account as a material consideration in planning decisions.

Para 152 states:

“The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve

resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.”

And goes on, at para 158, to set out how plans and decisions should provide for renewable energy development including stating that in determining applications for renewable energy developments:

“local planning authorities should:

a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and

b) approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.”

3.9 It is also necessary to note a number of relevant documents that set out the Government’s wider objectives for delivering renewable energy developments as part of the ongoing decarbonisation and net zero agenda, including:

- National Policy Statements: Provide the policy context for the determination of NSIP scale proposals. This development is below the threshold for consideration as an NSIP but EN-1 and the revised draft EN-3 provide helpful context and an indication of the government’s direction of travel in respect of renewable energy development, now specifically identifying the role of solar development as a key part of the government’s strategy for low cost decarbonisation of the energy sector.
- British Energy Security Strategy (2022): Reinforces the net zero agenda and sets out a package of priorities, funding and policy objectives to move the country back to energy independence. This includes provision for onshore wind, solar and other technology including recognition of the need for network capacity and flexibility such as battery storage.
- Net Zero Strategy – Build Back Greener (2021): A decarbonisation plan setting out the UK objective of achieving net-zero emissions by 2050. Part of the plan for “Building Back Better” after the covid pandemic
- Energy white paper (2020): Builds on the ten-point plan for a green industrial revolution, addressing the transformation of the energy system, promoting high-skilled jobs and clean, resilient economic growth as we deliver net-zero emissions by 2050.
- United Kingdom Food Security Report (2021): Sets out an analysis of statistical data relating to food security. It is relevant here as the development would take an area of agricultural land, in arable production, out of active use for the period of the development proposed.

3.10 The principle of renewable energy development is supported by the NPPF (and other existing and emerging Government policy). The proposal is considered to be in general accordance with those policies of the development that are up-to-date such that, provided the impacts of the proposal are or can be made acceptable (particularly bearing in mind impacts upon landscape and loss of land for food production), in accordance with NPPF para 11c, the planning authority should grant permission without delay. The impacts of the development and accordance with topic-specific policies are discussed in the following sections.

4.0 Loss of agricultural land

- 4.1 The first of the considerations is whether the proposal represents effective use of land in line with NPPG which encourages the siting of large-scale solar farms on previously developed and non-agricultural land. The application site consists of greenfield agricultural land.
- 4.2 The Design and Access Statement addresses the site selection process, stating that the exercise focussed on areas in proximity to National Grid and District Network Operator (DNO) Substations with capacity. Rickinghall Primary Substation was therefore identified as a primary search location due to available capacity and necessary land areas in close proximity to the substation. Given the rural nature of the locality it is reasonable to accept that there are no alternative sites of a suitable scale that are previously developed or non-agricultural in proximity to the substation.
- 4.3 The NPPG (paragraph 170) goes on to state that “*where a proposal involves greenfield land, [consideration should be given to] whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.*”
- 4.4 The NPPF defines the “Best and Most Versatile” (BMV) agricultural land as land in Grades 1, 2 and 3a of the Agricultural Land Classification.
- 4.5 The application submission is accompanied by an Agricultural Land Classification. Of the 13ha surveyed, 0.6ha (at 4.6%) was found to be Grade 3a (good quality) and 12.4ha (at 95.4%) was found to be Grade 3b (moderate quality).
- 4.6 Paragraph 174 of the NPPF states that “*...decisions should contribute to and enhance the natural and local environment by:*
- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
 - b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland...*”
- 4.7 Policy CL11 of the Mid Suffolk Local Plan states that the council “*...will encourage the conservation of agricultural land. Particular protection will be afforded to the best and most versatile agricultural land...*”
- 4.8 As c.95% of the application site is identified as Grade 3b, which is not BMV land, the proposal would not have a significant adverse impact on the BMV agricultural land.
- 4.9 The application seeks permission for a limited period of 40 years after which the site will be reinstated and returned to agricultural use, this reinstatement will be secured by condition. The solar panels would be removed with limited soil disturbance and therefore there is likely to be no permanent loss of agricultural land quality. Whilst some components of the development, such as the substation, control centre and BESS, may permanently affect agricultural land this would be limited to small areas.
- 4.10 Most of the site could also remain in agricultural use during the operational phase of the development through the grazing of a flock of sheep below the panels, as supported by the NPPG.

- 4.11 The vast majority of the habitat on site is currently of low or negligible ecological value, due to the prevalence of arable fields. The proposed development would include establishing species-appropriate grassland, new hedgerow planting and infilling of existing hedgerows, installing bat and bird boxes on trees around the site, all of which enhance the sites biodiversity value. A biodiversity net gain assessment has been completed and by replacing the low value habitats with higher value grassland, a net gain of 194.99% for area derived units has been calculated.
- 4.12 Overall, the impact by way of the loss of agricultural land for a period of 40 years is not considered to warrant refusal of this application.

5.0 Traffic and highway safety

- 5.1 Access to the site is from the existing farm access points of Church Lane and the B1113 Finningham Road. Both accesses would be improved in accordance with SCC Highway specification. During the construction phase access would be from Finningham Road, whereas operational access would be from Church Lane.
- 5.2 The proposed development would require c.580m of permanent new stone access track and c.600m of temporary access track. The temporary access track would follow the existing farm access track and utilise a no-dig construction method (given areas of known archaeological sensitivity). The temporary access track would be removed at the end of the construction period.
- 5.3 The construction period is anticipated to be 24 weeks. A Construction Management Plan is recommended to ensure the detriment to residential amenity is minimised during the construction phase.
- 5.4 Once the solar farm is operational, access would be limited to routine maintenance operations and grazing. The facility would be unmanned and would be operated and monitored remotely. Maintenance would be undertaken by a small van or similar with spare equipment and tools stored on site.
- 5.5 The parking provision for deliveries and staff is not confirmed at this stage but would be met with a temporary compound within the footprint of the site.
- 5.6 SCC Highways have raised no objection subject to conditions. These conditions are to secure the improvement of the access/es, confirmation of visibility splays, surface water discharge and a Deliveries Management Plan.
- 5.7 On this basis, there is not considered to be any unacceptable highway safety impacts that would warrant refusal of this application.

6.0 Landscape and visual impact

- 6.1 Policy CS5 of the Core Strategy seeks to protect and conserve landscape qualities taking into account the natural environment and the historical dimension of the landscape as a whole rather than concentrating solely on selected areas, protecting the District's most important components and encouraging development that is consistent with conserving its overall character.
- 6.2 The character of the immediate area is predominantly agricultural in nature with a relatively flat, open, landscape offering broad views across the site from the highway and a public right of way (016) located c.70m to the east of the site, which runs south from Church Lane. The site is not subject to any statutory or local designations.

- 6.3 The settlements of Rickinghall and Botesdale are approximately 1km to the north. They are separated from the site visually by intervening vegetation along the A143 corridor, landform and built form.
- 6.4 The application is accompanied by a proposed Landscaping Plan and Landscape and Visual Impact Assessment (LVIA). A topographical survey and arboricultural assessment were also provided during the course of determination at the request of the Landscape Officer.
- 6.5 The existing trees and hedgerows around the site boundary would be protected and retained to ensure a minimum 6m buffer to the fence line. The gaps in the existing hedgerows would be planted up and maintained at a minimum height of 3m. New hedgerow and tree planting would be introduced to the boundaries, in addition to 10m wide strips of woodland planting to the northern and western site boundaries. The site layout has been revised during the course of the application, with a reduction in the number of solar panels and a 60m buffer strip of land to the north fronting onto Church Lane.
- 6.6 The zone of theoretical visibility (ZTV) shown in blue below (Figure 1) is a realistic representation of where the proposed development is likely to be visible from. Viewpoints within this ZTV have been chosen, in consultation with the Landscape Officer, and assessed. These viewpoints include both public highway and public rights of way. It is clear that the residual impact would be localised.
- 6.7 The proposed development would have an outlook and visual amenity impact namely to occupiers of Suggenhall Barn, which overlooks field 1, Sunnyside which adjoins the north-western corner of field 2 and Falcons Hall Cottages to the southwest. A distance of approximately 90m is afforded to the nearest property (Suggenhall Barn). To the northern boundary (between the site and Suggenhall Barn and Farmhouse) and to the western boundary (between the site and Sunnyside) a 10m wide strip of woodland planting is proposed.
- 6.8 It is acknowledged that the proposed landscaping will not effectively screen the development in the short-term (0-3 years). Once the planting has established and matured, in the medium-term (3-10 years) and long-term (10+ years) the landscaping is considered to provide adequate mitigation. It is however possible to require the provision of planting at the earliest opportunity and to include, as appropriate, mature and fast-growing species.

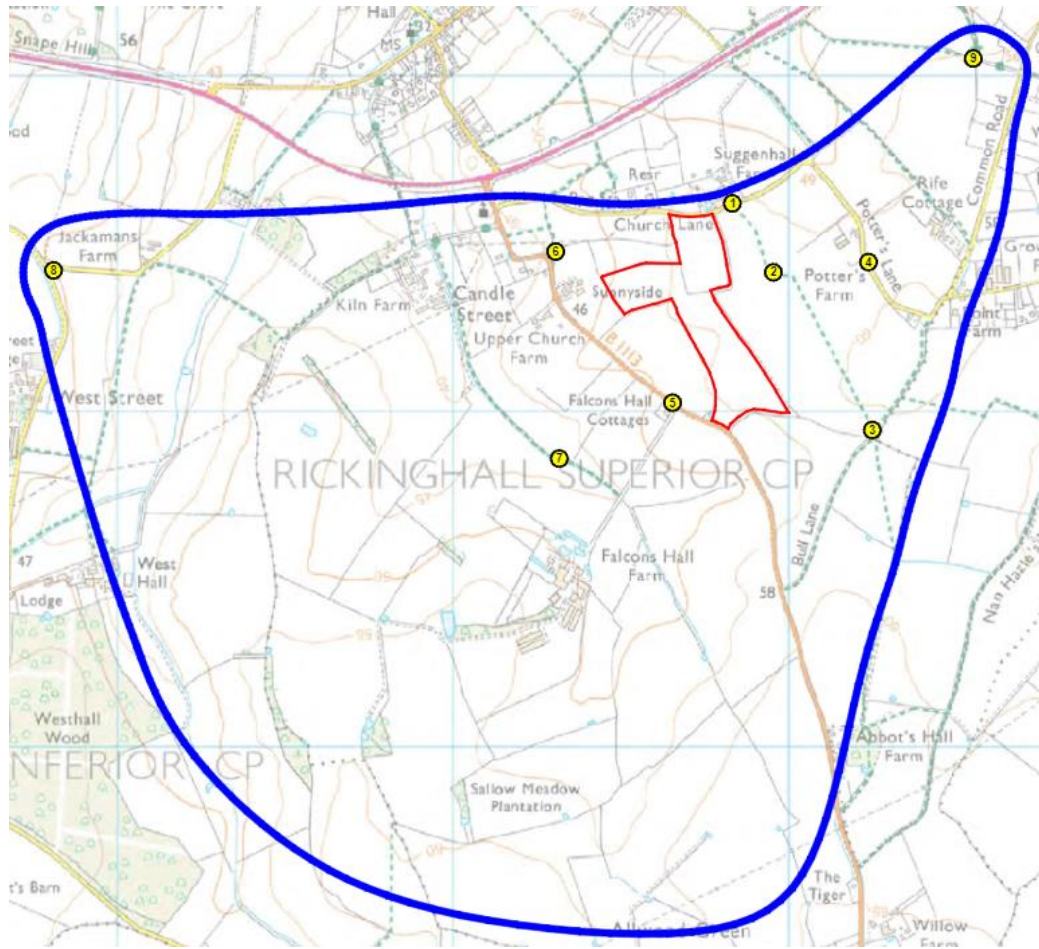


Figure 1: Snippet from LVIA – LVIA Viewpoint Locations

- 6.9 The Council's Landscape Officer concurs with the assessment judgement that with mitigation measures the long-term visual effects can be adequately reduced to 'minor' adverse. They have confirmed they have no objection to the revised layout subject to conditions (landscape details, advanced planting, landscape management plan and details of the buildings)
- 6.10 It is acknowledged that the proposed development would change the landscape character and potentially result in some loss of visual amenity.
- 6.11 There are no public rights of way (PROW) within the site. The closest PROW is 016 (Rickinghall Superior) to the east. The LVIA contains a viewpoint from PROW 016 looking west towards the application site. Direct views of the development would be achievable.
- 6.12 Rickinghall Parish Council have raised concerns that the proposed development conflicts with Botesdale and Rickinghall Neighbourhood Plan policies B&R20 and B&R21. B&R20 seeks to protect open space, sport and recreation facilities. Officers do not consider the proposed development to conflict with this policy; the PROW network is not an open space, sport or recreation facility. Regardless, the proposal does not result in the loss of any PROW. B&R21 relates specifically to PROW, stating "development which would adversely affect the character or result in the loss of existing or proposed rights of way will not be permitted unless alternative provision or diversions can be arranged which are at least as attractive, safe and convenient for public use". The proposed development would not impact the PROW directly, but it would change the surrounding landscape character. Given the proximity and open nature, PROW 016 would be most

affected, albeit a distance of c.70m is afforded between the route and the application site. Mitigation planting along the eastern boundary would screen the development in part and would soften the appearance. The LVIA concludes that “*it would be compatible with the existing rural and countryside characteristics of the view*”. Views north and south along the footpath would not be impacted. The assessment of other PROW views in the LVIA conclude that the visual impact (in the medium to long term) would reduce to negligible. On this basis, Officers do not consider the proposed development to conflict directly with the Neighbourhood Plan; the effect on the character of the PROW is not considered to be adverse.

- 6.13 Having regard to the potential for cumulative impacts arising from this proposal in combination with other development in the locality it is acknowledged that there is a pending application and a pre-application submission for solar array proposals in Palgrave. These sites are approximately 5 miles from the application site which distance is considered to be such that there will not be significant cumulation of visual effects arising from these developments when considered together.
- 6.14 On the basis of the above and the advice from the Landscape Officer, there is not considered to be any unacceptable landscape or visual impact arising from the development such as would warrant refusal of the application.

7.0 Ecology, Biodiversity and Protected Species

- 7.1 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.
- 7.2 Paragraph 180 of the NPPF requires planning authorities, when determining planning applications, to seek the conservation and enhancement of biodiversity by ensuring significant harm resulting from a development is avoided (through locating on an alternative site with less harmful impacts), or where not possible to be adequately mitigated, or, as a last resort, compensated for, and if this cannot be secured then planning permission should be refused.
- 7.3 The application site is an area of agricultural land, currently with arable crop. There are records of protected flora and fauna species in the surrounding area such that the proposed development has the potential to have an impact on ecology unless appropriate designed and mitigated.
- 7.4 Place Services Ecology have reviewed the Ecological Assessment provided and are not satisfied that sufficient ecological information has been provided, namely in respect of Priority Farmland bird species, particularly Skylark. This concern is shared by Suffolk Wildlife Trust and Rickingham Parish Council.
- 7.5 A Breeding Bird Survey has been carried out and is currently being reviewed by Place Services Ecology. A Skylark Mitigation Strategy may be required. The updated consultation response, and any update to the recommendation below, will be included in tabled papers and a verbal update will be provided at committee as necessary. Subject to satisfying Place Services Ecology, the application would be acceptable in this regard.

8.0 Flood Risk and Drainage

- 8.1 The application site lies in flood zone 1 and has some small areas of low risk from surface water flooding.

- 8.2 The proposed development will replace some of the undeveloped agricultural land with areas of hard surfacing for the access, roadways, associated buildings and solar panels. This will affect the drainage capacity of the site.
- 8.3 A Flood Risk Assessment has been provided. Infiltration testing has been completed during the course of the application and a Surface Water Drainage Strategy has been provided.
- 8.4 The Lead Local Flood Authority (LLFA) consider the proposal to be acceptable subject to condition. Thus, there are not considered to be any unacceptable flood risk or drainage impacts that warrant refusal of this application.

9.0 Heritage Issues

- 9.1 The duty imposed by s.66(1) of the Listed Buildings Act 1990 sets a presumption against the grant of planning permission which causes harm to a heritage asset. The assessment of heritage harm is the subject of policy set out in the NPPF and Local Plan policies seeks to safeguard against harm. A finding of harm, even less than substantial harm, to the setting of a listed building is a material consideration to which the decision-maker must give “considerable importance and weight”.
- 9.2 The proposed development, by virtue of its siting and scale, has the potential to impact the setting and significance of a number of designated heritage assets. The assessment from Place Services Heritage and Historic England relates to Suggenhall Farmhouse (Grade II listed) and St Marys Church (Grade I listed), respectively.
- 9.3 Suggenhall Farmhouse is situated within a complex of associated farm buildings on the north side of Church Lane which borders the application site. The asset has views across the open landscape to the south which makes a positive contribution to its setting. The proposed development would impact these views and obscure the legibility and understanding of Suggenhall Farmhouse as part of the farmstead associated with the agricultural land.
- 9.4 St Marys Church is situated to the northwest of the site. Due to the isolated nature of the church, it has strong links to the surrounding countryside and the rural and undeveloped character of the area contributes to the significance of the listed building. Historic England consider the proposed development to result in inappropriate development within its setting.
- 9.5 Both Place Services Heritage and Historic England recommended a reduction in scale of the solar farm as a possible mitigation measure. The development has been reduced by 8% and a 60m buffer strip has been created between the solar panels and Church Lane.
- 9.6 Paragraph 202 of the NPPF states that: “*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use*”.
- 9.7 It is considered that the proposed development would result in a less than substantial harm to the designated heritage assets, albeit this level of harm would be at the lower end of less than substantial, but this is harm nonetheless. As such, this harm should be weighed against the public benefits on the proposal.
- 9.8 The contribution this scheme would make to addressing the national challenges of climate change and energy security as part of the government’s wider objectives for decarbonisation within the net zero agenda are recognised as significant public benefits. It is also acknowledged that the principle

of renewable energy is also sustainable by definition. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The development of renewable energy is important to the future energy security of the country and cannot be underestimated.

- 9.9 In the round the public benefits are substantial and are considered to outweigh the weight attached to the identified harm to the heritage assets. It is also relevant to consider in this weighing exercise that the proposed development is for a limited period after which it will be removed and the site reinstated to its current condition, which can be secured by condition.
- 9.10 The comments from Historic England regarding thicker planting along the western boundary are noted. In the Place Services Landscape consultation response, the importance of retaining views of the Church from PROW 016 was highlighted. Officers are concerned that by thickening up the western boundary the appreciation of the asset would be minimised. It is therefore concluded, in accordance with advice from your heritage adviser, to condition the proposed planting with no requirement to increase thickness.
- 9.11 SCC Archaeology advise that the site lies within an area of archaeological potential and recommend conditions to secure appropriate investigation and recording of below ground assets.
- 9.12 The proposed development is therefore considered to comply with Local Plan policies GP01 and HB01, Core Strategy Policies CS5 and Section 16 of the NPPF.

10.0 Impact on Residential Amenity

- 10.1 The site is situated in close proximity to a number of residential properties including but not limited to: Sunnyside, Upper Church Farm, Suggenhall Farmhouse, Suggenhall Barn, Potter's Farm and Falcon's Hall Cottages.
- 10.2 Due to the nature of the proposal, privacy and overlooking concerns will not arise from the development.
- 10.3 There will be increased traffic movements along Finningham Road during the construction period. Once the development is operational it will be unmanned so there will minimal disturbance impact from vehicle movements, all of which will be on the public highway. A construction management plan condition would adequately control this aspect of the proposal.
- 10.4 The proposed development includes electrical / mechanical equipment that would produce noise when operational which has the potential to be heard at nearby residential properties, affecting the level of amenity enjoyed by occupants. A Noise and Vibration Assessment has been submitted which concludes that the predicted noise contribution from maximum operations would be below the representative background sound level during daytime periods. During night-time noise would be well below the typical residual sound levels. Acoustic barriers are proposed around the BESS containers, DNO Substation and Switch-room and Control Centre buildings to mitigate disturbance. The predicted noise levels and proposed mitigation measures are considered sufficient and acceptable by the Council's Environmental Protection Officers.
- 10.5 A Glint and Glare Assessment has been provided. The assessment states that there are 19no. dwellings that could potentially be impacted by glint and glare from the development. Of these, 7no. are predicted to experience glare for three months of the year, for no more than 60 minutes a day. However, the proposed screening (in the medium to long term) will block the views of the proposed development's reflective areas.

- 10.6 A number of neighbour representations have raised concerns regarding the potential light-blocking. The solar panels have a maximum height of 2.4m. The panels are approximately 100m from the nearest neighbour (Suggenhall Barn). To the west the nearest neighbour is approximately 170m from the panels. The low-level nature of the development the significant separation distance means that light-blocking would be negligible.
- 10.7 BMSDC's Environmental Protection Officer has raised no objection subject to conditions. The recommended conditions secure/restrict noise levels, external lighting, reporting method for glare complaints and programme for mitigation, no burning, dust nuisance, construction hours, and Construction Management Plan.
- 10.8 Overall, there are not considered to be any unacceptable impact in respect residential amenity such as would warrant refusal of the application.

11.0 Health and safety

- 11.1 Solar arrays and battery storage installations are usually unmanned and operated remotely as is the case with the proposed development.
- 11.2 BESS are a relatively new technology and developments for such installations have only been dealt with fairly recently. As such, although there is ongoing discussion and comment at government level, there is limited specific policy relating to BESS development proposals. Therefore, in assessing the health and safety impacts of the proposal it is considered appropriate to follow the precedent of decision making on similar recent applications by other local authorities and the Secretary of State. As such it is necessary to consider whether there is sufficient information provided to demonstrate that risks associated with the construction, operation and decommissioning of the development proposal can be appropriately and safely managed and mitigated.
- 11.3 The proposed batteries in the BESS would use Lithium-ion. Some concerns have been raised regarding the safety of Lithium. It should be noted that the equipment must be installed in accordance with existing electrical installation regulations and standards and that Lithium is not listed as a named hazardous substance. It is also relevant to state that the planning process and decision making should not duplicate the function of other regulatory bodies.
- 11.4 In terms of fire risk, the temperature in each cell is monitored and when the temperature is in excess of the optimal operating conditions, air conditioning units turn on. If temperatures continue to increase, the cell will partially or fully shutdown to mitigate any risk of thermal runaway and fire. In the event of a fire within a BESS container, a fire suppression system would automatically trigger. This system comprises of FM200 gas or similar, which is a waterless fire protection system, such as there is no risk to soils or ground water as a result of use. This system extinguishes fires in 10 seconds or less and is extremely safe with proper design and is frequently used in confined spaces.
- 11.5 The SCC Fire Service have requested a condition for a Fire Risk Management Plan to ensure the safe operation of the development. On the basis of this advice and the above there is not considered to be any health and safety impacts that warrant refusal of the application.

12.0 Parish Council Comments

- 12.1 With the exception of the request for a more comprehensive approach to alternative energy sources, the matters raised by the Rickinghall Parish Council have been addressed in the above

report. The Parish Council's request is noted and discussions within the Council are ongoing. Nonetheless, it is not within the remit of this application to be a material consideration.

PART FOUR – CONCLUSION

13.0 Planning Balance and Conclusion

- 13.1 The development supports the Government's policy for the UK's transition to achieving a low carbon economy and assist in meeting the pressing need for deployment of renewable energy generation in the UK to meet legally binding obligations for renewable energy consumption and more challenging targets in 2030 and onwards to net-zero emissions by 2050. The principle of renewable energy development is supported by the NPPF (and other existing and emerging Government policy). The proposal is considered to be in general accordance with those policies of the development that are up-to-date and the impacts of the proposal, as discussed above, are or can be made acceptable through conditions as recommended below. Therefore, in accordance with NPPF para 11c, the planning authority should grant permission without delay.
- 13.2 The 6.8MW proposal would provide electricity equivalent to the average electrical needs of approximately 1,560 homes annually and would result in significant savings of carbon dioxide emissions during its anticipated lifetime. Any renewable energy production is to be welcomed and this is a substantial benefit of the scheme in terms of energy production. In accordance with the provisions of the NPPF, significant weight is attached to this aspect of the proposal.
- 13.3 The proposed development would be for a duration of forty years and the agricultural land would be returned to its former condition at the end of the permitted period. The site could remain in agricultural use during the operational phase by way of sheep grazing. The proposal would not result in the loss of BMV agricultural land.
- 13.4 The solar array would change the landscape character and potentially result in some loss of visual amenity. This harm weighs against granting planning permission. The Council's Landscape Officer concurs with the LVIA assessment that with mitigation measures the long-term visual effects can be adequately reduced to 'minor' adverse.
- 13.5 Matters of ecology are in progress but outstanding. The Breeding Bird Survey is being reviewed by Place Services Ecology and subject to being deemed acceptable, allows the Council to satisfy its statutory duty in respect of biodiversity. An update will be provided by way of tabled papers and/or a verbal update at committee.
- 13.6 The Council's Environmental Health team have raised no objection in regard to noise, light and contamination, subject to conditions.
- 13.7 The proposed development would result in a less than substantial harm (lower end of the scale) to designated heritage assets by virtue of developing the rural landscape which contributes to the setting and significance of the assets. Substantial public benefits arise from the sustainable development and climate change objectives. These benefits are significant and considered to outweigh the less than substantial harm identified.
- 13.8 There are not considered to be any unacceptable flood risk or drainage or highways impacts that cannot be adequately mitigated such as would warrant refusal of the application.

13.9 The impacts of the development are either not unacceptable or can be mitigated to make them acceptable. The renewable energy and energy security benefits of the proposal are considered to weigh in favour of the proposal and, on balance, having regard to the assessment set out above, the proposed development is considered to be acceptable.

RECOMMENDATION

That authority be delegated to the Chief Planning Officer to GRANT planning permission, subject to resolving the outstanding ecology issues.

That, subject to resolving the outstanding ecology issues, authority be delegated to the Chief Planning Officer to GRANT planning permission subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer (and recommended by Place Services Ecology):

- Commencement time limit
- Temp PP 40 years plus removal and reinstatement if operation ceases for a period of 6 months or at the end of the 40 year life. Reinstatement scheme to be agreed including biodiversity review, mitigation and details of retained landscape planting
- Approved Plans
- Archaeology - WSI and site investigation and post investigation assessment
- LLFA - Strategy for the disposal of surface water
- LLFA - Details of the implementation, maintenance and management of the strategy for the disposal of surface water
- LLFA - Surface water drainage verification report
- LLFA - Construction Surface Water Management
- Fire Risk Management Plan
- Highways - Details of proposed access
- Highways - Provision of visibility splays
- Highways - Details of surface water discharge
- Highways / EH - Construction Management Plan
- Highways - Deliveries Management Plan
- Highways - Details of loading, unloading, manoeuvring and parking areas and EV charging
- EH - Noise Assessment (and necessary mitigation)
- EH - External lighting restriction
- EH - Method for reporting glare complaints and programme for mitigation
- EH - Construction hours restriction
- EH - Burning restriction / Dust and litter nuisance minimised
- Landscape - Landscape details
- Landscape - Details the materials, colours and finishes of buildings
- Landscape - Advanced planting
- Landscape - Landscape Management Plan
- SWT - Landscape Environment Management Plan
- SWT - Biodiversity Enhancement Strategy

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

- Pro active working statement
- PROW
- SCC Highways notes
- Archaeology
- LLFA
- EH - Land Contamination

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Application No: DC/21/06825

Location: Land To The South Of Suggenhall Farm, Church Lane, Rickinghall

Page No.

| | | |
|---|---|--|
| Appendix 1: Call In Request | <i>N/a</i> | |
| Appendix 2: Details of Previous Decision | <i>N/a</i> | |
| Appendix 3: Town/Parish Council/s | <i>Rickinghall PC</i> | |
| Appendix 4: National Consultee Responses | <i>Historic England MoD Environment Agency CAA</i> | |
| Appendix 5: County Council Responses | <i>Archaeology Fire and Rescue Floods Team Highways PROW Travel Plan Officer</i> | |
| Appendix 6: Internal Consultee Responses | <i>Ecology Env Health – Land Contamination Env Health – Air Quality Env Health – Noise / Odour, etc Landscape Planning policy</i> | |
| Appendix 7: Any other consultee responses | <i>Ward Member – Cllr Fleming</i> | |



Babergh and Mid Suffolk District Councils



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

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



Babergh and Mid Suffolk District Councils

Consultee Comments for Planning Application DC/21/06825

Application Summary

Application Number: DC/21/06825

Address: Land To The South Of Suggenhall Farm Church Lane Rickinghall IP22 1LL

Proposal: Full Planning Application - Development of a photovoltaic solar array, battery storage and ancillary infrastructure.

Case Officer: Averil Goudy

Consultee Details

Name: Mrs Leeann Jackson-Eve

Address: Wayside, Cherry Tree Lane, Botesdale Diss, Suffolk IP22 1DL

Email: Not Available

On Behalf Of: Rickinghall Superior And Inferior Parish Clerk

Comments

The PCs meeting on 3 March was attended by 11 members of the public who relayed their concerns about the reconsultation on the photovoltaic solar array, battery storage and ancillary infrastructure on land to the south of Suggenhall Farm, Church Lane. It was felt strongly that the new submission still did not adequately address the harmful effect on nearby residential and business properties, on wildlife and nature and on the landscape, including two public rights of way which overlook the site, as well as the loss of arable land. The following issues were highlighted:

The re-siting of the buildings would be more prominently visible from neighbouring properties and the Grade I Listed church.

The native hedge screening would not mature to 3m for up to 10 years and there was no indication of how the impact on surrounding properties, and other users of the countryside, would be mitigated during the growth period.

The loss of arable land, particular during a time when supplies of produce were uncertain due to worldwide events, was insupportable. It was felt strongly that the UK should focus on becoming more self-sustaining.

The PC agrees that these issues need to be addressed more adequately within the application and a compelling argument needs to be made to justify the loss of arable land and the loss of amenity to residents and other users of the countryside.

Furthermore, in its previous comments the PC stated With respect of the Botesdale & Rickinghall Neighbourhood Plan, Policy B&R20 states that Development which will result in the loss of existing amenity, sport or recreation open space (defined in the NP as all open space of public value which offer[s] important opportunities for sport and recreation and can act as a visual amenity) or facilities will not be allowed unless it can be demonstrated that it is surplus to

requirement against the local planning authority's standards for the particular location. The PC does not consider that this requirement has been met within the application. B&R21 states that Development which would adversely affect the character or result in the loss of existing or proposed rights of way, will not be permitted unless alternative provision or diversions can be arranged which are at least as attractive, safe and convenient for public use. The PC does not consider that this requirement has been sufficiently addressed within the application. The Neighbourhood Plan continues to be ignored by the applicant and so the PC still considers the submission to be insufficient in this respect.

The PC therefore objects to the application for insufficient evidence regarding the concerns outlined above and to the proposal as remaining more harmful than beneficial to the local community.

In addition, it calls on MSDC, SCC and central Government to initiate a more comprehensive approach to the provision of alternative energy sources in Suffolk and the UK. It was suggested that a proactive approach requiring solar panels on new builds and initiating a programme of installing solar panels on industrial buildings and brownfield sites would greatly reduce the need for rural/arable sites such as this. It was felt strongly that not enough thought had been given to the impact solar farms had on the countryside, on the self-sustainability of the UK and on rural amenity characteristics which are a valuable resource for well-being. It was also suggested that Suffolk had already contributed disproportionately to alternative energy sources and Suffolk local authorities should lead the way in providing a masterplan for the county rather than the current piecemeal approach to considering sites.

Consultee Comments for Planning Application DC/21/06825

Application Summary

Application Number: DC/21/06825

Address: Land To The South Of Suggenhall Farm Church Lane Rickinghall IP22 1LL

Proposal: Full Planning Application - Development of a photovoltaic solar array, battery storage and ancillary infrastructure.

Case Officer: Averil Goudy

Consultee Details

Name: Mrs Leeann Jackson-Eve

Address: Wayside, Cherry Tree Lane, Botesdale Diss, Suffolk IP22 1DL

Email: Not Available

On Behalf Of: Rickinghall Superior And Inferior Parish Clerk

Comments

The PCs meeting on 11 January was attended by 15 members of the public who relayed their concerns about the photovoltaic solar array, battery storage and ancillary infrastructure on land to the south of Suggenhall Farm, Church Lane. These focussed primarily on the harmful effect on nearby residential and business properties, on wildlife and nature and on the landscape, including two public rights of way which overlook the site, as well as the loss of arable land.

The PC noted that in the National Planning Policy Framework (2021) there is a presumption in favour of sustainable development, and government targets for energy provision mean that more and more schemes of this type will be approved.

And while the PC accepted the concerns about the effect on wildlife and nature, it was felt that the long-term nature of the project would allow adaptation and restoration of balance in this respect. That said, the PC wished to see more information about the effect on ground-nesting skylarks on site and how that would be mitigated.

In respect of the Botesdale & Rickinghall Neighbourhood Plan, Policy B&R20 states that Development which will result in the loss of existing amenity, sport or recreation open space (defined in the NP as all open space of public value which offer[s] important opportunities for sport and recreation and can act as a visual amenity) or facilities will not be allowed unless it can be demonstrated that it is surplus to requirement against the local planning authoritys standards for the particular location. The PC does not consider that this requirement has been met within the application. B&R21 states that Development which would adversely affect the character or result in the loss of existing or proposed rights of way, will not be permitted unless alternative provision or diversions can be arranged which are at least as attractive, safe and convenient for public use. The PC does not consider that this requirement has been sufficiently addressed within the

application.

The PC also felt significant concern about the effect on two neighbouring properties, Suggenhall Farm Barn and Sunnyside, and considered that the application fell far short in its response to the loss of amenity including impairment to wellbeing from glint/glare, noise and the visual impact to residents and employees of these properties and other users of the countryside.

Given the obvious negative impact on the local community, the PC agreed that the environmental, social and economic benefits were not adequately proven. For that reason and based on the concerns outlined above, the PC objects to the proposal.

BMSDC Planning Area Team Yellow

From: Jessica Fleming (SCC Councillor)
Sent: 16 March 2022 14:21
To: BMSDC Planning Area Team Yellow
Cc: Philip Isbell; David Burn (Cllr); Tom Barker; Cassandra Clements; Jessica Fleming (Cllr)
Subject: FW: MSDC Planning Re-consultation Request Rickingham Solar Farm - DC/21/06825 - FUL
Attachments: ufm10_Standard_Re-consultation_Letter.pdf
Importance: High
Categories: kirsty

My comments area as follows:

As ward councillor I have attended two parish council meetings about this application, both packed with people objecting to the proposal and have received multiple communications from concerned residents which, with 2 exceptions, are strongly opposed to this project on a wide variety of grounds, both local and more strategic. While the amended proposal is an improvement on the original, it does not remove the main objections which people are putting forward.

Locally, there are landscape and visual impacts which would have substantial negative effects on a Grade I listed church, a listed barn, on nearby residences (Sunnyside and Willow Cottage) and on the surrounding landscape in general which, contrary to comments contained in the LVIA, is not in my opinion degraded and is open, beautiful and very characteristic of central/ northern Suffolk. The neighbouring property owner of Sunnyside Farm Shop is likely to be seriously affected by the proposal which would place panels and equipment (glint, glare and nuisance) directly adjacent to his land and buildings thus jeopardising a very sustainable and valued agricultural enterprise where fruit and vegetables are grown, sold and distributed locally.

More strategically, it is clear that the District Council is receiving multiple applications for this type of solar farm (<50MW) due to the anticipated government support for renewables given our zero carbon commitment. There does not appear to be a mechanism in place to assess 'carrying capacity' for these developments on a cumulative basis, but this needs to be remedied as a matter of urgency. Many people expressed concern at the lack of apparent control of how many, where, and what the real value is in allowing multiple applications to go forward without a joined up approach.

I have concerns about effects on the Suffolk landscape from increasing 'urbanisation' due to multiple solar and other energy related developments of which there are many. This will/ would have a lasting detrimental effect on the tranquillity and visual values that are presently still available for both residents and tourists. These characteristics can be progressively eroded quite easily unless controls are put in place, and is the reason I have been pushing for a heritage and historic environment Supplementary Planning Document, which is urgently needed. Until the relevant assessments have been completed and an SPD is in place I would like to see a hold or pause on the multiple largely rural energy projects that are coming in. Some of the large scale projects and NSIPs we clearly cannot stop but can shape, and could shape more effectively with an SPD.

People have also raised concerns about loss of agricultural land, regardless of whether it is grade 2, 3a or 3b. It is all good productive land for grain, other crops and vegetables. The growing need to produce food within our own country is becoming increasingly urgent and in addition to the sustainability and carbon footprint arguments there are real national security arguments as well. This issue was raised repeatedly at local meetings. I am aware that some solar farm operators state that they can run sheep or even geese, however this does not seem in reality to be the norm and be a token response. (Can you imagine trying to herd sheep in a solar array??)

Passive solar in our climate and on greenfield is an inefficient use of land and is by far the least efficient of all possible means of energy generation per unit area. Acknowledging we are in a climate and environmental emergency does imply that we need to respond by seeking sensible ways to generate energy at a local level, however I do not believe that this is the way to do it nor do such projects contribute significant gain to our national picture.

In summary, and despite the energy that such a project would produce, I do not believe that the positives outweigh the negatives and that this application should be refused.

Thank you.

With kind regards,

Jessica

Cllr. Jessica Fleming
Suffolk County Council, Hartismere Division Chairman, Suffolk Health Scrutiny Committee Mid Suffolk District Council, Rickinghall Ward Cabinet Member for Environment & Waste.
Email: jessica.fleming@suffolk.gov.uk
Tel: (m) 07714-597980

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

From: planningyellow@baberghmidsuffolk.gov.uk <planningyellow@baberghmidsuffolk.gov.uk>
Sent: 22 February 2022 08:37
To: Jessica Fleming (Cllr) <Jessica.Fleming@midsuffolk.gov.uk>
Subject: MSDC Planning Re-consultation Request - DC/21/06825 - FUL

Please find attached planning re-consultation request letter relating to planning application - DC/21/06825 - Land To The South Of Suggenhall Farm, Church Lane, Rickinghall, IP22 1LL

Kind Regards

Planning Support Team

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

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

information. Any information about you that we pass to a third party will be held securely by that party, in accordance with the Data Protection Act 2018 and used only to provide the services or information you have requested.

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



Ms Averil Goudy
Babergh and Mid Suffolk District Councils
Endeavour House
8 Russell Road
Ipswich
Suffolk
IP1 2BX

Direct Dial: 01223 582740

Our ref: P01450378

15 March 2022

Dear Ms Goudy

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

**LAND TO THE SOUTH OF SUGGENHALL FARM, CHURCH LANE,
RICKINGHALL, IP22 1LL
Application No. DC/21/06825**

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

Historic England Advice

Historic England previously raised concerns regarding this application in our letter of 14 January 2022 on heritage grounds due to the harm caused to the grade I listed building through inappropriate development within its setting. We advised that development of the northern and western arms of the application site should be removed from the scheme or relocated to a less sensitive location towards the south.

The amended plans show an 8% reduction in solar panels and these have been removed from the northern field inline with our advice. While we welcome this reduction and consider it has gone some way in lessening the impact on the grade I listed church we do not consider this has fully addressed our concerns and would suggest that the solar panels are completely removed from the northern and western arms of the development.

Historic England continues to consider that the proposed application (even with the reduction in the number of solar panels) would result in less than substantial harm to St Mary's church through inappropriate development within its setting. The rural and isolated character of the area contributes to the significance of the church and this would be impacted, as demonstrated by the LVIA, as the solar farm would be seen in views of the tower across the fields and in views from the roads when approaching the church. We would suggest that development of the northern and western arms of the application site are either removed from the scheme or relocated to a less sensitive location towards the south. Should the council be minded to grant planning permission as the application currently stands then we would suggest thicker planting along the western boundary. We would refer the council to our previous letter.





Historic England

Yours sincerely

Sophie Cattier

Assistant Inspector of Historic Buildings and Areas

E-mail: sophie.cattier@HistoricEngland.org.uk



Historic England, Brooklands, 24 Brooklands Avenue, Cambridge CB2 8BU

Telephone 01223 58 2749 HistoricEngland.org.uk

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

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





Ms Averil Goudy
Babergh and Mid Suffolk District Councils
Endeavour House
8 Russell Road
Ipswich
Suffolk
IP1 2BX

Direct Dial: 01223 582740

Our ref: P01450378

14 January 2022

Dear Ms Goudy

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

**LAND TO THE SOUTH OF SUGGENHALL FARM, CHURCH LANE,
RICKINGHALL, IP22 1LL
Application No. DC/21/06825**

Thank you for your letter of 20 December 2021 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Historic England Advice

St Mary's is a rural church which dates to the 14th century and was heavily restored in 1868 by W.C. Fawcett. It is constructed of rubble and knapped flint with ashlar and red brick dressings. The square, four stage west tower is a prominent feature within the landscape and can be seen in views across the agricultural fields that surround the church and from road approaches to the east and south. The church is set away from the village of Rickingham and sits within countryside and fields with a number of grade II cottages scattered close by. St Mary's is listed at grade I in recognition of its exceptional level of special architectural and historic interest and so falls within the top 2.5.% of listed buildings nationally.

This application proposes the installation of a photovoltaic solar array, battery storage and ancillary infrastructure in fields to the east of St Mary's church. Due to the isolated nature of the church it has strong links to the surrounding countryside and agricultural fields, the rural and undeveloped character of the area contributes to the significance of the grade I listed building. The LVIA images produced alongside this application demonstrate that the solar panels would be seen in views of the tower from across the fields. While the Heritage Statement suggests that there are no views from the church to the application due to hedgerows and planting it would be helpful for photographs to be produced to support this statement. The proposed location of the solar panels to the north and west of the application site would clearly be in views when approaching the church which would disrupt the isolated and rural character of the area. This would result in less than substantial harm to the significance of St Mary's church through inappropriate development within its setting.





The National Planning Policy Framework (NPPF) identifies that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations (paragraph 189). Paragraph 194 of the NPPF requires applicants to provide sufficient information on the heritage assets affected by the development to allow assessment of that development on their historic significance. Paragraph 197 of the NPPF states that when determining applications local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets. Paragraph 199 also states that when considering impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be), irrespective of the level of harm. Paragraph 200 states that any harm to, or loss of, significance of a designated heritage asset should require clear and convincing justification. 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 (Paragraph 202).

Historic England considers the proposed application would result in less than substantial harm to St Mary's church through inappropriate development within its setting. The rural and isolated character of the area contributes to the significance of the church and this would be impacted, as demonstrated by the LVIA, as the solar farm would be seen in views of the tower across the fields and in views from the roads when approaching the church. We would suggest that development of the northern and western arms of the application site are either removed from the scheme or relocated to a less sensitive location towards the south. Should the council be minded to grant planning permission as the application currently stands then we would suggest thicker planting along the western boundary.

Recommendation

Historic England has concerns regarding the application on heritage grounds due to the harm caused to the grade I listed building through inappropriate development within its setting. This harm could be mitigated by reducing the number of solar panels, moving the development out of the northern and western arms of the field and increasing planting along the boundaries. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 197, 199 and 200 of the NPPF.

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.





Historic England

Yours sincerely

Sophie Cattier

Assistant Inspector of Historic Buildings and Areas

E-mail: sophie.cattier@HistoricEngland.org.uk



Historic England, Brooklands, 24 Brooklands Avenue, Cambridge CB2 8BU

Telephone 01223 58 2749 HistoricEngland.org.uk

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

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





Ministry of Defence

Philip Isbell
Babergh and Mid Suffolk District Councils
Endeavour House
8 Russell Road
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IP1 2BX

Defence Infrastructure Organisation

Ministry of Defence
Safeguarding Department
St George's House
DIO Headquarters
DMS Whittington
Lichfield
Staffordshire
WS14 9PY

Tel: 07815484477

E-mail: DIO-safeguarding-statutory@mod.gov.uk

www.mod.uk/DIO

01 March 2022

Your reference: D/21/06825
Our reference: DIO 10054209

Dear Philip,

MOD Safeguarding – SITE OUTSIDE SAFEGUARDING AREA (SOSA)

Proposal: Full Planning Application - Development of a photovoltaic solar array, battery storage and ancillary infrastructure.

Location: Land to The South of Suggenhall Farm, Church Lane, Rickinghall, IP22 1LL

Grid Ref: Easting: 604713 Northing: 274349

Thank you for consulting the Ministry of Defence (MOD) on the above proposed development, with the revised documents, which was received by this office.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the Ministry of Defence (MOD) as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites or training resources such as the Military Low Flying System.

The development is for a PV Solar Array with battery storage and ancillary infrastructure.

This application relates to a site outside of Ministry of Defence safeguarding areas. I can therefore confirm that the Ministry of Defence has no safeguarding objections to this proposal.

I trust this is clear however should you have any questions please do not hesitate to contact me.

Yours sincerely



Kaye Noble
Assistant Safeguarding Manager
DIO safeguarding



Ministry of Defence

Philip Isbell
Babergh and Mid Suffolk District Councils
Endeavour House
8 Russell Road
Ipswich
IP1 2BX

Defence Infrastructure Organisation

Ministry of Defence
Safeguarding Department
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Lichfield
Staffordshire
WS14 9PY

Tel: 07815484477

E-mail: DIO-safeguarding-statutory@mod.gov.uk

www.mod.uk/DIO

10 February 2022

Your reference: DC/21/06825
Our reference: DIO 10054209

Dear Philip,

MOD Safeguarding – SITE OUTSIDE SAFEGUARDING AREA (SOSA)

Proposal: Full Planning Application - Development of a photovoltaic solar array, battery storage and ancillary infrastructure.

Location: Land to The South Of Suggenhall Farm, Church Lane, Rickinghall, IP22 1LL

Grid Ref: Easting: 604743 Northing: 274475

Thank you for consulting the Ministry of Defence (MOD) on the above proposed development which was received by this office.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the Ministry of Defence (MOD) as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites or training resources such as the Military Low Flying System.

The development is for a PV Solar array and ancillary infrastructure.

This application relates to a site outside of Ministry of Defence safeguarding areas. I can therefore confirm that the Ministry of Defence has no safeguarding objections to this proposal.

I trust this is clear however should you have any questions please do not hesitate to contact me.

Yours sincerely



Kaye Noble
Assistant Safeguarding Manager
DIO safeguarding

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

From: Rachael Abraham

Sent: 01 March 2022 13:55

Subject: RE: MSDC Planning Re-consultation Request - DC/21/06825 - FUL

Dear Averil,

Thank you for re-consulting us on this application.

Our advice remains the same as that provided on 6/1/ which I have attached for convenience.

Please note the inclusion within the proposed condition wording for a management plan to secure an area of archaeological remains defined by the geophysical survey in situ (as agreed through pre-application discussions with the applicant which is reflected in the submitted plans which remove this area from the area of development entirely).

Best wishes,

Rachael

Rachael Abraham B.A. (Hons), M.A.

Senior Archaeological Officer

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

Philip Isbell
Chief Planning Officer
Planning Services
Babergh and Mid Suffolk District Councils
Endeavour House
8 Russell Road
Ipswich IP1 2BX

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

Our Ref: 2021_06825
Date: 6th January 2022

For the Attention of Bronwen Curtis

Dear Mr Isbell

Planning Application DC/21/06825 – Land to the south of Suggenhall Farm, Rickinghall: Archaeology

This site lies in an area of archaeological potential recorded on the County Historic Environment Record, in close proximity finds scatters dating from the prehistoric to the medieval periods (RKS 007, 013, 015, 021) and close to the site where Roman occupation was defined (RKS 014). A geophysical survey of the proposed solar farm site has defined an area of anomalies likely to be archaeological in origin. Although excluded from the proposed development area, this indicates the potential for further associated remains which geophysical survey was unable to detect across the wider solar farm area. As a result, there is high potential for the discovery of below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.

There are no grounds to consider refusal of permission in order to achieve preservation *in situ* of any important heritage assets. However, in accordance with the *National Planning Policy Framework* (Paragraph 205), 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.
- h. Mitigation details for the preservation *in situ* of archaeological features within the development area during construction and a management plan for the ongoing protection of these features in perpetuity.**

2. The solar farm shall not be brought into operation 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, Conservation Team.

I would be pleased to offer guidance on the archaeological work required and, in our role as advisor to Mid Suffolk District Council, the Conservation Team of SCC Archaeological Service will, on request of the applicant, provide a specification for the archaeological 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.

As current plans propose to preserve the area of geophysical anomalies *in situ* by avoiding the placement of any solar panels in this area, a management plan for this area will be required which sets out a methodology to ensure that no ground disturbance occurs within defined Preservation In Situ area (PIS) both during development and throughout the long-term use of the site. Provided that ground disturbance is avoided **entirely** in this part of the site and that appropriate measures are put in place to secure the long term preservation of the archaeology, then further archaeological mitigation work in this area will not be required. Should **any** groundworks be planned, then this area will need to be subject to archaeological assessment and mitigation prior to the commencement of any development in this part of the proposal area.

The management plan will need to clearly define the extent of the PIS area and will also need to set out that this area must be fenced off during construction work with clear signage, that no machinery may track across the PIS area and that it must not be used for material or spoil storage or site access/compounds during construction.

In addition, there will need to be an appropriate methodology for the upgrading of the existing site access which runs adjacent to the PIS area that avoids ground disturbance, otherwise archaeological mitigation may be required.

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,

Rachael Abraham

Senior Archaeological Officer
Conservation Team

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

Sent: 06 Jun 2022 10:44:28

To:

Cc:

Subject: FW: 2022-06-06 JS Reply Land To The South Of Suggenhall Farm, Church Lane, Rickingham, IP22 1LL Ref DC/21/06825 - FUL

Attachments:

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

Sent: 06 June 2022 10:38

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

Cc: Averil Goudy <Averil.Goudy@baberghmidsuffolk.gov.uk>

Subject: 2022-06-06 JS Reply Land To The South Of Suggenhall Farm, Church Lane, Rickingham, IP22 1LL Ref DC/21/06825 - FUL

Dear Averil Goudy,

Subject: Land To The South Of Suggenhall Farm, Church Lane, Rickingham, IP22 1LL Ref DC/21/06825 - FUL

Suffolk County Council, as Lead Local Flood Authority (LLFA), have reviewed application ref DC/21/06825

The following submitted documents have been reviewed and we recommend **approval subject to conditions** at this time.

- Site location plan Ref 3044-01-02
- Flood Risk Assessment Final Report v1.1
- Technical Note, Proposed Surface Water Drainage Ref v2.1
- Plan of Watercourse Ref Ditches

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

1. No development shall commence until details of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the local planning authority (LPA).

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure that the proposed development can be adequately drained

2. No development shall commence until details of the implementation, maintenance, and management of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the LPA. 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.

3. Within 28 days of practical completion of the last dwelling or unit, surface water drainage verification report shall be submitted to the Local Planning Authority, detailing, and verifying that the surface water drainage system has been inspected and has been built and functions in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks in an agreed form, for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure that the surface water drainage system has been built in accordance with the approved drawings and is fit to be put into operation and to ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as required under s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk

<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-asset-register/>

4. No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the LPA. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP shall include:

Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:-

- i. Temporary drainage systems
- ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
- iii. Measures for managing any on or offsite flood risk associated with construction

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater

<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-on-development-and-flood-risk/construction-surface-water-management-plan/>

Informatives

- Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991
- Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017
- Any discharge of surface water to a watercourse that drains into an Internal Drainage Board district catchment is subject to payment of a surface water developer contribution
- Any works to lay new surface water drainage pipes underneath the public highway will need a licence under section 50 of the New Roads and Street Works Act
- Any works to a main river may require an environmental permit

Kind Regards

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

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

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

Sent: 17 May 2022 11:47

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

Subject: MSDC Planning Re-consultation Request - DC/21/06825 - FUL

Please find attached planning re-consultation request letter relating to planning application - DC/21/06825 - Land To The South Of Suggenhall Farm, Church Lane, Rickinghall, IP22 1LL

Kind Regards

Planning Support Team

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

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

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

From: GHI Floods Planning

Sent: 02 March 2022 13:14

Subject: 2022-03-02 JS Reply Land To The South Of Suggenhall Farm, Church Lane, Rickinghall, IP22 1LL Ref DC/21/06825 - FUL

Dear Averil Goudy,

Subject: Land To The South Of Suggenhall Farm, Church Lane, Rickinghall, IP22 1LL Ref DC/21/06825 - FUL

Suffolk County Council, as Lead Local Flood Authority (LLFA), have reviewed application ref DC/21/06825

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

- Site location plan Ref 3044-01-01
- Site location plan Ref 3044-01-02
- Flood Risk Assessment Final Report v1.1
- Technical Note, Proposed Surface Water Drainage Ref v1.1

A holding objection is necessary because the information provide does not satisfy the previous consultation reply regarding surface water drainage for the proposed development.

The holding objection is a temporary position to allow reasonable time for the applicant and the LLFA to discuss what additional information is required 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. Supply a detail strategy for the disposal of surface water

| Document Submitted | Document Description |
|---|--|
| Flood Risk Assessment (FZ3 or Site >1Ha) | Evaluation of flood risk (fluvial, pluvial & groundwater) to the site – will guide layout and location of open spaces. (SCC may require modelling of ordinary watercourse if EA Flood Maps not available) |
| Drainage Strategy/Statement (less detail required for Outline) | Document that explains how the site is to be drained using SuDS principles. Shall include information on:- <ul style="list-style-type: none">• Existing drainage (inc adjacent roads)• Impermeable Area (Pre and Post Development)• Proposed SuDS• Hydraulic Calculations (see below)• Treatment Design (i.e. interception, pollution indices)• Adoption/Maintenance Details• Exceedance Paths |

| | |
|---|---|
| Contour Plan | Assessment of topography/flow paths/blue corridors |
| Impermeable Areas Plan | Plan to illustrate new impervious surfaces |
| Evidence of any third party agreements to discharge to their system (i.e. Anglian Water agreement or adjacent landowner) | Evidence of any permissions or permits being obtained. |
| Detailed Development Layout and SuDS Provision Plan (including landscaping details) | Dimensioned plans showing the detailed development layout including SuDS components, open spaces and exceedance corridors. |
| Full SI Report | Detailed assessment of ground conditions – leading on from initial testing <ul style="list-style-type: none"> • Widespread coverage of trial pits to BRE 365 • Contamination/Pollution check • Groundwater Monitoring |
| Detailed Drainage Scheme Plan | Dimensioned plan showing main aspects of the drainage infrastructure. Plans should ref:- <ul style="list-style-type: none"> • SuDS details (size/volume) • Pipe Numbers/Sizes/Levels • Outfall & Permitted Discharge (if applicable) |
| Detailed SuDS Drawings (Open SuDS) | Dimensioned plans of proposed SuDS components i.e. scaled cross sections/long sections |
| Full hydraulic calculations (MicroDrainage “Network” output) | At this stage, SCC require simulations of the drainage network inc SuDS components. MicroDrainage Network should be submitted for 1,30 and 100yr+CC storms. (Source Control files are useful but not enough on their own) |
| Discharge Agreements | Evidence of any permissions or permits being obtained. |
| Health and Safety Risk Assessment | Where deep open SuDS (water level >0.5m) are proposed a H&S file will be required. |

Kind Regards

Jason Skilton
Flood & Water Engineer
Suffolk County Council
Growth, Highway & Infrastructure

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

Sent: 23 Feb 2022 11:45:23

To:

Cc:

Subject: FW: 2022-02-23 JS Reply Land To The South Of Suggenhall Farm, Church Lane, Rickinghall, IP22 1LL Ref DC/21/06825

Attachments:

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

Sent: 23 February 2022 11:44

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

Cc: Averil Goudy <Averil.Goudy@baberghmidsuffolk.gov.uk>

Subject: 2022-02-23 JS Reply Land To The South Of Suggenhall Farm, Church Lane, Rickinghall, IP22 1LL Ref DC/21/06825

Dear Averil Goudy,

Subject: Land To The South Of Suggenhall Farm, Church Lane, Rickinghall, IP22 1LL Ref DC/21/06825

Suffolk County Council, as Lead Local Flood Authority (LLFA), have reviewed application ref DC/21/06825

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

- Site location plan 3044-01-01
- Site location plan 3044-01-02
- Flood Risk Assessment Final Report v1.1

A holding objection is necessary because the applicant has failed to submit any evidence of a strategy for the disposal of surface water in line with national and local policy/guidance.

The density, height and number of PV panels will dictate the type of surface water management system that is required by the LLFA. This can be done by utilising perimeter swales or filter strips every 5th row of PV panels.

Auxiliary buildings, depending on where they are located, and their plan area can normally have the surface water drainage design/built in accordance with Building Regulations Part H. However, a surface water drainage strategy utilising SuDS principles may be required if the LLFA believe this is necessary depending on the site.

Below Panel Maintenance needs to be considered, as below the panel will normally be laid to grass or pastureland, the type of maintenance will vary depending on how the ground below and around the panels is to be utilised.

-
If the area is to be laid to grass, it is recommended that this is a 80/20% grass/wildflower mix to allow for biodiversity enhancement/net gain. The management of this area should then be done in accordance with the species that utilise the grass and wildflowers. Careful consideration shall be given to the use of wheeled machinery to ensure that the soils are not overly compacted.

-
If the area below the panels is to be used for pastureland or grazing land, it is recommended that this is limited to a low-density number of sheep. Cattle or bovine species should not be used as they could cause damage to the PV panels and would compact the soil.

Sheep do not compact the soils and thus help the natural drainage of the soils. Careful attention needs to be paid to areas where the sheep may flock to avoid poaching and the grazing of the areas should be rotated.

Existing flood flow routes or blue corridors should be maintained.

The holding objection is a temporary position to allow reasonable time for the applicant and the LLFA to discuss what additional information is required 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. The applicant is to provide details of how the sites surface water will be drained.

Kind Regards

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

Dear Bron Curtis,

Subject: Land To The South Of Sugghenhall Farm, Church Lane, Rickinghall, IP22 1LL Ref DC/21/06825

Suffolk County Council, as Lead Local Flood Authority (LLFA), have reviewed application ref DC/21/06825

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

- Site location plan 3044-01-01
- Site location plan 3044-01-02

A holding objection is necessary because the applicant has failed to submit an assessment of flood risk, which is a requirement for all major development and has not presented any evidence of a strategy for the disposal of surface water in line with national and local policy/guidance.

NPPF Para 167. When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk

assessment 55

Footnote 55 A site-specific flood risk assessment should be provided for all development in Flood Zones 2 and 3. In Flood Zone 1, an assessment should accompany all proposals involving: sites of 1 hectare or more; land which has been identified by the Environment Agency as having critical drainage problems; land identified in a strategic flood risk assessment as being at increased flood risk in future; or land that may be subject to other sources of flooding, where its development would introduce a more vulnerable use

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. The applicant is to submit a flood risk assessment
2. The applicant is to provide details of how the sites surface water will be drained.

As a minimum, we require the following document and information to be submitted for each type of planning application or stage with the planning process.

Document Submitted Document

Description Full

Flood Risk Assessment

(FZ3 or Site >1Ha) Evaluation of flood risk (fluvial, pluvial & groundwater) to the site – will guide layout and location of open spaces. (SCC may require modelling of ordinary watercourse if EA Flood Maps not available)

Drainage Strategy/Statement (less detail required for Outline)

Document that explains how the site is to be drained using SuDS principles. Shall include information on:-

- Existing drainage (inc adjacent roads)
- Impermeable Area (Pre and Post Development)
- Proposed SuDS
- Hydraulic Calculations (see below)
- Treatment Design (i.e. interception, pollution indices)
- Adoption/Maintenance Details
- Exceedance Paths

Contour Plan Assessment of topography/flow paths/blue corridors


Impermeable Areas Plan Plan to illustrate new impervious surfaces

Evidence of any third party agreements to discharge to their system (i.e. Anglian Water agreement or adjacent landowner) Evidence of any permissions or permits being obtained.


Detailed Development Layout and SuDS Provision Plan (including landscaping details)

Dimensioned plans showing the detailed development layout including SuDS components, open spaces and exceedance corridors.

Full SI Report Detailed assessment of ground conditions – leading on from initial testing


- Widespread coverage of trial pits to BRE 365
- Contamination/Pollution check
- Groundwater Monitoring 

Detailed Drainage Scheme Plan Dimensioned plan showing main aspects of the drainage infrastructure. Plans should ref:-


- SuDS details (size/volume)
- Pipe Numbers/Sizes/Levels
- Outfall & Permitted Discharge (if applicable) 


Detailed SuDS Drawings


(Open SuDS)

Dimensioned plans of proposed SuDS components i.e. scaled cross sections/long sections 

Full hydraulic calculations

(MicroDrainage “Network” output) At this stage, SCC require simulations of the drainage network inc SuDS components. MicroDrainage Network should be submitted for 1,30 and 100yr+CC storms. (Source Control files are useful but not enough on their own) 

Discharge Agreements Evidence of any permissions or permits being obtained. 

Health and Safety Risk Assessment Where deep open SuDS (water level >0.5m) are proposed a H&S file will be required. 

Kind Regards

Jason Skilton

Flood & Water Engineer

Suffolk County Council

Growth, Highway & Infrastructure

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

****Note I am remote working for the time being****

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

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

Sent: 20 December 2021 14:57

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

Subject: MSDC Planning Consultation Request - DC/21/06825

Please find attached planning consultation request letter relating to planning application - DC/21/06825 - Land To The South Of Suggenhall Farm, Church Lane, Rickinghall, IP22 1LL

Kind Regards

Planning Support Team

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

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

For more information on how we do

From: BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>
Sent: 11 Jan 2022 11:20:05
To:
Cc:
Subject: FW: FAO AVERIL GOUDY
Attachments:

From: Angela Kempen <Angela.Kempen@suffolk.gov.uk>
Sent: 10 January 2022 17:07
To: BMSDC Planning Mailbox <planning@babberghmidsuffolk.gov.uk>
Subject: FAO AVERIL GOUDY

Good afternoon Ms. Goudy

DC/21/06825 - RICKENHALL

On behalf of the Suffolk Fire and Rescue Service please include the following comment your consultation.

SFRS would expect the developer and operator to produce a fire risk management plan that would ensure the impact of a fire or hazardous material spill is minimised and appropriate measures are taken to reduce the impact on the environment. Access to, and within, the site for fire appliances must be maintained to ensure any intervention is not delayed

Thank you and Kind regards

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

Our Mission Statement: We will make a positive difference for Suffolk. We are committed to working together, striving to improve and securing the best possible services.

we

Our Values: Wellbeing, Equality, Achieve, Support, Pride, Innovate, Respect, Empower

From: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>
Sent: 28 Feb 2022 10:28:48
To:
Cc:
Subject: FW: MSDC Planning Re-consultation Request - DC/21/06825 - FUL
Attachments:

From: Chris Ward <Chris.Ward@suffolk.gov.uk>
Sent: 28 February 2022 10:27
To: Averil Goudy <Averil.Goudy@baberghmidsuffolk.gov.uk>
Cc: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>
Subject: RE: MSDC Planning Re-consultation Request - DC/21/06825 - FUL

Dear Averil,

Thank you for notifying me about the re-consultation. On reviewing the planning documents submitted I have no comment to make.

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/>

Dear Bron,

Thank you for consulting me about the proposed solar development at Land to the South of Suggenhall Farm in Rickinghall. On reviewing the documents submitted I have no comment to make, as the development does not meet the thresholds that require 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/>

Your Ref: DC/21/06825
Our Ref: SCC/CON/0668/22
Date: 28 February 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: Averil Goudy - MSDC

Dear Averil

TOWN AND COUNTRY PLANNING ACT 1990 CONSULTATION RETURN: DC/21/06825

PROPOSAL: Full Planning Application - Development of a photovoltaic solar array, battery storage and ancillary infrastructure.

LOCATION: Land To The South Of Suggenhall Farm, Church Lane, Rickinghall, IP22 1LL

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

The recommended conditions and notes from our previous response dated 05/01/22 (ref: SCC/CON/5706/21) still apply.

Yours sincerely,

Ben Chester
Senior Transport Planning Engineer
Growth, Highways and Infrastructure

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

Email: planning@babberghmidsuffolk.gov.uk

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

For the attention of: Bron Curtis - MSDC

Dear Bron

TOWN AND COUNTRY PLANNING ACT 1990 CONSULTATION RETURN: DC/21/06825

PROPOSAL: Full Planning Application - Development of a photovoltaic solar array, battery storage and ancillary infrastructure.

LOCATION: Land To The South Of Suggenhall Farm, Church Lane, Rickinghall, IP22 1LL

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: No part of the development shall be commenced until details of the proposed accesses (including the position of any gates and visibility splays) indicatively shown on drawing nos. 3044-01-D01 and 3004-01-012 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 accesses are 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 access onto the B1113 is first used visibility splays shall be provided as shown on Drawing No. 3044-01-D01 with an X dimension of 2.4 metres and Y dimensions of 155 and 164 metres [tangential to the nearside edge of the carriageway] 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 to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

Reason: To ensure drivers of vehicles entering the highway have sufficient visibility to manoeuvre safely including giving way to approaching users of the highway without them having to take avoiding action and to ensure drivers of vehicles on the public highway have sufficient warning of a vehicle emerging in order to take avoiding action, if necessary.

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.

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

The Construction Management Plan shall include the following matters:

- a) parking and turning for vehicles of site personnel, operatives and visitors
- b) loading and unloading of plant and materials
- c) piling techniques (if applicable)
- d) storage of plant and materials
- e) provision and use of wheel washing facilities
- f) programme of site and all associated works such as utilities including details of traffic management necessary to undertake these works
- g) site working and delivery times
- h) a communications plan to inform local residents of the program of works
 - i) provision of boundary hoarding and lighting
 - j) details of proposed means of dust suppression
- k) details of measures to prevent mud from vehicles leaving the site during construction
 - l) haul routes for construction traffic on the highway network and
- m) monitoring and review mechanisms.
- n) Details of deliveries times to the site during construction phase.

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

Condition: All HGV delivery traffic movements to and from the site over the duration of the construction period shall be subject to a Deliveries Management Plan which shall be submitted to the Local Planning Authority for approval a minimum of 56 days before any deliveries of materials commence.

No HGV movements shall be permitted to and from the site other than in accordance with the routes defined in the Plan.

[The site operator shall maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.]

Reason: In the interests of highway safety, to reduce and / or remove as far as is reasonably possible the effects of HGV traffic in sensitive areas.

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 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 the current Suffolk Guidance for Parking where on-street parking and or loading, unloading and manoeuvring would be detrimental to highway safety.

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.

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. For further information please visit:

<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>

Yours sincerely,

Ben Chester
Senior Transport Planning Engineer
Growth, Highways and Infrastructure

From: GHI PROW Planning >

Sent: 17 February 2022 12:47

Subject: RE: MSDC Planning Consultation Request - DC/21/06825 - FUL *Land To The South Of Suggenhall Farm, Church Lane, Rickinghall

PUBLIC RIGHTS OF WAY AND ACCESS RESPONSE

REF: DC/21/06825

Thank you for your consultation concerning the above application.

As acknowledged in the 'Planning and Design & Access Statement', the proposed site does not contain any public rights of way (PROW) but there are PROW in the vicinity of the site including Rickinghall Superior Public Footpath 016 to the east of the site, Rickinghall Superior Public Footpath 024 south east of the site, and Rickinghall Superior Public Footpath 006 west of the site. The Definitive Map for Rickinghall Superior can be seen at: <https://www.suffolk.gov.uk/assets/Roads-and-transport/public-rights-of-way/Rickinghall-Superior.pdf> and a more detailed plot of public rights of way can be requested by the Applicant to accurately plot PROW on relevant plans. Please contact DefinitiveMaps@suffolk.gov.uk for more information. Note, there is a fee for this service.

We ask that where relevant, the following bullet points are all taken into account. In addition we have attached a PROW Position Statement containing guidance regarding Solar Farms and PROW:

1. **PROW MUST remain open, unobstructed, and safe for the public to use at all times, including throughout any construction period.** If it is necessary to temporarily close or divert a PROW, the appropriate process must be followed (please see points 4 and 5 below).
2. PROW are divided into the following **classifications**:
 - Public Footpath – only for use on foot or with a mobility vehicle
 - Public Bridleway – use as per a public footpath, and on horseback or by bicycle
 - Restricted Byway – use as per a bridleway, and by a 'non-motorised vehicle', e.g. a horse and carriage
 - Byway Open to All Traffic (BOAT) – can be used by all vehicles, in addition to people on foot, mobility vehicle, horseback and bicycle

All currently recorded PROW are shown on the **Definitive Map** and described in the **Definitive Statement** (together forming the legal record of all currently recorded PROW). There may be other PROW that exist which have not been registered on the Definitive Map. These paths are either historical paths that were not claimed under the National Parks and Access to the Countryside Act 1949 or since, or paths that have been created by years of public use. To check for any unrecorded rights or anomalies, please contact DefinitiveMaps@suffolk.gov.uk.

3. The applicant, and any future owners, residents etc, must have **private rights to take motorised vehicles over a PROW** other than a BOAT. To do so without lawful authority is an offence under the Road Traffic Act 1988. Any damage to a PROW resulting from works must be made good by the applicant. Suffolk County Council is not responsible for the maintenance and repair of PROW beyond the wear and tear of normal use for its classification and will seek to recover the costs of any such damage it is required to remedy. We do not keep records of private rights and suggest that a solicitor is contacted.

4. **The granting of planning permission IS SEPARATE to any consents that may be required in relation to PROW.** It DOES NOT give authorisation for structures such as gates to be erected on a PROW, or the temporary or permanent closure or diversion of a PROW. Nothing may be done to close, alter the alignment, width, surface or condition of a PROW, or to create a structure such as a gate upon a PROW, without the due legal process being followed, and permission being granted from the Rights of Way & Access Team as appropriate. Permission may or may not be granted depending on all the circumstances. To apply for permission from Suffolk County Council (as the highway authority for Suffolk) please see below:
- **To apply for permission to carry out work on a PROW**, or seek a temporary closure – <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/rights-and-responsibilities/> or telephone 0345 606 6071. PLEASE NOTE, that any damage to a PROW resulting from works must be made good by the applicant. Suffolk County Council is not responsible for the maintenance and repair of PROW beyond the wear and tear of normal use for its classification and will seek to recover the costs of any such damage it is required to remedy.
 - **To apply for permission for structures** such as gates to be constructed on a PROW – contact the relevant Area Rights of Way Team - contact the relevant Area Rights of Way Team <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/public-rights-of-way-contacts/> or telephone 0345 606 6071.
5. **To apply for permission for a PROW to be stopped up or diverted** within a development site, the officer at the appropriate borough or district council should be contacted at as early an opportunity as possible to discuss the making of an order under s257 of the Town and Country Planning Act 1990 - <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/public-rights-of-way-contacts/> PLEASE NOTE, that nothing may be done to stop up or divert the legal alignment of a PROW until the due legal process has been completed and the order has come into force.
6. Under Section 167 of the Highways Act 1980 any **structural retaining wall** within 3.66 metres of a PROW with a retained height in excess of 1.37 metres, must not be constructed without the prior written approval of drawings and specifications by Suffolk County Council. The process to be followed to gain approval will depend on the nature and complexity of the proposals. Construction of any retaining wall or structure that supports a PROW or is likely to affect the stability of the PROW may also need prior approval at the discretion of Suffolk County Council. Applicants are strongly encouraged to discuss preliminary proposals at an early stage.
7. **There may be a further requirement to enhance the PROW network relating to this development. If this is the case, a separate response will contain any further information.**

In the experience of the County Council, early contact with the relevant PROW officer avoids problems later on, when they may be more time consuming and expensive for the applicant to address. More information about Public Rights of Way can be found at www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/.

Thank you for taking the time to consider this response.

Public Rights of Way Team
Growth, Highways and Infrastructure
Suffolk County Council

Dear Bron

YOUR REF: 21/06825

OUR REF: 301670

SUBJECT: Full Planning Application - Development of a photovoltaic solar array, battery storage and ancillary infrastructure.

Land To The South Of Suggenhall Farm, Church Lane, Rickingham, IP22 1LL

Please find below my comments regarding air quality matters only.

Thank you for your consultation on the above application.

I have referred to the Environmental Protection UK (EPUK) Guidance, 2017 – Land Use Planning and Development Control: Planning for Air Quality, in assessing this application with regard to air quality. The data in the Transport Statement shows that the development would not meet the criteria in the EPUK Guidance for requiring an air quality assessment.

I have no objections with regard to air quality.

Regards

Jennifer Lockington (Mrs)

Senior Environmental Management Officer

Babergh & Mid Suffolk District Councils - Working Together

tel: 01449 724706

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

Please note - I work Tuesdays and Wednesdays

From: Jennifer Lockington
Sent: 02 March 2022 15:34
Subject: DC/21/06825 - Air Quality

Dear Averil

YOUR REF: 21/06825

OUR REF: 303941

SUBJECT: Full Planning Application - Development of a photovoltaic solar array,
battery storage and ancillary infrastructure.
Land To The South Of Suggenhall Farm, Church Lane, Rickinghall,
IP22 1LL

Please find below my comments regarding air quality matters only.

Thank you for your re-consultation on the above application.

The additional information has no impact on air quality. Therefore, I have no objections with regard to air quality.

Regards

Jennifer Lockington (Mrs)
Senior Environmental Management Officer
Babergh & Mid Suffolk District Councils - Working Together

From: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>
Sent: 28 Feb 2022 04:11:59
To:
Cc:
Subject: FW: WK303943 DC2106825
Attachments:

From: Andy Rutson-Edwards <Andy.Rutson-Edwards@baberghmidsuffolk.gov.uk>
Sent: 28 February 2022 15:36
To: Averil Goudy <Averil.Goudy@baberghmidsuffolk.gov.uk>; BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>
Subject: WK303943 DC2106825

Noise/Odour/Light/Smoke

APPLICATION FOR PLANNING PERMISSION - DC/21/06825
Proposal: Full Planning Application - Development of a photovoltaic solar array, battery storage and ancillary infrastructure.
Location: Land To The South Of Suggenhall Farm, Church Lane, Rickinghall, IP22 1LL
Reason(s) for re-consultation: Revised documents received 21.02.22

Thank you for re consulting me on this application. I have no additional comments or requirements to add to those I have already submitted.

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

Environmental Health -

Noise/Odour/Light/Smoke

APPLICATION FOR PLANNING PERMISSION - DC/21/06825

Proposal: Full Planning Application - Development of a photovoltaic solar array, battery storage and ancillary infrastructure.

Location: Land To The South Of Suggenhall Farm, Church Lane, Rickingham, IP22 1LL

Thank you for consulting me on this application, having studied the documents submitted to support this Environmental Protection have no objections in principle. However we have the following comments to make with regard to noise/light/dust

NOISE

1. Prior to the development at Land To The South Of Suggenhall Farm, Church Lane, Rickingham, IP22 1LL hereby permitted coming into beneficial use, a competent person shall have ensured that the rating level of noise emitted from all mechanical equipment and inverter sets on site, when running at full capacity does not exceed the sound levels predicted at facades of noise-sensitive premises within the Noise and Vibration Consultants Ltd. Noise Impact Assessment report: R21.0906/DRK dated 10th December 2021.

The assessment shall have been made in accordance with the current version of British Standard 4142 and confirmation of the findings of the assessment shall have been submitted to the Local Planning Authority and agreed prior to the condition being discharged.

For any measured exceedances of the predicted LAeq15mins daytime and night time noise levels measured, a scheme of mitigation shall be submitted to, and agreed in writing by, the Local Planning Authority. This scheme shall be adhered to thereafter during the lifetime of the development being in beneficial use.

Reason – To protect the occupiers of noise sensitive dwellings from any adverse impacts of plant noise.

LIGHTS

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

3. A method for reporting glare complaints and a programme for mitigation to reduce complaints of glare that are substantiated shall be in place prior to the development coming into beneficial use

Reason – To minimise detriment to nearby residential amenity

Ongoing condition during the construction of the PV Solar Farm and Battery.

4. Noise intrusive construction/ground works to the site shall be limited to the following hours: Monday to Friday between 08:00 hrs and 18:00 hrs Saturday between 09:00 hrs and 13:00 hrs. No noise intrusive work to be undertaken on a Sunday, Bank, or Public Holiday.

Reason – To minimise detriment to nearby existing residential amenity.

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

Reason – To minimise detriment to nearby residential amenity

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

- No development shall commence until a Construction Management Statement (CMS), to cover both site clearance and construction phases of the development, has been submitted to and approved in writing by the Local Planning Authority. The CMS shall be undertaken in accordance with best practice guidelines and BS: 5228:2009 + A1:2014 (and any revisions thereof). The plan shall include details of:

-

- a) scheduled timing/phasing of development for the overall construction period,
- b) loading and unloading of plant and materials,
- c) location and management of wheel washing facilities,

- d) external lighting,
- e) location and nature of compounds and storage areas (including maximum storage heights),
- f) location and nature of temporary buildings and boundary treatments,
- g) dust management,
- h) noise management (both in terms of workers and local residents, and to include noise limit at the nearest sensitive residential property, or agreed representative accessible monitoring point) and
- i) waste/litter management during the construction phases of the development.

Thereafter, the approved construction plan shall be fully implemented and adhered to during the construction phases of the development hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

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

Sent: 25 Feb 2022 09:56:35

To:

Cc:

Subject: FW: WK303942 DC2106825

Attachments:

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

Sent: 25 February 2022 09:01

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

Subject: WK303942 DC2106825

Environmental Health - Land Contamination

APPLICATION FOR PLANNING PERMISSION - DC/21/06825

Proposal: Full Planning Application - Development of a photovoltaic solar array, battery storage and ancillary infrastructure.

Location: Land To The South Of Suggenhall Farm, Church Lane, Rickinghall, IP22 1LL

Reason(s) for re-consultation: Revised documents received 21.02.22

Thank you for re consulting us on this application. In terms of land contamination only I have no further or alternative comments to add to those already submitted by my colleague.

Andy

Andy Rutson-Edwards, MCIEH AMIOA

Senior Environmental Protection Officer

Babergh and Mid Suffolk District Council - Working Together

Tel: 01449 724727

Email andy.rutson-edwards@baberghmidsuffolk.gov.uk

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

From: Nathan Pittam
Sent: 05 January 2022 11:16
Subject: (301671) DC/21/06825. Land Contamination

EP Reference : 301671
DC/21/06825. Land Contamination
Suggen Hall Farm, Church Lane, Rickinghall Superior, DISS, IP22 1LL.
Development of a photovoltaic solar array, battery storage and ancillary infrastructure.

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

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@babberghmidsuffolk.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; 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.*



FAO: Planning Department,
Babergh / Mid Suffolk District Council

Ref: DC/21/06825
Date: 23/02/2022
Second Response

HISTORIC BUILDINGS AND CONSERVATION ADVICE

Dear Sir / Madam,

RE: Land To The South Of Suggenhall Farm Church Lane, Rickinghall, IP22 1LL.

Built Heritage Advice pertaining to an application for: Full Planning Application - Development of a photovoltaic solar array, battery storage and ancillary infrastructure.

This letter should be read in conjunction with the first response dated 13th January 2022.

The proposed development site is surrounded by several heritage assets, all of which have the potential to be impacted through change within their setting.

An assessment of those heritage assets had raised concerns regarding the impact on the setting of the Grade II listed Suggenhall Farm House (List Entry Number: 1260663) and its associated farm buildings.

Suggenhall Farm House is a late seventeenth-century (possibly earlier) timber-framed farmhouse extended in the nineteenth century. It is situated within a complex of associated farm buildings on the north side of Church Lane which borders the proposed development site. The farmstead enjoys views of the open agrarian landscape to the south which makes a positive contribution to its setting. Suggenhall Farm House and its related farm buildings have a historically functional relationship with the proposed development site and as such has associative value which contributes to the setting and special historic interest of the heritage asset.

It was considered that the original scheme failed to enhance or better reveal the significance of the heritage asset (Paragraph 206 of the NPPF) and constituted a scheme that leads to less than substantial harm to the special historic interest of the heritage asset (Paragraph 206 of the NPPF). It was recommended that the scale of the proposed solar farm be reduced in an effort to mitigate this harm.

The amended proposals, specifically the reduction in the number of solar panels to the north-west field and the relocation of the DNO substation and associated buildings away from Church Lane, has gone some way to reducing the harm to the heritage asset.



Whilst the amended proposals continue to constitute a scheme which would lead to less than substantial harm to the identified heritage asset, this is now considered to be at the lower end of the scale of harm.

Yours sincerely,

Samantha Pace IHBC
Historic Environment Team
Place Services

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



FAO: Planning Department,
Babergh / Mid Suffolk District Council

Ref: DC/21/06825
Date: 13/01/2022

HISTORIC BUILDINGS AND CONSERVATION ADVICE

Dear Sir / Madam,

RE: Land To The South Of Suggenhall Farm Church Lane, Rickinghall, IP22 1LL.

Built Heritage Advice pertaining to an application for: Full Planning Application - Development of a photovoltaic solar array, battery storage and ancillary infrastructure.

The proposed development site is surrounded by several heritage assets, all of which have the potential to be impacted through change within their setting.

An assessment of those heritage assets has raised concerns regarding the impact on the setting of the Grade II listed Suggenhall Farm House (List Entry Number: 1260663).

Suggenhall Farm House is a late seventeenth-century (possibly earlier) timber-framed farmhouse extended in the nineteenth century. It is situated within a complex of associated farm buildings on the north side of Church Lane which borders the proposed development site. The heritage asset enjoys views of the open agrarian landscape to the south which makes a positive contribution to the setting of the heritage asset. Suggenhall Farm House and its related farm buildings has a historically functional relationship with the proposed development site and as such has associative value which contributes to the setting and special historic interest of the heritage asset.

It is considered that the proposals would have detrimental visual impact on the views of the open landscape to the south of the heritage asset, which contributes positively to its setting. As such the proposals would fail to enhance or better reveal the significance of the heritage asset making Paragraph 206 of the National Planning Policy Framework (NPPF) relevant.

Furthermore, it is considered that the proposals would have a detrimental impact on the strong visual links between the proposed development site and Suggenhall Farm House and subsequently the associative value of the site and the heritage asset. This would obscure the legibility and understanding of Suggenhall Farm House as part of a farmstead associated with agricultural land to the south. As a result, the proposals would constitute a scheme that would lead to less than substantial harm to the special historic interest and significance of the heritage asset making Paragraph 202 of the NPPF relevant.

It is not possible to support the proposals as they are in conflict with Paragraphs 202 and 206 of the NPPF and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The reduction in the scale of the proposed solar farm may be an effective mitigation measure. The omission of all solar panels from the north-east field of the proposed development would greatly reduce the harm to the setting of the heritage asset, whereas a reduction in the proposed row of reductions closest to Church Lane would go some way to mitigating this harm.

Yours sincerely,

Samantha Pace IHBC
Historic Environment Team
Place Services

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

15/03/2022

For the attention of: Averil Goudy

Ref: DC/21/06825; Land To The South Of Suggenhall Farm, Church Lane, Rickinghall, IP22 1LL

Thank you for consulting us on the Full Planning Application for the development of a photovoltaic solar array, battery storage and ancillary infrastructure.

Further to our earlier letter dated 20/01/22 additional information has been submitted:

The LVIA now includes Appendix 1 LVIA Methodology, Appendix 2 Visualisation Methodology Appendix 3 Assessment of Landscape Effects and Appendix 4 Assessment of Visual Effects .

Furthermore, the layout has been amended to reduce the extent of development creating an offset from Church Lane. Visualisations of viewpoints 1, 3, 5 and 6 have also been updated in line with the revised layout.

We are now satisfied with the level of detail provided and agree with the assessment judgement that with mitigation measures the long-term visual effects can be adequately reduced to 'minor' adverse.

On this basis, although we have no landscape objection to the revised layout, it should be noted that there will still be a change in the landscape character and potentially some loss of visual amenity. Therefore, if minded for approval, we would advise the following recommendations are taken into consideration:

- The new alignment of the northern boundary respects the apparent field boundary pattern (though not actually following documented historical field boundary). The reduction would provide better opportunity to view the Church from Footpath 16, though this would be for a short stretch and at an oblique angle due to the proposed buffer planting. More could be done to maintain the open character of the landscape, such as a further reduction of the arrays in line with the northern boundary of field 1.
- The extent and scale of the proposed buffer planting to the north and west boundary of field 1 would likely still obscure desirable views. A hedgerow maintained at 3m with hedgerow trees would be sufficient and more in keeping for the Northern boundary of field 1, though a more generous vegetative buffer may still be needed to appropriately screen field 2 of the development due to the sloping landform.
- We recommend that further details of the materials, colours and finishes of the built form are secured as 'grey/green' and 'steel/GRP' are insufficient to determine suitability with the local landscape. This could be done with a suitability worded condition.

- Clarification is sought on the purpose of the 'clearings' within the solar arrays.

The following conditions should also be considered:

ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT: SUBMISSION OF LANDSCAPE DETAILS

Prior to commencement on site, details comprising plans and particulars shall be submitted to the Local Planning Authority showing precise details of the hard and soft landscaping which shall form part of the development hereby permitted. Any scheme of landscaping details to be agreed in writing by the Local Planning Authority shall show the existing trees, shrubs, and hedgerows on the site where to be retained and shall include details of:

- A specification of soft landscape works, include a schedule of species, size, density and spacing of all trees, shrubs and hedgerows to be planted.
- areas to be grass seeded or turfed, including cultivation and other operations associated with plant and grass establishment.
- paved or otherwise hard surfaced areas including the extent and specification for all tracks
- existing and finished levels shown as contours with cross-sections, if appropriate.
- All means of enclosure and all boundary treatments including all boundary treatments around the perimeter of the site and all boundaries adjacent to the service road.

Such details as may be agreed, shall be implemented in their entirety during the first planting season (October to March inclusive) following approval, or in any other such phased arrangement as may be agreed in writing by the Local Planning Authority.

Any tree, shrub or hedge plant (including replacement plants) removed, uprooted, destroyed, or be caused to die, or become seriously damaged or defective, within five years of planting, shall be replaced by the developer(s) or their successors in title, with species of the same type, size and in an agreed location, in the first available planting season following removal.

Reason - To ensure adequate control over design and to ensure a satisfactory appearance in the interests of visual amenity

ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT: ADVANCED PLANTING.

Before any works commence on site, details of advance planting to site boundaries shall be submitted and approved by the Local Planning Authority. Implementation will need to be carried out prior to any other construction work and in accordance with an implementation timetable agreed in writing with the Local Planning Authority.

Reason - In order to ensure key structural / screening landscape planting is carried out at the earliest opportunity, in the interest of the landscape character and amenity of the locality, and the character, setting and significance of heritage assets.

ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT: LANDSCAPE MANAGEMENT PLAN (LMP)

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. This should include:

- a. Drawings showing:
 - a. The extent of the LMP; ie only showing the areas to which the LMP applies, areas of private ownership should be excluded
- b. Written Specification detailing:
 - a. All operation and procedures for soft landscape areas; inspection, watering, pruning, cutting, mowing, clearance and removal of arisings and litter, removal of temporary items (fencing, guards and stakes) and replacement of failed planting.
 - b. All operations and procedures for hard landscape areas; inspection, sweeping, clearing of accumulated vegetative material and litter, maintaining edges, and painted or finished surfaces.
 - d. All operations and procedures for surface water drainage system; inspection of linear drains and swales, removal of unwanted vegetative material and litter.
- c. Maintenance task table which explains the maintenance duties across the site in both chronological and systematic order.

Reason - To support plant establishment and ensure appropriate management is carried out and to maintain functionality and visual aesthetic.

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

Yours sincerely,

Kim Howell BA (Hons) Dip LA 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

20/01/2022

For the attention of: Averil Goudy

Ref: DC/21/06825; Land To The South Of Suggenhall Farm, Church Lane, Rickinghall, IP22 1LL

Thank you for consulting us on the Full Planning Application - Development of a photovoltaic solar array, battery storage and ancillary infrastructure.

This letter sets out our landscape response to the proposed development regarding how the proposal relates to and responds to the landscape setting and context. This response is based on both review of the submitted documents and site visit which was conducted from publicly accessible routes by a Chartered Landscape Architect on a clear sunny day in January 2022.

The application proposes the installation of ground mounted photovoltaic solar arrays, associated infrastructure and vegetative mitigation measures. The proposal would bring forth development in the countryside which is covered by Mid Suffolk Core Policy CS2 Development in the countryside, however the nature of the development falls within one of the defined categories of acceptable development. Policy CS 5 Mid Suffolk's Environment (Mid Suffolk Core Strategy 2008) states that; "All development will maintain and enhance the environment, including the historic environment, and retain the local distinctiveness of the area" and that with regard to the "Landscape: The Council will protect and conserve landscape qualities taking into account the natural environment and the historical dimension of the landscape as a whole rather than concentrating solely on selected areas, protecting the District's most important components and encourage development that is consistent with conserving its overall character". Therefore, the application must demonstrate that due consideration has been given to the magnitude of harm to the landscape character of the site and its wider environs, and that these impacts have been reduced and residual harm mitigated against in an appropriate and sensitive manner.

The site is currently in arable agricultural use and comprised of two fields approximately 30 acres (12.3 ha) in total. The agricultural land classification is grade 3 'good to moderate', meaning it has some "limitations that affect the choice of crops to be grown, timing and type of cultivation, harvesting or yield". The submitted Agricultural land classification assessment confirmed that the majority of the site is with subcategory 3B. Field one to the northeast is rectangular in shape and shares its northern boundary with Church Lane. Field Two is irregular in shape, similar to an inverted 'L', the south westerly tip adjoins Finningham Road, B1113 for a short section.

The settlements of Rickinghall and Botesdale lay approximately 1Km to the north, though these are visually separated from the site by intervening vegetation along the A143 corridor, landform and the built forms of the water and electric utility sites and Suggenhall Farm and Barn on Church Lane. There is agricultural land to the east, south and west with associated farmstead. St

Mary's Church, Grade I listed, which is regarded locally as a key landmark (as stated in the Botesdale & Rickinghall Neighborhood Plan, Landscape Appraisal, 5.3) stands approximately 400m to the northwest of the site boundary.

The site itself is rolling in nature with field 1 having a higher elevation and being generally flatter with the land gently falling to the west for field 2. The current boundaries of the fields also differ with field 1 being visually open; bounded by narrow, deep drainage ditches and a few singular trees, whereas field 2 is sloping with an irregular westerly boundary which has sections of vegetation present, making this feel more visually intimate.

The site is not subject to any statutory or local designations, though the landscape is highly valued by local residents for its recreation and amenity value. An adopted neighborhood plan is in place for Botesdale & Rickinghall, though the site lies outside of the indicated peripheral areas in the accompanying Landscape Appraisal.

The Suffolk Landscape Character Assessment identifies this site as falling with the Ancient Plateau Claylands, Key characteristics of this LCA are:

- *Flat or gently rolling arable landscape of clay soils dissected by small river valleys*
- *Field pattern of ancient enclosure – random patterns in the south but often co-axial in the north. Small patches of straight-edged fields associated with the late enclosure of woods and greens*
- *Dispersed settlement pattern of loosely clustered villages, hamlets and isolated farmsteads of medieval origin*
- *Villages often associated with medieval greens or tyes*
- *Farmstead buildings are predominantly timber-framed, the houses colour-washed and the barns blackened with tar. Roofs are frequently tiled, though thatched houses can be locally significant*
- *Scattered ancient woodland parcels containing a mix of oak, lime, cherry, hazel, hornbeam, ash and holly*
- *Hedges of hawthorn and elm with oak, ash and field maple as hedgerow trees.*
- *Substantial open areas created for WWII airfields and by 20th century agricultural changes*
- *Network of winding lanes and paths often associated with hedges create visual intimacy*

There are no PROW on the site, however the site or parts of it are visible from Footpath 5, 6 and 16. Footpath 16 forms part of the 'Millennium Walk' promoted by Suffolk County Council for this area.

It should be noted that whilst on site we observed a significant number of recreational users/ walkers, joggers and numerous dog walkers along Church Lane, which is a narrow, single vehicle surfaced carriageway. While this would be considered a vehicular route, the high number of recreational users (high sensitivity receptors) should be considered as part of any landscape and visual impact assessment. Furthermore, we noted that there are opportunities to view the site from the A143, mostly fleeting glimpses through the roadside vegetation which may be lessened when in leaf.

With regards to the impact on private residential property the greatest impact would be upon Suggenhall Barn, which overlooks Field 1 (and also the setting for Suggenhall Farm) and Sunnyside which adjoins the northwestern corner of field 2 and some minor effect from Falcons Hall Cottages. We also note that there is potential visibility from residential housing on Ryders Way, Botesdale, though we were unable to confirm that on site. Long range views of field 1 site also possible from the residential area on West Street, just south of viewpoint 8.

Review of submitted information

The application was not supported by a topographical survey of the existing site nor was it supported by an arboricultural impact assessment of the existing vegetation on and adjacent to the site. We would expect this to form part of the submission for a development of this kind and in this setting.

While indicative dimensioned plans and elevations auxiliary buildings were supplied, no details of materials, colour or finish were provided. The proposed deer/stock fencing is of suitable materials, height and construction for the rural setting, though it should be noted that the predominated agriculture in the area is arable therefore this could be perceived as being 'out of context' with its surroundings.

The submitted Landscape and Visual Impact Assessment (LVIA) appears to have been carried out in line with the principles set out on the third edition of "Guidelines for Landscape and Visual Impact Assessment"(GLVIA3), however the submission fails to include Appendix 1-4 which LVIA methodology, Visualisation Methodology, Assessment of Landscape Effects and Assessment of Visual effects.

The main part if the LVIA document provides a summary of the proposal, baseline and effects assessment and is accompanied by figures 1-15 including photographs and photomontages of the current site and proposal. However the site assessment was undertaken in September when the trees and other vegetation were in full leaf, therefore not assessing the 'worst case scenario', as is noted in 3.5 Limitations.

Without the full narrative of the appendices, we are unable to ascertain how the assessment levels have been arrived at.

Nevertheless, we generally agree with the assessment and the judgement that there would be a moderate adverse effect on the landscape character. However, we do not agree that this would reduce to minor adverse in the long term due to "*introduction of new hedgerows and hedgerow trees and changes to the management of existing hedgerows*". These introductions would have a long-term effect on the visual experience and character of the landscape, though these impacts would be mostly felt in a localised area in close proximity to the site.

For example, while the proposed boundary vegetation and woodland buffer in field 1 would adequately screen the ground mounted solar arrays and auxiliary buildings from both Church Lane and FP16 these features would also reduce or remove desirable long-distance views to the west and views of St Mary's Church and would have a significant adverse effect on the current open character of the site and would impact on the setting of Suggenhall Farm House, a grade II listed property.

While the site may cover a smaller geographical area in comparison to neighbouring renewable energy sites, the cumulative landscape and visual effects need to be considered. For example, combined effect/loss of agricultural land, leading to a general degradation and loss of character, and sequential views experienced by receptors travelling through the landscape, for example traveling along the A143. At present, this does not seem to have been addressed in the LVIA document.

Considering the above points, we request that a **holding objection** be placed on the application until such time that the following can be submitted and agreed:

- A topographical plan of the site and it's immediate context; identifying levels and any key features such as hedgelines, ditches, power or communication posts.
- An Arboricultural Impact Assessment in line with BS 5837:2012 showing all vegetation that might reasonably be affected by the proposal, including on neighbouring land.
- The outstanding sections of the LVIA and in addition we would request that a cumulative impact assessment be added to cover both the landscape and visual.

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

Yours sincerely,

Kim Howell BA (Hons) Dip LA 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.



26 April 2022

Averil Goudy
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/21/06825
Location: Land To The South Of Suggenhall Farm Church Lane Rickingham IP22 1LL
Proposal: Full Planning Application - Development of a photovoltaic solar array, battery storage and ancillary infrastructure.

Dear Averil,

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

Holding objection due to insufficient ecological information upon Priority species

Summary

We have reviewed the Ecological Assessment (Avian Ecology Ltd, Nov 2021) and the response on ecology: Skylark Plots (Avian Ecology Ltd, January 2022), submitted by the applicant, relating to the likely impacts of development on designated sites, protected and Priority Species & Habitats.

We are not satisfied that sufficient ecological information is available for determination.

We have reviewed the additional information regarding Skylark utilisation of the site and it is accepted that the site has the opportunity to provide increased foraging opportunities for Skylark at certain periods of the year. However, we disagree that adequate evidence has been provided to confirm that the development will have a negligible potential on the Priority species, as we are not satisfied that the sufficient information has been provided to demonstrate that the development can appropriately mitigate the permeant loss of breeding habitat for the species. Furthermore, as skylark plots typically require a 50-metre buffer from field boundaries should be implemented, we are uncertain whether several Skylark nesting areas could realistically be delivered within the proposed landscape plan.

As a result, we still recommend that a Breeding Bird Survey in line with the Common Bird Census methodology should be provided for this application prior to determination. This will inform the need



for a bespoke mitigation strategy for Priority farmland bird species, as well as any necessary on-site and off-site compensation measures.

If Skylark breeding territories are identified to be present and affected, then we still recommend that mitigation measures should include the provision of Skylark Plots¹ (two per territory lost), unless an alternative solution is agreed to be acceptable with the LPA.

However, if suitable land is not available in the applicant's control, it is indicated that the measures will be required via a legal agreement with local landowners or stakeholders, which could be brokered by Whirledge and Nott². Any finalised mitigation strategy for this Priority species will need to be set out prior to commencement and should include post-construction monitoring to determine the success of the compensation and inform future Solar Farm proposals.

Therefore, this further information is needed to enable the LPA to demonstrate its compliance with its biodiversity duty under s40 NERC Act 2006.

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

Please contact us with any queries.

Yours sincerely,

Hamish Jackson ACIEEM BSc (Hons)
Ecological Consultant
placeservicesecology@essex.gov.uk

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

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

¹ <https://www.gov.uk/countryside-stewardship-grants/skylark-plots-ab4>

² <https://www.whirledgeandnott.co.uk/>



27 January 2022

Bron Curtis
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/21/06825
Location: Land To The South Of Suggenhall Farm Church Lane Rickinghall IP22 1LL
Proposal: Full Planning Application - Development of a photovoltaic solar array, battery storage and ancillary infrastructure.

Dear Bron,

Thank you for consulting Place Services on the above application.

Holding objection due to insufficient ecological information upon Priority species

Summary

We have reviewed the Ecological Assessment (Avian Ecology Ltd, Nov 2021), submitted by the applicant, relating to the likely impacts of development on designated sites, protected and Priority Species & Habitats.

We are not satisfied that sufficient ecological information is available for determination of this application, due to insufficient ecological information upon Priority farmland bird species, particularly Skylark.

As a result, a Breeding Bird Survey in line with the Common Bird Census methodology should be provided for this application prior to determination. This will inform the need for a bespoke mitigation strategy for Priority farmland bird species, as well as any necessary on-site and off-site compensation measures.

If Skylark breeding territories are identified to be present and affected, then mitigation measures should include the provision of Skylark Plots¹ (two per territory lost), unless an alternative solution is

¹ <https://www.gov.uk/countryside-stewardship-grants/skylark-plots-ab4>



agreed to be acceptable with the LPA. However, if suitable land is not available in the applicant's control, it is indicated that the measures will be required via a legal agreement with local landowners or stakeholders, which could be brokered by Whirledge and Nott². Any finalised mitigation strategy for this Priority species will need to be set out prior to commencement and should include post-construction monitoring to determine the success of the compensation and inform future Solar Farm proposals.

It is also highlighted that there is minimal evidence to suggest that Skylark will regularly nest between solar panels and research has concluded that ground-nesting birds often require an unbroken line of sight and therefore Skylark may actively avoid nesting at solar farms in most circumstances³. Therefore, as the proposed solar farm will contain panels which are closely spaced, there is potential for the development to result in a permanent loss to Skylark breeding habitat.

Therefore, this further information is needed to enable the LPA to demonstrate its compliance with its biodiversity duty under s40 NERC Act 2006.

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

Please contact us with any queries.

Yours sincerely,

Hamish Jackson ACIEEM BSc (Hons)
Ecological Consultant
placeservicesecology@essex.gov.uk

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

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

² <https://www.whirledgeandnott.co.uk/>

³ Montag H, Parker G & Clarkson T. (2016). The effects of solar farms on local biodiversity. A comparative study. Clarkson and Woods & Wychwood Biodiversity.

From: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>
Sent: 28 Jan 2022 11:15:56
To:
Cc:
Subject: FW: MSDC Planning Consultation Request - DC/21/06825 - FUL
Attachments: ufm2_Standard_Consultation.pdf

-----Original Message----- From: BMSDC Local Plan Sent: 28 January 2022 08:16 To: BMSDC Planning Area Team Yellow Subject: FW: MSDC Planning Consultation Request - DC/21/06825 - FUL Good Morning, Re DC/21/06825 Please be aware that there will be no CIL charge or liability attached to this development. Kind Regards, Richard Kendrew Infrastructure Officer Babergh District & Mid Suffolk District Council “ Working Together 01449 724563 www.babergh.gov.uk & www.midsuffolk.gov.uk



Suffolk Wildlife Trust

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

11th March 2022

Dear Averil,

RE: DC/21/06825. Full Planning Application - Development of a photovoltaic solar array, battery storage and ancillary infrastructure. Land To The South Of Suggenhall Farm, Church Lane, Rickinghall, IP22 1LL.

Thank you for sending us details of this application, we wish to submit a **holding objection** to this application, and we have the following comments:

We maintain our comments made on January 10th, 2022, that a breeding bird survey is required prior to determination in order to assess whether skylark will be impacted by this development. A Skylark Mitigation Strategy may also be required if skylark are present on site, as the development could result in permanent loss of breeding habitat. Comments made by Avian Ecology confirm that skylarks rarely utilise solar sites for nesting (Response on Ecology, 12th Jan 2022). Additionally, comments made by Avian Ecology that 'Most cereals are now sown during the autumn, which means that the crops are too tall and dense to allow skylarks to raise more than one early brood' do not remove the need to complete a breeding bird survey and mitigate for the loss of skylark breeding territories if identified on site. Skylark are a red listed Bird of Conservation Concern, due to breeding population decline of more than 50% since 1969¹, therefore any potential for permanent loss of breeding habitat should be suitably mitigated.

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

Yours sincerely

Ellen Shailes
Ecology and Planning Adviser

¹ [BB 2021 DECEMBER \(britishbirds.co.uk\)](http://britishbirds.co.uk)



Suffolk Wildlife Trust

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

10th January

Dear Averil,

RE: DC/21/06825. Full Planning Application - Development of a photovoltaic solar array, battery storage and ancillary infrastructure. Land To The South Of Suggenhall Farm, Church Lane, Rickinghall, IP22 1LL.

Thank you for sending us details of this application, we have read the Ecological Assessment (Avian Ecology Ltd, Nov 2021) and we wish to make the following comments:

We note the presence of skylark records locally (Suffolk Biodiversity Information Service), however no breeding bird survey has been undertaken in order to inform this application. Due to the habitats present, this development may result in the permanent loss of breeding habitat for skylark, therefore we believe a breeding bird survey should be required in order to determine potential impacts to breeding skylark. Skylark are a Red Listed Bird of Conservation Concern in the UK¹ and listed under Section 41 of the Natural Environment and Rural Communities (NERC) act². If skylark are to be impacted by this proposal then offsite mitigation may be required which should be detailed within a Skylark Mitigation Strategy.

Notwithstanding the above, we recommend that a Landscape Environment Management Plan (LEMP) and a Biodiversity Enhancement Strategy should be secured as a condition of planning consent. These should include the following details to ensure the site provides suitable biodiversity enhancements:

- Hedgerow management – planting to include native fruit and nut bearing species and management should allow for at least 2m wide and tall hedgerows with grassland/wildflower buffers along their length, ensuring hedgerows on site provide habitats for breeding birds, small mammals and reptiles.
- Details of wildflower seed mix – wildflower mix to include a range of native flowering and grass species suited to soil types on site.
- Grassland management - management should allow for a long flowering season, to ensure nectar source for invertebrates. Varied grassland management across the site will maximise potential biodiversity enhancements.

¹ [bocc-5 \(bto.org\)](http://bocc-5(bto.org))

² <http://publications.naturalengland.org.uk/publication/4958719460769792>

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

Yours sincerely

Ellen Shailes
Ecology and Planning Adviser

From: Fiona Cairns

Sent: 08 March 2022 09:01

Subject: RE: DC/21/06825 Full Planning Application - Development of a photovoltaic solar array, battery storage and ancillary infrastructure - Land To The South Of Suggenhall Farm Church Lane Rickinghall IP22 1LL

Dear Averil

Having reviewed the revised drawings, the reduction in the extent of the solar panels on the norther boundary is welcomed, which will help to mitigate some of the impacts on Suggenhall Farm and barn. Notwithstanding this, our concerns regarding the principle of using of high grade agricultural land for energy production remain, as set out in our letter dated 12 January.

Thank you again for arranging to make the superseded drawings available.

Kind regards

Fiona Cairns IHBC MRTPI
Director
Suffolk Preservation Society
Little Hall, Market Place
Lavenham
Suffolk

12 January 2022

Ms Averil Goudy
Planning Officer
Mid Suffolk District Council
Endeavour House, 8 Russell Rd,
Ipswich, IP1 2BX

Dear Ms Goudy,

DC/21/06825 | Full Planning Application - Development of a photovoltaic solar array, battery storage and ancillary infrastructure.

Land to the South of Suggenhall Farm, Church Lane, Rickinghall, IP22 1LL

I write on behalf of the Suffolk Preservation Society (SPS) with reference to the above application for a 7MW solar farm on 11 hectares of agricultural land south of the A143 south of the villages of Botesdale and Rickinghall. SPS supports the transition towards a zero-carbon energy system and recognises that this requires a rapid and substantial increase in renewable energy generation, including solar. We therefore support renewable energy schemes which balance the necessary considerations of our natural environment, heritage, landscape and the views of local people which allow local communities to positively shape their energy futures.

The SPS calls for the use of brownfield land, rooftops and other previously developed land to be prioritized for large scale solar schemes. Where greenfield sites are proposed we urge that best practice is followed, namely that schemes are community led, are restricted to the lowest soil quality sites, are designed in a way that yields biodiversity net gain while integrating effectively with the topography of the site and other natural landforms to minimise visual impact. Accordingly, we do not object to this application in principle, however we wish to make the following observations:

Policy Considerations

The National Planning Policy Framework states that all communities have a responsibility to help increase the use and supply of green energy. The planning system must support the transition to a low carbon future in a changing climate and support renewable and low carbon energy and associated infrastructure (NPPF para 152). However, when determining planning applications for

renewable and low carbon development, local planning authorities should only approve the application if its impacts are (or can be made) acceptable (NPPF para. 158). Furthermore, planning decisions should enhance the local environment by recognising the intrinsic character and beauty of the countryside, and other benefits of the best and most versatile agricultural land, and of trees and woodland (NPPF para.174b).

The Planning Practice Guidance on Renewables (2013) also makes clear that the need for renewable energy does not automatically override environmental protections and the planning concerns of local communities (para.5). It clearly states that large scale solar should preferably be sited on previously developed land, and where greenfield sites are proposed they should continue in a form of cultivation or provide high levels of biodiversity net gain (para.27).

In considering planning applications the NPPG also makes clear that local topography is an important factor in assessing whether large scale solar farms could have a damaging effect on landscape and recognise that the impact can be as great in predominately flat landscapes as in hilly or mountainous areas. It also states that great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. Finally, it makes clear that local amenity is an important consideration which should be given proper weight in planning decisions and states “As with other types of development, it is important that the planning concerns of local communities are properly heard in matters that directly affect them” (para. 5).

The emerging Babergh Mid Suffolk Joint Local Plan Policy LP27 - Energy Sources, Storage and Distribution - makes clear that renewable, decentralised and community energy generating proposals will be supported subject to: the impact on (but not limited to) landscape, heritage and residential amenity and the local community has been fully taken into consideration and where appropriate, effectively mitigated; the impact of on and off-site power generation infrastructure (for example over-head wires, cable runs, invertors, control buildings, security fencing and highway access points) is acceptable to the Local Planning Authority; the provision of mitigation, enhancement and compensation measures when necessary.

The policy also states that where proposals for renewable and low carbon energy have an impact on the setting of heritage assets the applicant must be able to demonstrate to the satisfaction of the Local Planning Authority that potential harm resultant from development can be effectively mitigated and that there are no alternative sites available within the District. (Joint Local Plan - Pre-submission (Reg 19) - Nov 2020)

The Botesdale and Rickingham Neighbourhood Plan (Adopted 2020) does not include policies which specifically provide for renewable energy projects. However, the objectives of the plan clearly set out an aspiration that development should conserve and enhance heritage assets within the plan area, maintain the villages’ rural setting, protect important countryside and rights of way,

protect important views and links with the wider countryside while promoting the inclusion of native planting in and around new development.

Landscape and Visual Impact Considerations

Although the application site is on a green field site, it is of a relatively small scale at 11.3 hectares located proximate to the Rickinghall substation and on land that is stated by the applicant to be grade 3b. The topography of the site is fairly flat and the proposed landscape mitigation as shown on drawing 3044-01-12 is considered to be effective at minimising the visual impacts. The proposed 600m² of woodland edge planting, 1300m² of woodland planting, 36 hedgerow trees and provision of 1.1km of new hedges and/or gapping up of existing hedges around the perimeter of the site will cumulatively contribute to effective screening over time. Furthermore, the proposed 6m perimeter green buffers, planted with wildflower and grass mix, will also make a positive contribution to a net gain in biodiversity value of the site.

We note that the site does not include any PROWs and the nearest public footpath is 60m from the site, and there are only a small number of dwellings along Church Lane. However, the site is featured in a number of local walks including the High Point Walk and the Millennium Walk. The site is located in a relatively rural and tranquil area, forming part of the hinterland of the villages of Rickinghall and Botesdale, and is a popular with walkers. Therefore, the number of visual receptors should not be limited to an assessment of the proximity of the nearest public right of way. The site will also be prominent from those receptors driving and cycling along Church Lane and Finningham Road.

A 4m high acoustic fencing is proposed around the BESS, which will have the potential to appear visually intrusive as a result of its height in a largely flat landscape. However, we recognise that it has been located fairly centrally within the site, thereby minimising the visual impact on receptors in the area. We also note that the 11,000 panels will be a maximum height of 2.4m, sufficient to allow grazing beneath, and the boundary hedges will ultimately be maintained at a height of 3m, thereby ensuring that most of the development will be effectively screened, other than the CCTV poles at 3m high and the previously mentioned acoustic fence. However, the use of infra-red lighting on the CCTV poles will also assist in minimising intrusion into the rural landscape. Nevertheless, the proposed mitigation will take a number of years to be effective, and even then, the winter months will see a material reduction in the effectiveness of the screening.

Heritage Considerations

Suggenhall Farmhouse, a 17th century timber framed building and listed grade II, is the closest heritage asset to the development site. The Heritage Impact Assessment states that it is located 60m north of the site. However, we note that the report only considers the impact on the setting of the farmhouse, located some distance within the site, set back from the highway and behind

Suggenhall Barn. It is surprising that the report fails to consider the impact of the development on Suggenhall Farm Barn, which faces directly onto the site. It is not clear why the report has not identified Suggenhall Farm Barn as a designated heritage asset as it appears that this was in the same ownership at the time of listing of Suggenhall Farm in 1988, and in 2004 was subsequently granted listed building consent for conversion to residential. In the opinion of the SPS, it is clear that the barn has the status of a listed building and should be assessed accordingly.

It is acknowledged that the proposals provide for a substantial woodland belt on the north boundary of the site closest to the listed barn, which in time will effectively provide a natural screen. However, in the short to medium term there will undoubtedly be an impact on the setting of the barn which will result in a level of heritage harm. This should be clearly identified and assessed in the relevant supporting documents, in accordance with Historic England Guidance, The Setting of Heritage Assets Historic Environment Good Practice Advice in Planning Note 3 (Second Edition 2017).

Finally, we note that the southern portion of the site has been excluded as an area of high archaeological sensitivity. This is welcomed but we defer to the views and advice of Suffolk County Archaeology Team regarding any further amendments to safeguard the archaeological resource in this historically rich and diverse location.

In conclusion, while recognising the preference by many in the local community for maintaining countryside in its undeveloped state, wherever possible, this must be balanced against the contribution that solar development can make to the Net Zero agenda. If the local planning authority is minded to grant permission, then a Landscape and Ecological Management Plan should be put in place to ensure that the proposed mitigation is delivered and maintained to ensure its effectiveness to minimise the visual impacts and the identified heritage harm. It is also considered that the proposed 40 years duration is excessive at a time of rapid technological advancement and a shorter lifespan of any consent would allow for review of circumstances in renewable energy generation change.

We trust that you will find these comments helpful and ask to be reconsulted on any further amendments to this and other proximate commercial solar schemes in the district.

Yours sincerely,

A large black rectangular redaction box covering the signature area.

Fiona Cairns IHBC MRTPI
Director

Ccs:

Ward Councillor

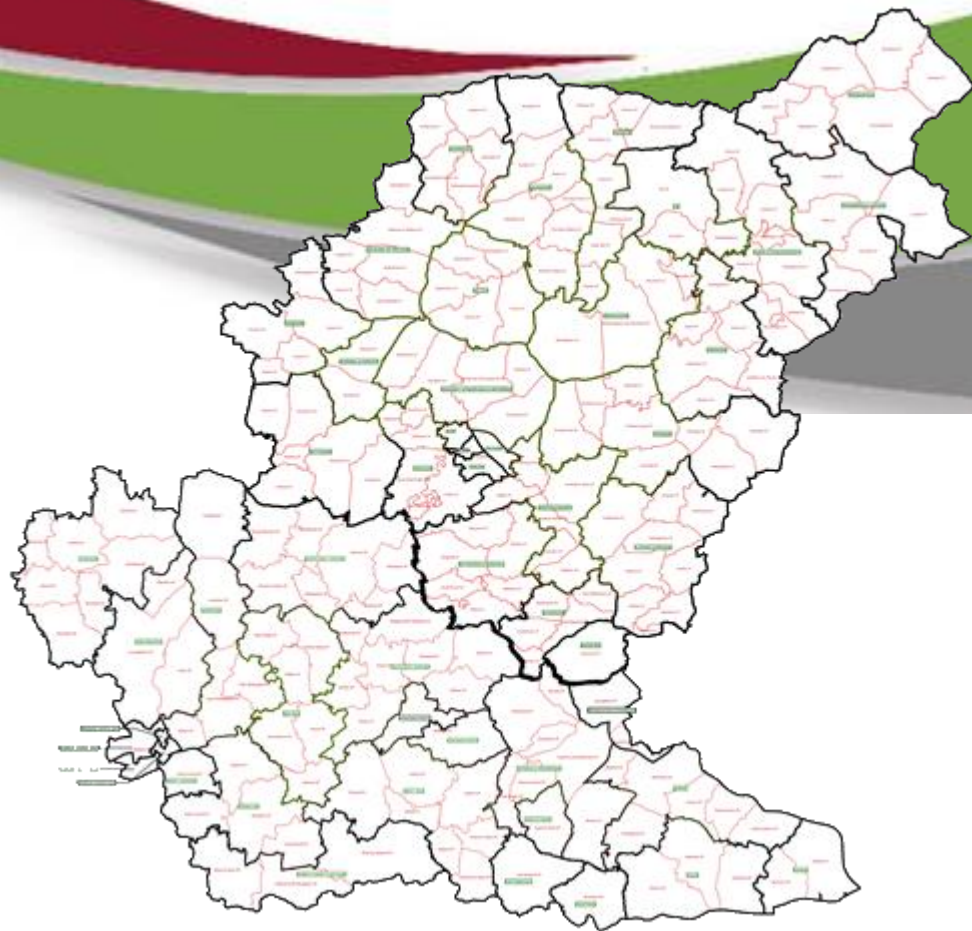
County Councillor

Parish Council – Botesdale and Rickinghall

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Application No:
DC/21/06825

Address:
Land To The South Of
Suggenhall Farm
Church Lane
Rickingham





Aerial Map – wider view

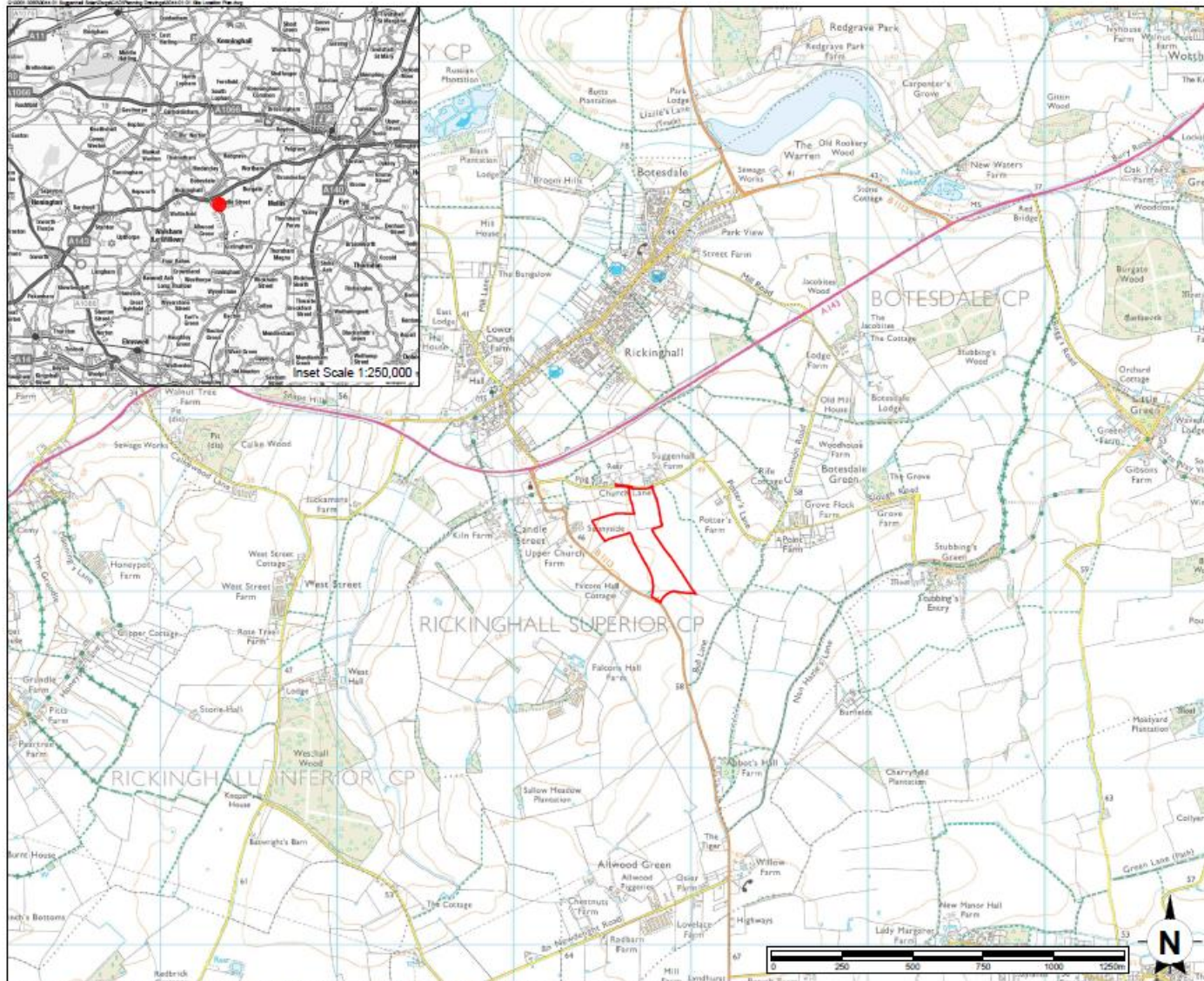
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Site Location Plan

Page 120



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— Site Location

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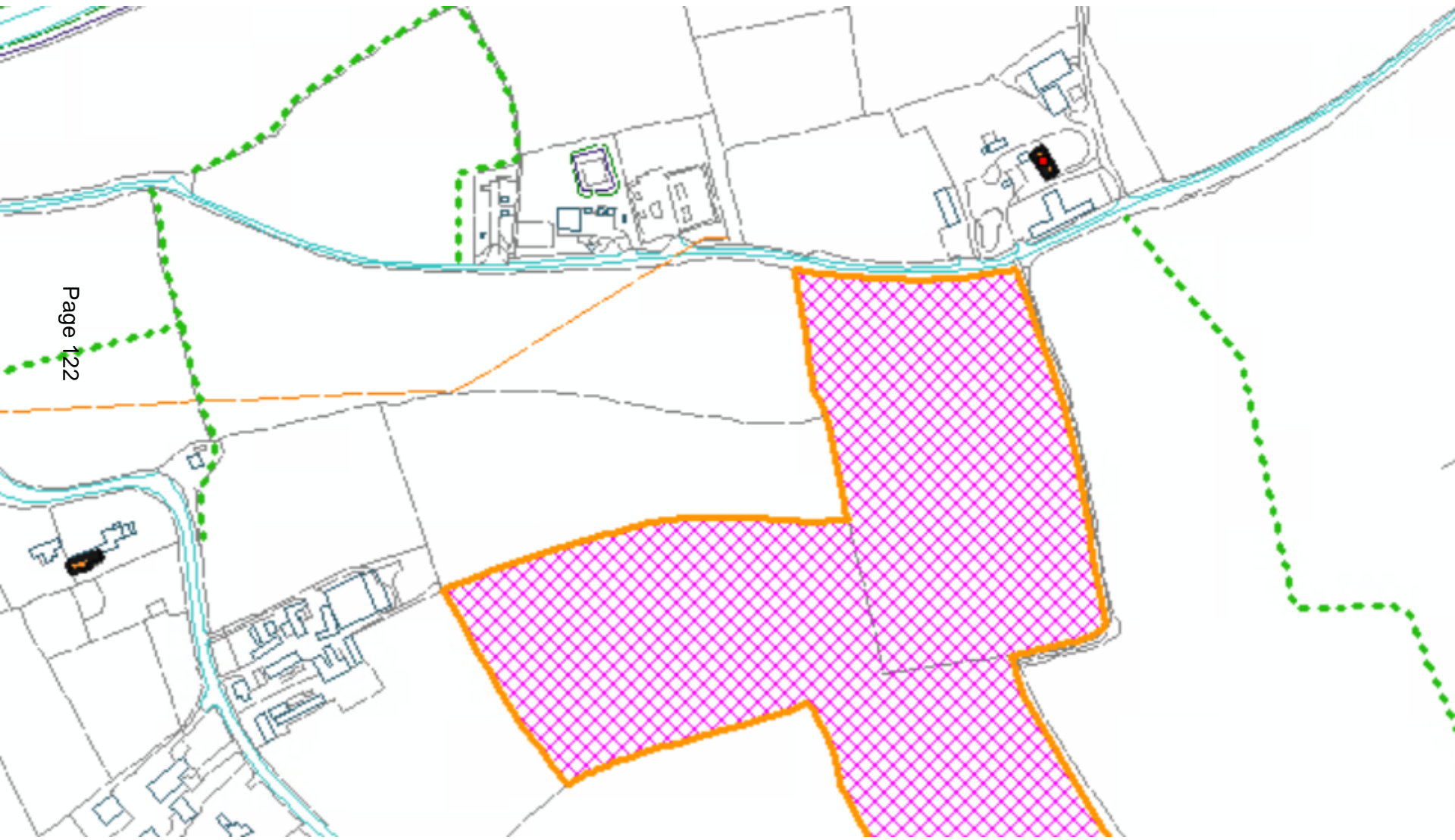
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| Author | 1/12/2008/BA | Sheet | 13 |

Planning Environment Design

Constraints Map

-  Grade II
-  Footpath



Page 122

Constraints Map

..... Footpath

Slide 7



Page 123

Proposed Landscaping

Slide 9

Page 125



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| Application No. | | Date | |

- Application Site
- Deer / Stock Fence
- Acoustic Fence
- Photovoltaic Panels
- Sitting Inverter
- Transformer Station
- Battery Container
- Battery Transformer Unit
- Other Building (Labelled)
- Existing Access Track Temporarily Upgraded
- Proposed Access Track
- Existing Vegetation
- Proposed Woodland
- Proposed Woodland Edge
- Proposed Hedge/row
- Proposed Hedge/row Tree
- Proposed Low Maintenance Pasture
- Proposed Species-Rich Grassland
- Existing Agricultural Land Retained
- Proposed Compound Areas
- Proposed Bat Box

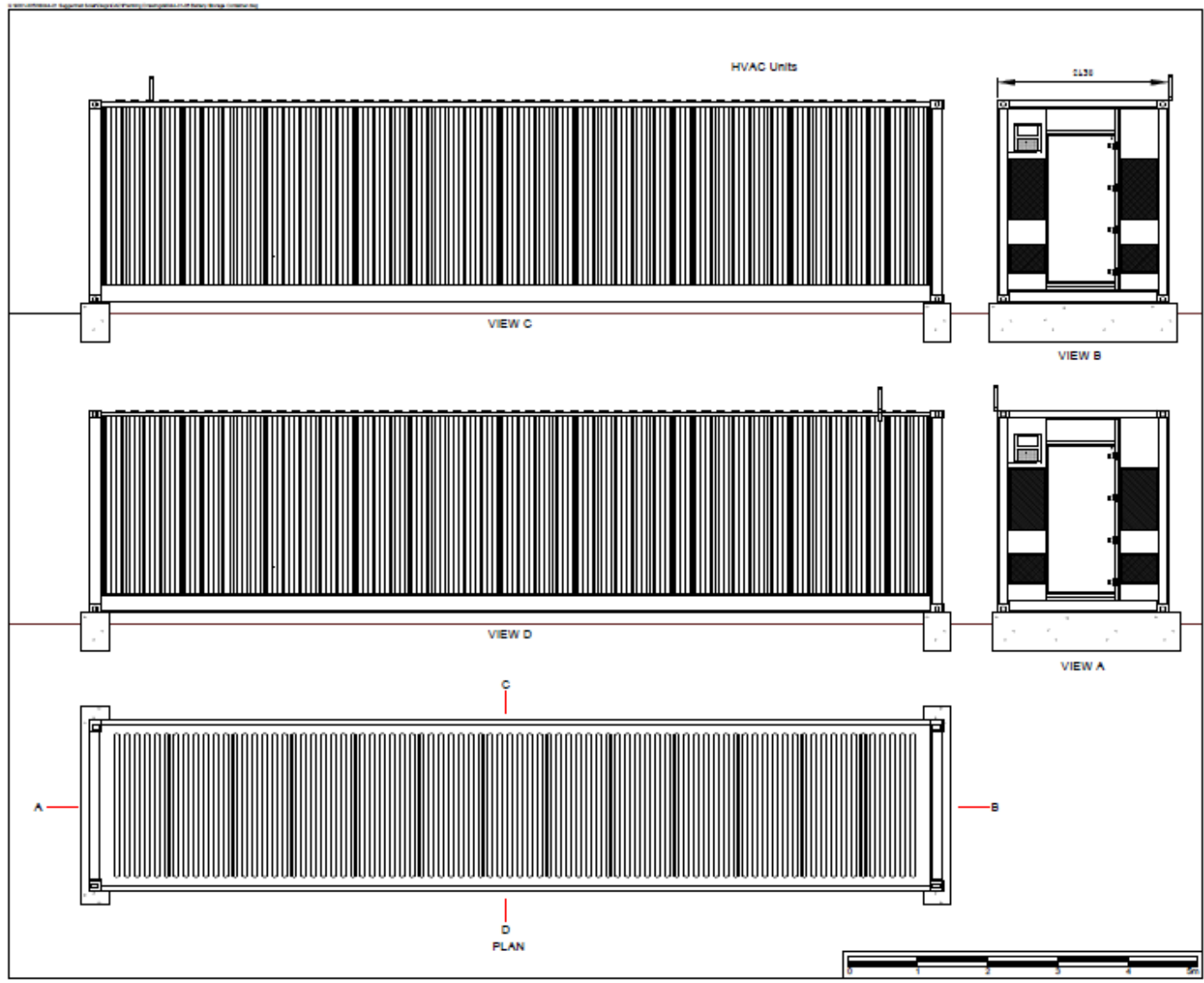
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| DATE: 2023 | SCALE: 1:1000 |
| PROJECT: 3004_01_01.2 | DATE: 2023 |
| PREPARED BY: [Name] | CHECKED BY: [Name] |
| Landscape Architecture Practice | |

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Proposed Battery Storage Station

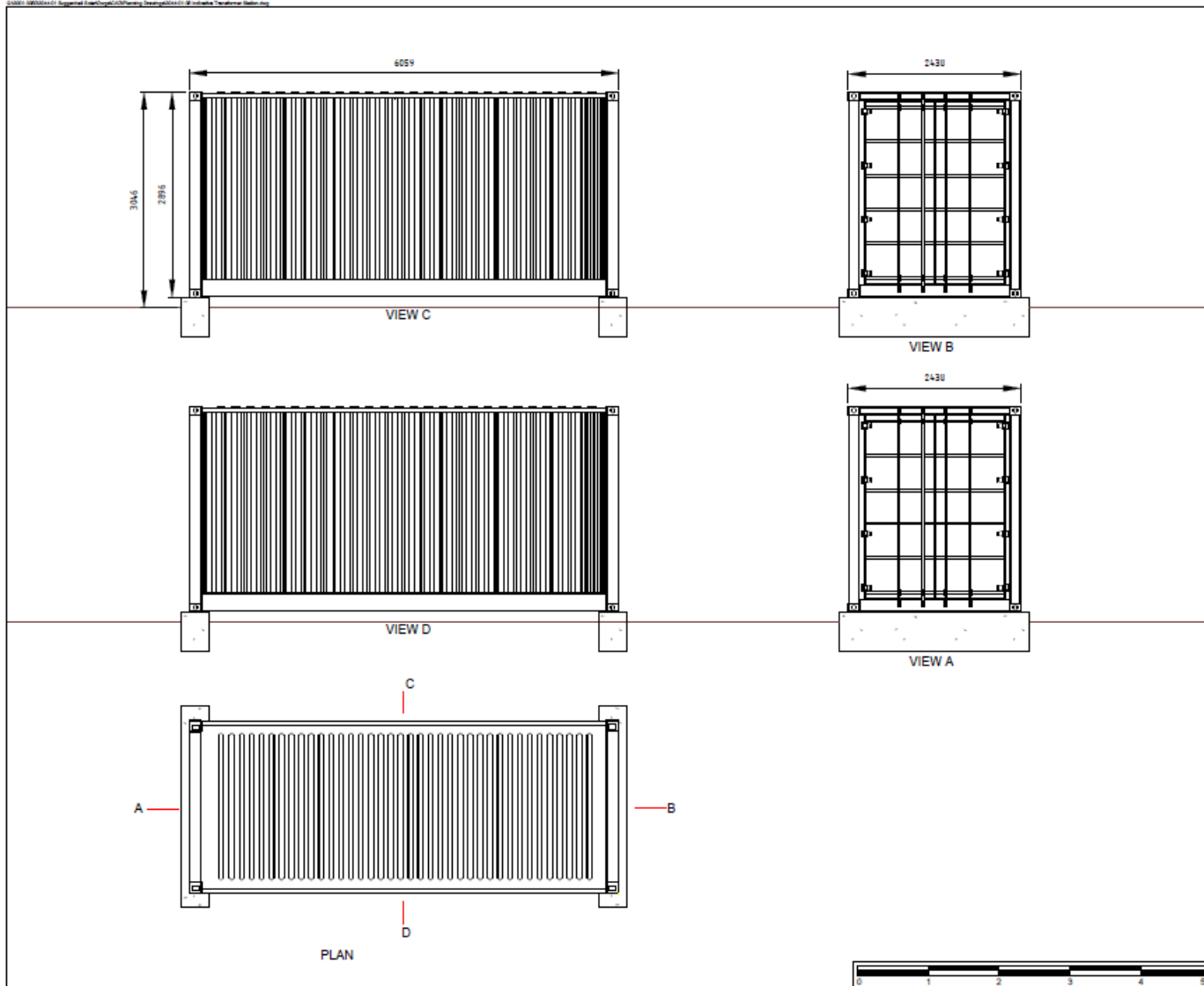
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
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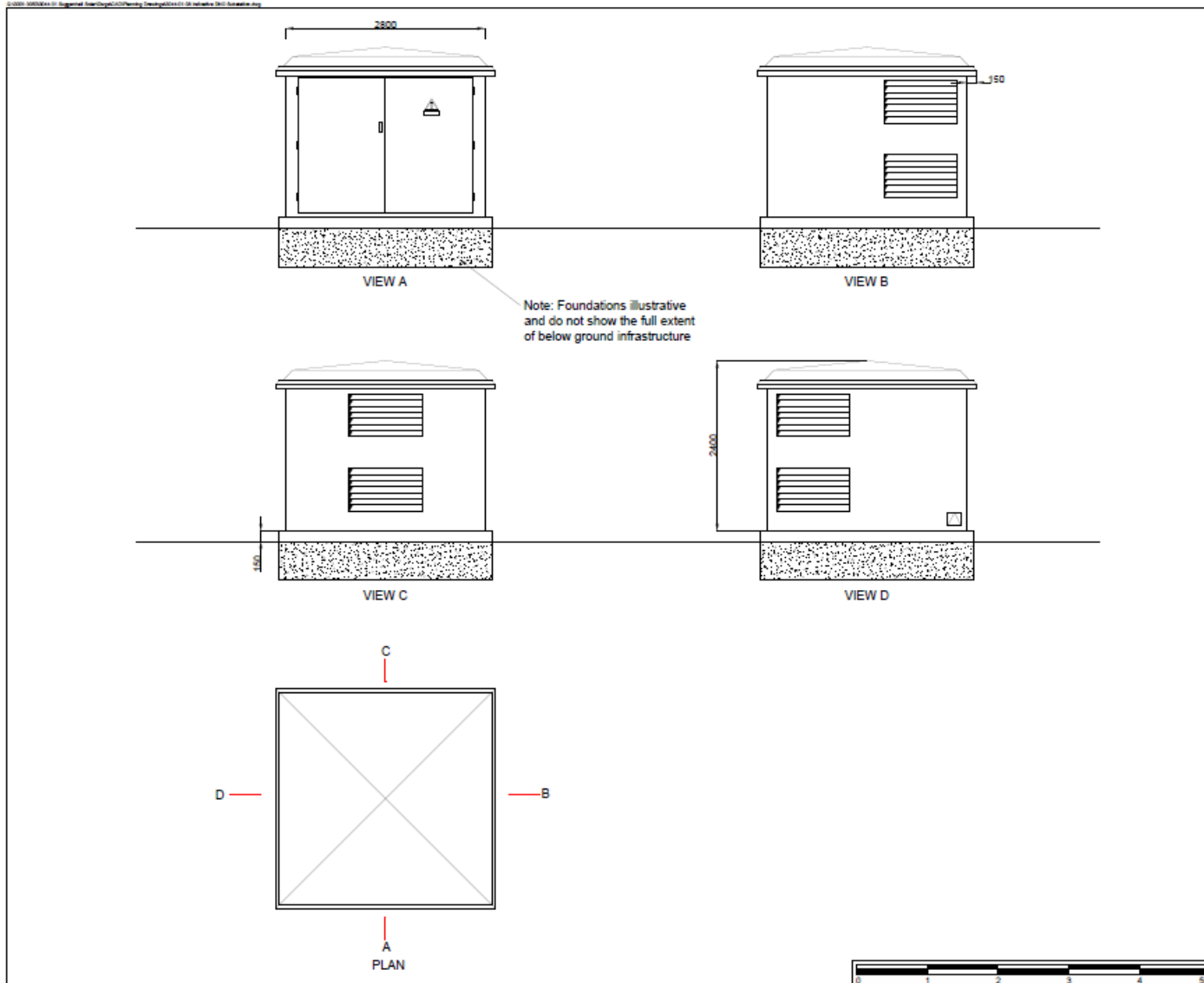


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| Client: RISE ENERGY LTD | |
| Project: BUNBURYHILL RURAL SOLAR ARRAY | |
| Drawing No: INDICATIVE TRANSFORMER STATION | |
| Date: 10/10/2023 | Drawing No: 3044-01-00B |
| Author: J. JONES | Date: |
| Planning Environment Design | |



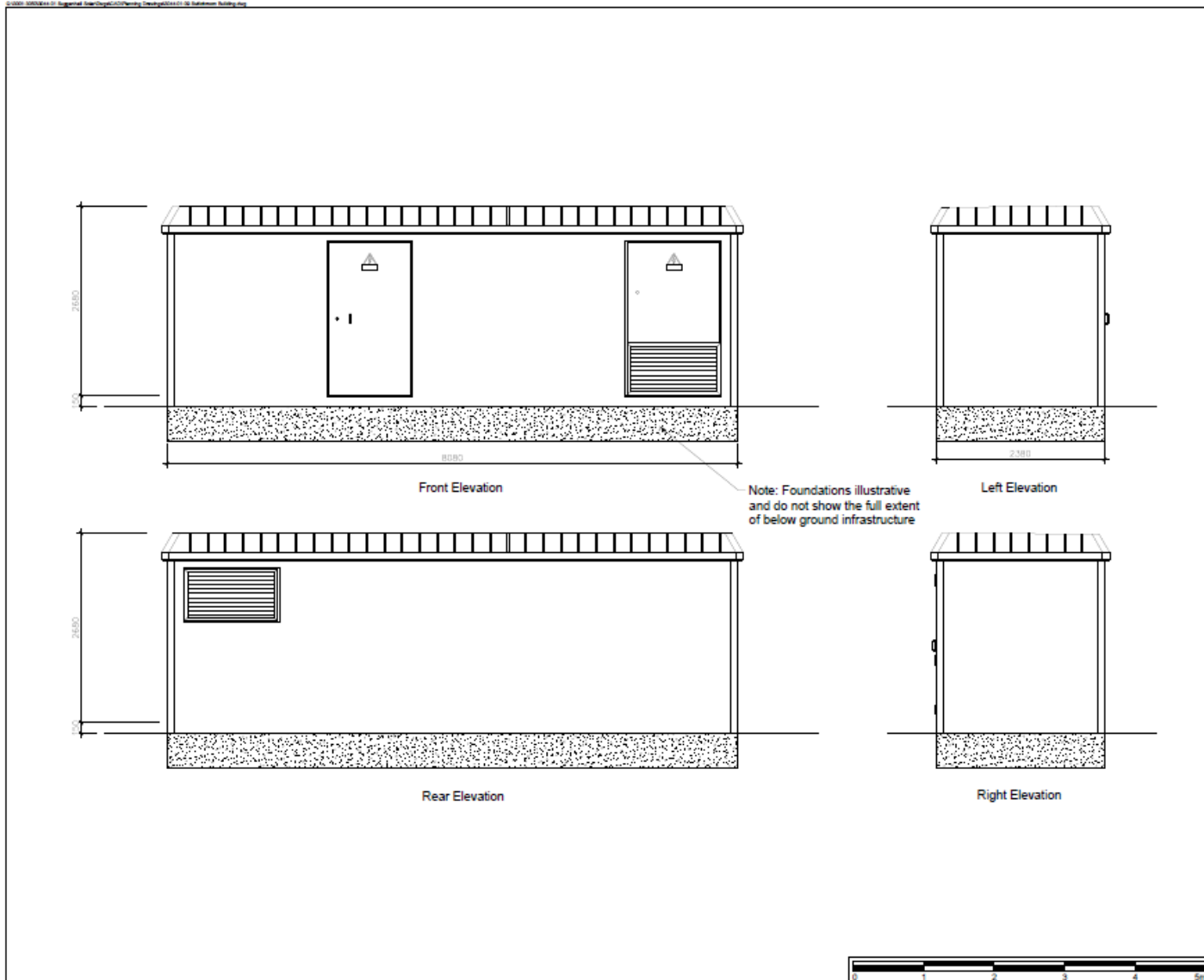
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
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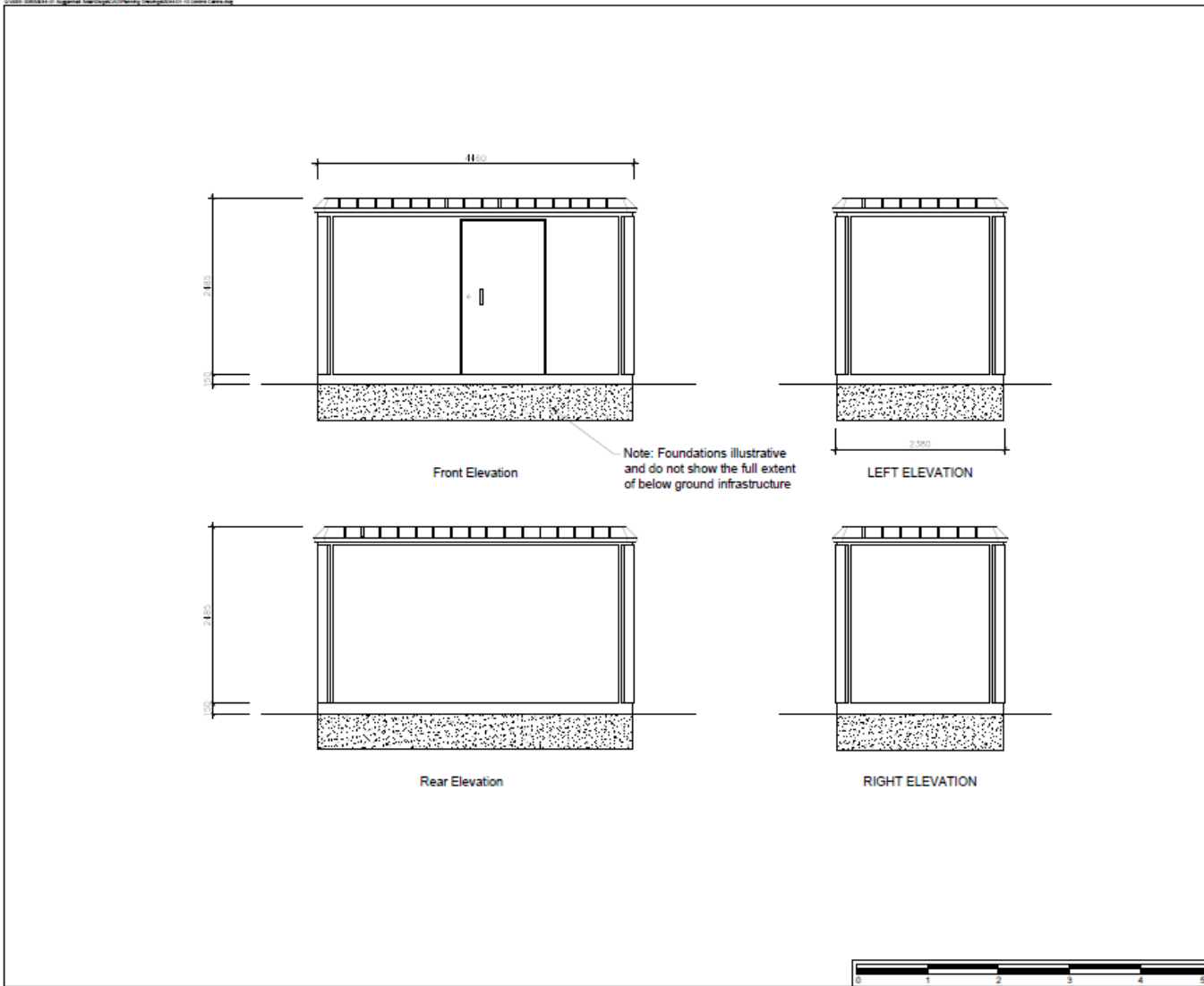


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| Client: IMA STUDY LTD | |
| Project: BUCKINGHAM ROAD SOLAR ARRAY | |
| Building No.: | |
| HD/CABLE SWITCHROOM BUILDING | |
| Date: 10/08/2021 | Drawn by: |
| Drawing Number: | Scale: |
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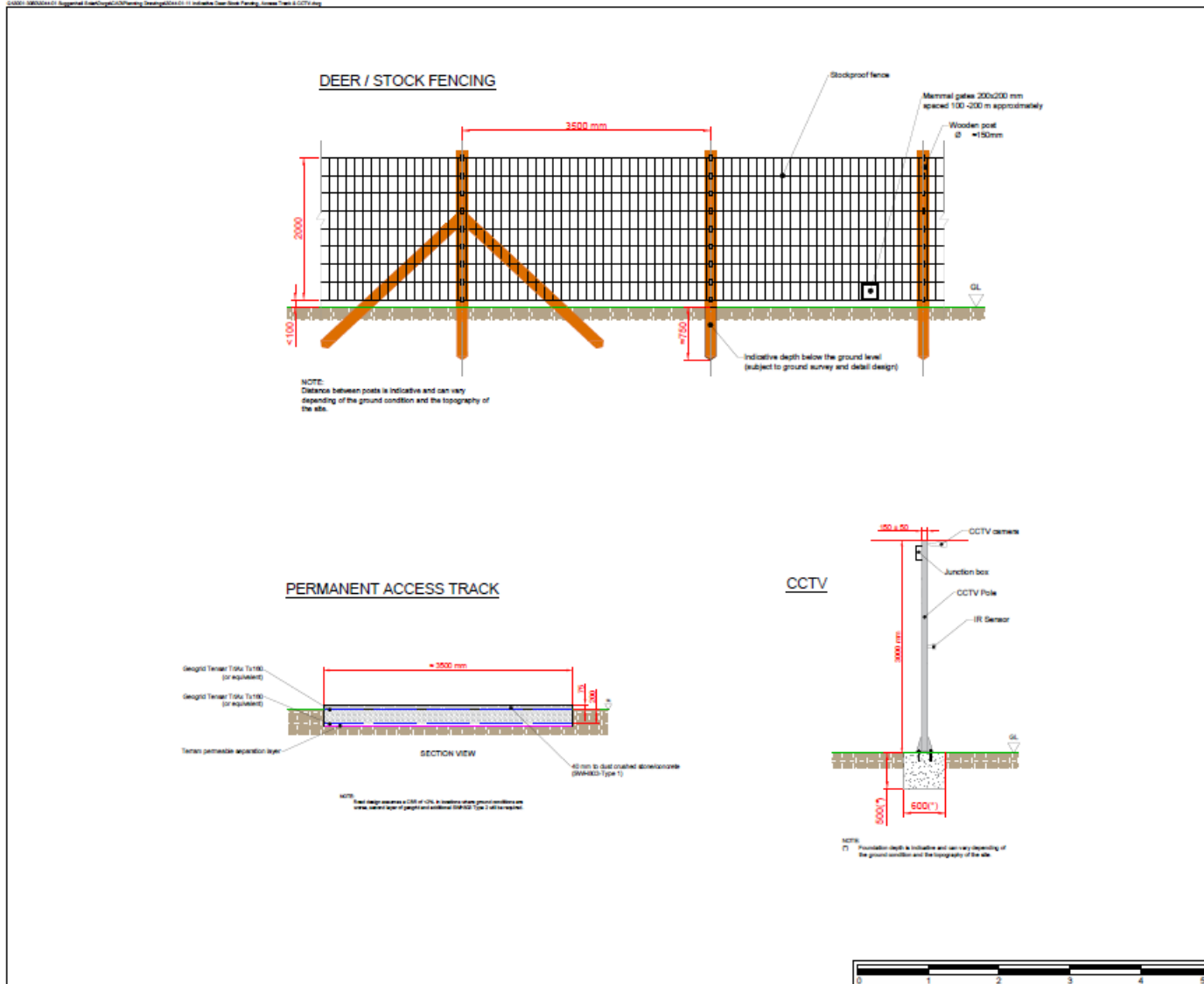


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| Client | KVA ENERGY LTD | | |
| Project | SOUTHSHALL NUTRI SOLAR 2000W | | |
| Drawing No. | INDICATIVE CONTROL CENTRE | | |
| Date | 10/08/2021 | Scale | 1:50 |
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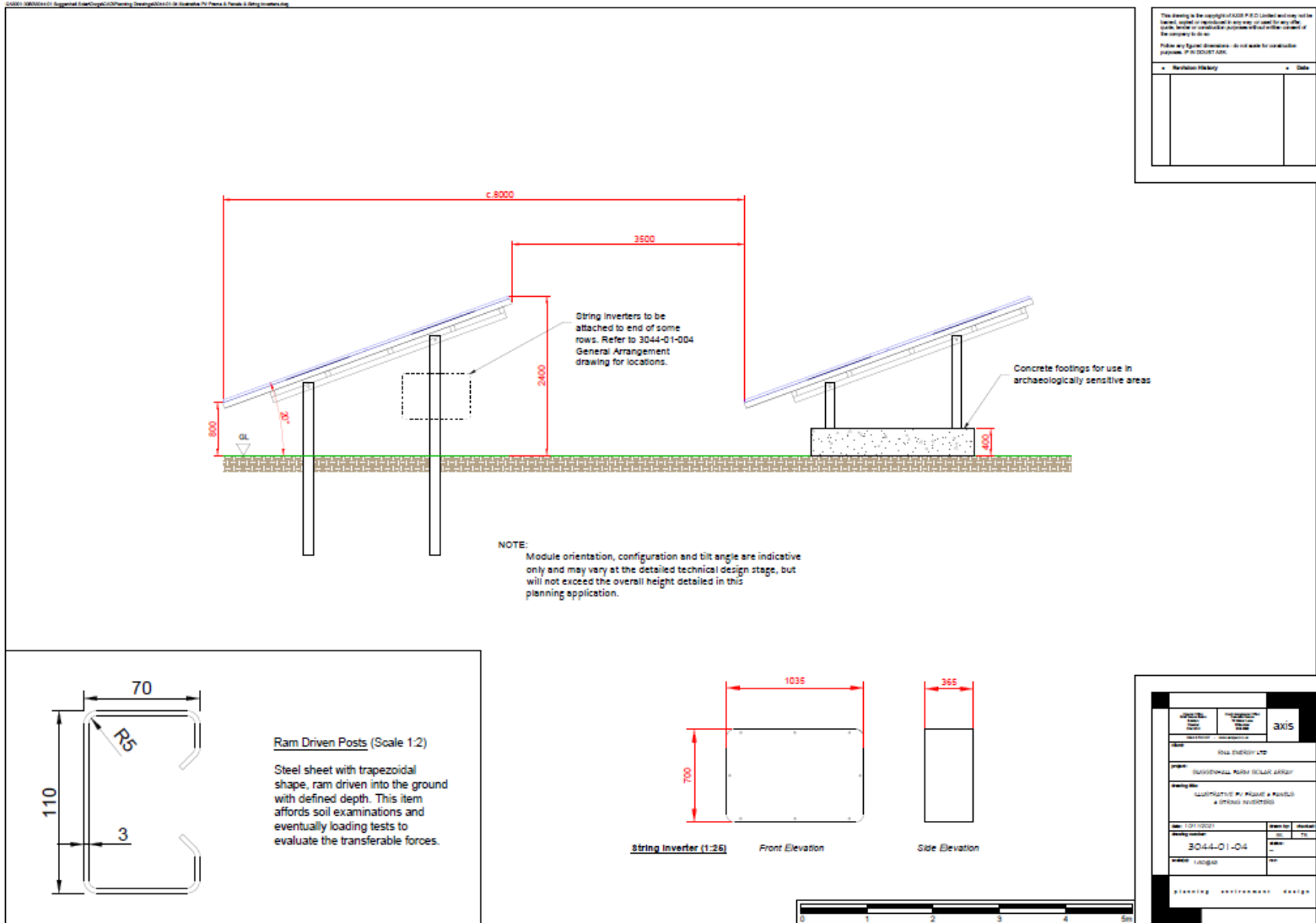


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Agenda Item 7b

Committee Report

Item No: 7B

Reference: DC/21/06379

Case Officer: Mahsa Kavyani

Ward: Elmswell & Woolpit.

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

RECOMMENDATION – REFUSE PLANNING PERMISSION

Description of Development

Full Planning Application - Erection of 19No dwellings (including 6No Affordable) and construction of new vehicular accesses.

Location

Land East Of, Ashfield Road, Elmswell, Suffolk

Expiry Date: 25/04/2022

Application Type: FUL - Full Planning Application

Development Type: Major Small Scale - Dwellings

Applicant: Hartog Hutton Ltd

Agent: Philip Cobbold

Parish: Elmswell

Site Area: 0.9 hectare /9000sqm

Density of Development:

Gross Density (Total Site): 21 in 1 hectare

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

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

The application is a major application for a residential development for 15 or more dwellings.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

NPPF National Planning Policy Framework 2021
NPPG-National Planning Policy Guidance

Core Strategy Focused Review 2012:

FC01 - Presumption In Favour of Sustainable Development
FC01_1 - Mid Suffolk Approach to Delivering Sustainable Development
FC02 - Provision and Distribution of Housing

Core Strategy 2008:

CS01 - Settlement Hierarchy
CS02 - Development in the Countryside & Countryside Villages
CS04 - Adapting to Climate Change
CS05 - Mid Suffolk's Environment
CS09 - Density and Mix

Mid Suffolk Local Plan 1998:

GP01 - Design and layout of development
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
T09 - Parking Standards
T10 - Highway Considerations in Development

Elmswell Neighbourhood Plan

Supplementary Planning Documents:

Suffolk Adopted Parking Standards (2019)

Neighbourhood Plan Status

This application site within Elmswell's Neighbourhood Plan Area.

The Neighbourhood Plan is currently at: - Reg 14 Draft Plan stage, accordingly, the Neighbourhood Plan has Limited weight,

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)

Elmswell Parish Council - objects to this application for the following reasons:

The site is in the countryside outside of the Settlement Boundary within which new development will properly take place.

With regard to the strong policy imperatives aimed at protecting the existing character and appearance of the countryside, this proposal offers no justification for exceptional treatment and does not present a case for special consideration under categories identified and defined in the Local Plan, the Core Strategy or the National Planning Policy Framework.

Councillors make this statement with reference to the following factors:

1. MSDC has achieved a Housing Land Supply of more than 5 years. The Draft 5YHLS position statement November 2021 indicates that there is a 9.5 year housing land supply, almost double what government requires. In line with NPPF objectives in paras 78 and 83, Planning permission has been granted for substantial housing growth within or adjoining the Elmswell settlement boundary, and delivery of these developments is well advanced. On this basis, there should be no overriding presumption in favour of development that does not meet local policies. While some previously adopted policies are "out of date" and to be replaced in the new draft Local Plan, many are still aligned with objectives of the NPPF.
2. Most relevant here are FC1 and FC1.1 regarding Sustainable Development, CS5 relating to natural landscape and Mid Suffolk's environment, which aligns with NPPF 127 and 170. The conflicts with these policies and guidance are material considerations. The proposal is an extension into the countryside, with no exceptional justification, and is harmful to the open rural character and landscape of the area.
3. This proposal does not constitute sustainable development using the NPPF overarching economic, social and environmental objectives. The economic benefit of construction employment is short term, and the contribution to the local economy from occupiers would be very modest. The social benefit is questionable, given the distance and difficulty in reaching village facilities and activities on foot. There would be no environmental benefit, rather the incursion of buildings into the countryside would diminish the natural landscape, habitat and biodiversity.
4. This is not an 'exception' site providing affordable housing, and would not make any significant contribution to the vitality of the village.
5. Considering these points, together with the NPPF as a whole and policies FC1 and FC1.1, the proposal cannot be judged to be a sustainable development.
6. There is no pavement on Grove Lane or part of Ashfield Road and footpaths across the fields to the village are only recreational, not level, unlit, and virtually unusable in/after bad weather. The lack of close, convenient and safe access to facilities by walking or cycling means greater reliance on car journeys. Grove Lane is not wide enough to safely accommodate passing vehicles and pedestrians and cyclists. The lane is heavily used by a variety of commercial traffic, much of which gives little consideration to the residents. There is considerable use by extremely large vehicles, which are unable pass each other without driving on to the verge. Grove Lane cannot be regarded as inherently safe for children, the elderly or those with animals. It cannot be considered a sustainable location for additional dwellings.

7. The site is an uncultivated grassed field surrounded by hedges, making a high-profile positive contributions to the appearance of the local landscape and potential for biodiversity and wildlife habitat. The proposal seeks to disrupt the existing pattern of development and the village's transition into open countryside. Regardless of design, any type of built form would harm the open countryside, with no appreciable public or local benefit to outweigh that harm. This is contrary to policies GP1, FC1.1, CS5 and CL8, which require developments to conserve and enhance the local character and respect the local distinctiveness of Mid Suffolk, including its natural landscape and protection of biodiversity. As these policies are broadly aligned with objectives in paragraphs 127 and 170 of the NPPF, this conflict must be given significant weight.
8. The proposal seeks to create an enclave whose residents would be dependent on car use to reach village facilities and amenities. In effect, it seeks to create a large satellite population with no sustainable means of connection to the village. The Transport Statement quotes NPPF paras 108-110 on highway objectives: "That it is safe for all users" and "That it promotes sustainable, high-quality alternatives to the private car and to achieve developments accessible to all vehicles and people". The proposal flies in the face of both of these strictures and goes further to suggest that the lack of a pavement from Grove Lane as far as Oak Lane is not a problem as pedestrians can use the grass verge as a walking route to and from the village. Local residents have long complained about the lack of a proper pavement on this part of Ashfield Road and have warned of near misses with the large volume of cars and HGVs that use it. The verge is uneven, muddy, subject to erosion by large vehicles and encroachment by hedges, dangerous to walk along in bad weather and in the dark, and impossible for anyone pushing a buggy, holding onto small children or carrying shopping. It is completely impassable for anyone who has reduced mobility. There is no verge at all on the other side of the road, forcing pedestrians going towards Grove Lane from the village to walk with their backs to the traffic, contrary to Highway Code rules. This is especially dangerous if an obstruction forces pedestrians to step into the carriageway. This verge is neither safe nor high-quality, and to suggest that it constitutes a safe walking route to village amenities betrays a cynical disregard for pedestrian safety on the part of the applicant.
9. Suffolk County Council Highways Officers highlight exactly these concerns in their formal Objection which confirms that the proposal presents, in terms of NPPF paragraph 111, 'an unacceptable impact on highway safety.'

Place Services (Ecology) – No objection subject to ecological mitigation measures and enhancement measures

Anglian water – 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.

National Consultee (Appendix 4)

Historic England – 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.

County Council Responses (Appendix 5)

Suffolk County Council

As Lead Local Flood Authority (LLFA), have reviewed application ref DC/21/06379

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

- Site Location Plan Ref 4458-01
- Site Layout Plan Ref 4458-02d
- Flood Risk Assessment and Drainage Strategy Ref 259/2020/FRADS P4

A holding objection is necessary because the site is predicted to be a risk of surface water flooding, this is contrary to national and local policy/guidance. There are omissions within the submitted Flood Risk Assessment and Drainage Strategy Ref 259/2020/FRADS P4.

1. National Planning Policy Framework (2021) Paragraph 159. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

2. Mid Suffolk District Council's Core Strategy Policy CS 4 Sept 2008 Flood Risk: The council will support development proposals that avoid areas of current and future flood risk, and which do not increase flooding elsewhere, adopting the precautionary principle to development proposals.

3. The Suffolk Flood Risk Management Strategy 2016 Paragraph 2.5 - Planning authorities should only approve development where it can be demonstrated that the proposal satisfies all the following criteria:

- a. it does not increase the overall risk of all forms of flooding in the area through the layout and form of the development and use of appropriate SuDs
- b. it will be adequately protected from flooding;
- c. it is and will remain safe for people for the lifetime of the development

The applicant is also proposing to utilise a hybrid SuDS system without demonstrating why a full SuDS system cannot be utilised.

SCC Highways - Objection until the following comments have been addressed:

A development of this scale should provide safe and suitable access to local amenities, including the primary school and sustainable transport connections without the need for motor vehicle travel. The presence of a narrow, unmade path in the western side verge of Ashfield Road is noted, but this does not provide a suitable, year round walking route for any type of vulnerable road user.

NPPF 110 requires that 'safe and suitable access to the site can be achieved for all users' and NPPF 112 requires that developments should 'give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas' and 'address the needs of people with disabilities and reduced mobility in relation to all modes of transport'.

Ashfield Road is a highly trafficked, unlit C class road and subsequently, the need for pedestrians to walk in or enter the road to access local amenities would result in 'an unacceptable impact on highway safety' (NPPF 111).

Significant improvements to the existing route would be required to address the above comments. It is also noted that the proposed visibility splays onto Ashfield Road are not clearly illustrated on the submitted drawings. This is necessary to enable the Highway Authority to assess whether they can be achieved within the highway verge and/or land controlled by the applicant.

SCC Passenger Transport Comments:

We don't have any services along Ashfield Road at present, and this development certainly isn't big enough to fund one, or tempt someone to run past commercially. Ordinarily at this point I would ask that they at least create a safe pedestrian route to the nearest stops, but I don't think even that will be possible due to the lack of footway.

SCC travel plan - Thank you for consulting me about the proposed residential development at Land East of Ashfield Road in Elmswell. On reviewing the planning documents submitted I have no comment to make, as the development does not meet the threshold of requiring a Travel Plan in accordance with the Suffolk Travel Plan Guidance.

SCC fire and rescue - 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

No additional water supply for fire fighting purposes is required in respect of this planning application. 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).

Internal Consultee Responses (Appendix 6)

Heritage Officer -

To the east of the proposal site, beyond the playing field, is Grove Farmhouse, a Grade II Listed C16 farmhouse. Although the proposal site is not directly adjacent to this listed building, and a sense of physical separation would be retained, I consider that the development may still cause some amount of harm. Firstly, I consider that the development may still be somewhat visually perceptible within the same context as Grove Farmhouse and, as it would be a fairly dense, suburban form of development, this would appear out of keeping with a historically rural farmhouse. Secondly, the development site may historically have formed part of the land used by the farmhouse for farming activities given the land appears to have formed part of

the medieval Buttonhaugh Green, as shown on Hodskinsons Map of 1783, this would be in the form of use but not ownership prior to enclosure, with possible ownership as well after enclosure. Although they are now separated by non-agricultural land, if there was a historic connection then this would probably still be more apparent with the proposal site in its current form, as opposed to if it was developed for housing. Thirdly, as the land between Grove Farmhouse and Ashfield Road was likely historically part of Buttonhaugh Green, then this land adds to the evidence for the reason for positioning the listed building on the edge of the green, as was typical in the C16, thus adding to its story. I consider that development on the proposal site would make the reason why Grove Farmhouse was located here more difficult to appreciate.

Similarly, Buttonhaugh Green likely has historic interest in its own right, as a former medieval common, and the proposal would result in further erosion of its historically undeveloped character, in cumulation with other recently approved developments.

However, it is noted that this part of the setting of Grove Farmhouse/part of Buttonhaugh Green has already been considerably developed and thus eroded, in the last 100+ years, and the proposal site is a relatively small gap within this development. Consequently, I consider that the level of harm would be limited due to this. Overall, I would characterise the level of harm to Grove Farmhouse as a very low to low level of less than substantial harm, dependent to some extent upon their exact relationship historically. The impact on Buttonhaugh Green would be very low. I consider there would likely be limited opportunity for mitigation of this harm.

If the LPA are minded to approve this application, I would not request any conditions in this case.

Strategic Housing - Holding Objection: The affordable housing mix is not supported, and it needs to be determined that the affordable homes meet the Nationally Described Space Standard.

Environmental Health land contamination – No objections were raised

Environmental Health air quality - I can confirm that the scale of development, at 19 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.

Environmental Health sustainability/climate change - Upon review of the application and associated documents the following condition must be met: No development shall commence above slab level until a scheme for the provision and implementation of water, energy and resource efficiency measures for the lifetime of the development shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme such include as a minimum to achieve:

- Agreement of provisions to ensure no more than 105 litres per person per day is used
- Agreement of provisions to ensure the development is zero carbon ready
- An electric car charging point per dwelling
- A Water-butt per dwelling
- Compost bin per dwelling
- Agreement of heating of each dwelling/building
- Agreement of scheme for waste reduction

Environmental Health (noise/odour/light/smoke) – please note below:

The application site is in close proximity to a corner and the transport statement indicates that Grove Lane is used by HGV traffic to access an industrial estate and therefore there is potential for a loss of amenity at new dwellings. As such I would require an Environmental Noise Assessment (ENA).

Should the ENA identify that daytime and night-time ambient noise levels at dwellings exceed the WHO and BS8223 guideline values for both internal and external daytime noise and night-time WHO guidance levels for sleep disturbance in bedrooms then a scheme of mitigation shall be submitted for approval to show compliance prior to any permission being granted.

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 Prohibition 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

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.

Reason: to minimise detriment to nearby residential amenity 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, portalos 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

Method of any demotion to take place, including the recycling and disposal of materials arising from demolition.

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 demolition 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

MSDC Waste Management - No objection subject to conditions

B: Representations

At the time of writing this report 12 public comments have been received. It is the officer opinion that this represents 12 objections comment. A verbal update will be provided as necessary at your meeting.

Views are summarised below: -

- No safe and suitable access to services and facilities (Lack of footpath from Grove Lane to Oak Lane and centre of Elmswell)
- Countryside location and lack of infrastructure
- The field supports wildlife and is the last remaining wild flower
- Traffic generation
- Overdevelopment of the Elmswell
- Anglian water/sewage problems

(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/21/06379

Full Planning Application - Erection of 19No dwellings (including 6No Affordable) and construction of new vehicular accesses.

DECISION: PCO

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

1.1. The application site consists of a rectangular parcel of grassland comprising approximately 0.9 ha. There is existing residential development to the north, west and south of the site. The eastern boundary of the site adjoins sports pitches/Playfield. The prevailing character of development is edge of settlement rural. The surrounding dwellings are varied in terms of style, scale, and

orientation, a real mixture of two-storey dwellings, bungalows and traditional cottages can be observed along this part of Ashfield Road. The application site is situated some 1km away from the defined settlement boundary of Elmswell.

- 1.2. The site is not subject to any specific land designations, namely Conservation Area, AONB, Special Landscape Area or Sites of Scientific Interest.
- 1.3. There are no protected landscape features within or within close proximity to the site, and there are no TPOs within the application site.
- 1.4. The site is situated in Flood Zone 1 where the risk of flooding is minimal, however there are areas within and close to the site prone to surface water flooding, according to the Environment Agency Flood Map.
- 1.5. Two access points would serve the proposed development, Ashfield Road and Grove Lane as shown on the submitted layout drawing.

2. The Proposal

2.1 The proposal is for the “Erection of 19No dwellings (including 6No Affordable) and construction of new vehicular accesses.” The proposal will include 6 affordable homes. The affordable homes will be plots 4, 5, 6, 7, 8 and 9. Plots 4 and 5 are flats with one bedroom. Plots 6, 7, 8 and 9 are houses with two bedrooms.

2.2 The proposed dwellings feature different design aspects; the dwellings are of two storey height, no bungalows/single storey dwellings have been proposed, the palette of external materials chosen consists of brick, render, timber boarding slate and pantiles. The development includes a range of housing types and sizes consisting of 2 x 1 bed, 6 x 2 bed, 7 x 3 bed, and 4 x 4 bed properties. The dwellings with frontages to Ashfield Road and Grove Lane. The SuDS area and public open space positioned in the north-west corner of the site will create a focal point, overlooked by plots 3, 4 and 5.

2.3 The development has a net density of 21 dwellings per/ha.

- Plots 2, 3, 13 and 14 are two storey 4 X bedroom detached
- Plots 1, 15, 16 and 17 are two storey 3 X bedroom detached
- Plots 18 and 19 are two storey X 3-bedroom semi-detached dwellings
- Plots 11 and 12 are two storey X 2-bedroom semi-detached dwellings
- Plots 8 and 9 are two storey X 2-bedroom semi-detached dwellings
- Plots 4 and 5 are flats with one bedroom

The illustration below outlines the positioning of affordable units within the site



3. The Principle Of Development

3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that 'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'.

3.2 Paragraph 12 of the NPPF provides that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed. The age of policies itself does not cause them to cease to be part of the development plan or become "out of date" as identified in paragraph 219 of the NPPF which provides:

"..., 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)."

It is embedded throughout the NPPF that significant weight should be given to the general public interest in having plan-led decisions even if the particular policies in a development plan may be old.

Even if policies are considered to be out of date, that does not make them irrelevant; their weight is not fixed, and the weight to be attributed to them is within the remit of the decision taker.

- 3.3 The proposal would create 19 additional dwellings in the countryside, the development should be assessed having regards to Mid Suffolk Local Plan (adopted 1998) saved policies GP1, H3, H7, H13, H15, H16, H17, T9, T10, CL8, and Core Strategy (adopted 2008) policies CS1, CS2, CS3, and CS5 and the Core Strategy Focused Review together with the NPPF (2021).
- 3.4 Policy CS1 of the adopted Core Strategy identifies a settlement hierarchy to sequentially direct development. This Policy identifies categories of settlement within the district, with Towns representing the most preferable location for development, followed by the Key Service Centres, Primary then Secondary Villages. The countryside is identified as the areas outside of those categories of settlement referred to above.
- 3.5 Policy CS2 of the Core Strategy restricts development in the countryside to defined categories. The proposed development does not fall within any of the listed categories. Policy H7 of the Local Plan 1998 seeks to restrict housing development in the countryside in the interests of protecting its existing character and appearance.
- 3.6 The proposal is situated in the countryside wherein development is expected to accord with Core Strategy policy CS2. The proposal fails to accord with the developments allowed within the countryside and therefore is considered to conflict with Core Strategy Policies CS1 and CS2.
- 3.5 In countryside locations development will be restricted to particular types of development to support the rural economy, meet affordable housing, community needs and provide renewable energy. As such the proposal is for new residential development in the countryside, contrary to H7 of the Local Plan, and CS1 and CS2 of the Core Strategy.
- 3.6 The Council can currently demonstrate that it has an adequate 5-year housing land supply measured at 9.54 years. As such, this element does not engage the tilted balance requirement of the NPPF in itself. Given the age of both the Core Strategy and the Local Plan, and mindful that they pre-date the publication of the revised NPPF, consideration must be given to their degree of compliance with the NPPF. It follows that this requires consideration of the associated weight to be attached to the development plan policies. Policies CS1 and CS2 jointly set out the spatial strategy for the district in directing how and where new development should be distributed. They are not expressly prohibitive of new development in the countryside and allow for new development that is in accordance with them. Read together the policies provide a strategy for the distribution of development that is appropriate in recognising local circumstances and their overall strategy remains sound. This is because they take a responsible approach to spatial distribution, requiring the scale and location of new development to take into account local circumstances and infrastructure capacity. These elements are consistent with the NPPF.
- 3.7 Policy H7 states that new development will normally form part of existing settlements and that outside of settlement boundaries proposals for new housing will be strictly controlled. It is explained within the policy that this is in the interests of protecting the existing character and appearance of the countryside. It has been found that H7 does not directly preclude new development in the countryside and attracts weight in this decision; nonetheless, as a saved policy within the development plan it must be read alongside policies CS1 and CS2 and it is consistent with them. It is notable that the desire to protect the countryside as a resource is also reflected within the NPPF where it is stated at paragraph 174 that planning decisions should contribute to and enhance the natural and local environment by recognising

the intrinsic character and beauty of the countryside. Here, “recognition” must itself import a degree of protection and so the sentiment behind policy H7 is consistent with the NPPF.

- 3.8 There is a not too dissimilar ‘*special circumstances*’ test at NPPF paragraph 80 but that only applies to sites that are physically separated or remote from a settlement. It is this policy approach (alongside paragraphs 78 and 79, among others) within the NPPF that is infringed by the proposal. Therefore, irrespective of whether elements of policies CS1, CS2, and H7 are out of date, the parts of aforementioned policies that are up to date are those which are being breached by the application development and directly apply to its consideration. It is those policy parts that are up to date, and they attract a substantial weighting in the assessment of this proposal. These policies are consistent with the need to enhance and maintain villages and rural communities, and avoid new isolated homes, as set out within paragraphs 78, 79, and 80 of the NPPF. Further, CS1, CS2 and H7 also reflect NPPF paragraph 105 which provides that the planning system should actively manage patterns of growth and focus significant development on locations which are or can be made sustainable.
- 3.9 Having established a housing land supply which demonstrably and significantly proves that the Council is significantly boosting the supply of homes it is considered that the management of new development to more rather than less sustainable locations which enable active travel is an important development plan purpose which is consistent with the thrust of the NPPF. In the circumstances of this application and this site for the reasons set out in this report it is appropriate to afford a substantial weighting to policies CS1, CS2, and H7 given that the site is in a less rather than more sustainable location. A windfall piecemeal development such as this in less sustainable countryside location would materially compromise the spatial strategy of the development plan and undermine the aims and objectives of those plan contrary to Section 38(6) of the Act.
- 3.10 The NPPF sets out three dimensions for sustainable development, environmental, social and economic. The dimensions in the context of the proposed scheme are assessed in detail below.

Sustainable Development Considerations

- 3.11 The NPPF sets out three dimensions for sustainable development, environmental, social and economic. The dimensions in the context of the proposed scheme are assessed in detail below.
- 3.12 Economic Objective – Economically, the proposal would generate some benefit for local trade and predominately arise during the construction phase which would be short term and small. Once occupied, there would be minor economic benefit to Elmswell, this impact would not be significant.
- 3.13 Social Objective – In respect of the social strand, the proposal would provide 19 new dwellings which would provide a small contribution to housing, including a contribution to affordable housing. As such the social benefits are considered very limited and could be more sustainably provided in development elsewhere. This benefit is further reduced given that the Council can at this time demonstrate a five-year housing land supply. Whilst this is not a cap on development it is nonetheless the case that land for new homes is being made available in the district including within more sustainable locations, such that the benefit in this regard must be considered quite minimal.
- 3.14 Environmental Objective – There is no footpath, either in Grove Lane or on the Ashfield Road up to the Oak Lane junction. Given lack of public footpath in this location, the only access to Elmswell is an unlit and unsafe, narrow grass verge along Ashfield Rd.
- 3.15 The site is outside the defined settlement boundary of Elmswell. Elmswell is a Key Service Centre with multiple facilities for the community. It has a railway station and good bus links reflected in its

designation in Policy CS1 of the CS. These facilities also include a church, primary school, shops, two public houses, a village hall and recreation ground. Suffolk Provision of active travel infrastructure “Prioritise walking, cycling, and other vulnerable road users, above private car use” This document also sets out acceptable walking distance for development in the table below. The application site is approximately 1.5km from the primary school, and the railway station. It is similarly distanced from Pharmacy; these distances well exceed the desirable 800m. This combined with lack of suitable, safe, and continuous footway to the village centre indicates that it is less likely that the future residents would choose to take that journey by walking, as this would necessitate walking along a long stretch of unlit and unsafe road. The road is subject to a 30-mph speed limit. There is no cycle route along Ashfield Rd.

Table 1: Acceptable walking distances

| Definition | Town centres | Commuting/ school | Elsewhere |
|-------------------|--------------|-------------------|-----------|
| Desirable | 200m | 500m | 400m |
| Acceptable | 400m | 1km | 800m |
| Preferred maximum | 800m | 2km | 1.2km |

13.16 It is acknowledged that the NPPF states that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. It is reasonable to conclude that this site is not within easy walking reach of local services and facilities and bus stop 164 at Oak Lane, some 200m away, does not provide regular service therefore opportunities to use public transport are limited and the site is not well served in this part of the countryside. Given the concern over walking and absence of dedicated cycling paths, limited access to public transport and the objective to reduce reliance on car journeys on daily basis these factors weigh negatively in the planning balance.

3.17 To the east of the proposal site, beyond the playing field, is Grove Farmhouse, a Grade II Listed C16 farmhouse. The proposal would impact the setting and significance of that heritage asset. Furthermore, the development site may historically have formed part of the land used by the farmhouse for farming activities given the land appears to have formed part of the medieval Buttonhaugh Green, as shown on Hodskinsons Map of 1783. The proposal is considered to cause less than substantial harm to this heritage asset as noted above. The level of impact is further explored under the respective heading; however, this counts negatively in the planning balance and in terms of environmental impact. Additionally, although the site is within Flood Zone 1, it is situated within an area identified as at risk of surface water flooding, details of which is further explored in the report. This is another negative environmental risk which counts in the planning balance.

3.18 Whilst some benefits have been identified, provision of affordable units (6 units) and market dwellings which would add to stock of housing the district, given the harm identified in not just one, but to various strands, particularly within the environmental objective of sustainable development. It is considered that the proposal would wholly fail to result in sustainable development. Furthermore with identified adverse impacts which significantly and demonstrably outweigh the public benefits, even if the titled balance were to be applied, the proposal would not be supportable, this issue assessed in the Heritage and Flood risk sections below.

3.19 The proposal is contrary to the requirements of paragraphs 161 of the NPPF. Policies of Mid Suffolk development plan and the NPPF. The submitted Flood Risk Assessment fails to adequately address Flood risk matters, this combined with heritage concerns outlined above, together with limited public benefits that would not outweigh the identified harm, it is evident that the proposal is contrary to the Local Development Plan and the NPPF. Based on the outlined reasons, the Officers are of the view that the principle of residential development on this site is not supported, regardless of its design, style, scale, layout and orientation.

4. Site Access, Parking And Highway Safety Considerations

- 4.1. Policies T9 and T10 require development to be delivered with safe and sufficient highways access and function.
- 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. NPPF paragraph 110 also requires that 'safe and suitable access to the site can be achieved for all users' and NPPF paragraph 112 requires that developments should 'give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas' and 'address the needs of people with disabilities and reduced mobility in relation to all modes of transport.'
- 4.4. The proposed dwellings will be served by new vehicular accesses from Ashfield Road and Grove Lane. Ashfield Road is a highly trafficked, unlit C class road with 30mph speed limit, and subsequently, the need for pedestrians to walk in or enter the road without a continuous footway to access local amenities would not result in "safe and suitable access" for all persons and potential as they might walk in the carriageway risk creating 'an unacceptable impact on highway safety' for passing road users including cyclists and motor vehicles (NPPF 111).
- 4.5. It is also noted that the proposed visibility splays onto Ashfield Road are not clearly illustrated on the submitted drawings. The applicant has failed to demonstrate that adequate visibility splays can be achieved on site, therefore it is not possible for the Highway Authority to assess whether they can be achieved within the highway verge and/or land controlled by the applicant which leads to significant uncertainty around this matter.
- 4.6. The proposal is therefore contrary to the local plan policies T9 and T10, and paras 110, 111 and 112 of the NPPF.

5. Design And Layout [Impact On Street Scene]

- 5.1 Policy CS5 of the Core Strategy 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.
- 5.2 Policy GP01 of the Local Plan states that proposals comprising poor design and layout will be refused, requiring proposals to meet a number of design criteria including maintenance or enhancement of the surroundings and use of compatible materials.

- 5.3 The surrounding area includes eclectic mixture of housing types, including bungalow and chalet bungalows, cottages and two storey houses. The design, style and scale of the proposed units are varied, and materials chosen are acceptable.
- 5.4 The proposed layout however lacks connectivity to the rest of the community as noted elsewhere and this will foreseeably compromise its potential to underpin social cohesion as required by the NPPF. The site is poorly connected in parts. The affordable housing units appear parking dominated, appear somewhat separated from the rest of the site and not well integrated.
- 5.5 The development would occupy a prominent corner position, where Ashfield Road meets Grove Lane, the site is also immediately adjacent to playing field such it is highly visible to view from all sides. Development in this location would materially reduce the open character of this locality and compromise that feature of local distinctiveness as the built-up area of the village softens into countryside. The urbanising effect would be highly prominent in the street scene and its undermining effect upon the undeveloped and open character of the land would be lost. As a result, its lost contribution to local character and reduced sense of openness would be significant.
- 5.6 Officers consider that although the design of the dwellings, their style, mixture, density, and layout are not objectionable in general terms, given in the context of the locality, the open and prominent location of the site, is contrary to the policies CS5 and GP1, as well as chapter 12 of the NPPF. Having said that, irrespective of design details, any development on this field would be harmful and irreversible to the street scene and local character.

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

- 6.1 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.
- 6.2 Local Plan Policy GP1 calls for proposals to, amongst other matters, maintain and enhance the character and appearance of their surroundings. 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.
- 6.3 The site is an uncultivated grassed surrounded by hedges and being situated at the junction of Ashfield Road and Grove Lane, it occupies a prominent position in the locality, therefore although it does not bear any significant vegetation or contains any significant trees, its openness together with its positioning immediately adjacent to the open Playing field to the east, contributes positively to the natural landscape character of this locality. This visual "gap" also re-enforces the gradual transition into open countryside and fields beyond, such that the proposed development would unacceptably reduce this gap and would have a significant urbanising impact upon rural settlement edge character of the site.
- 6.4 Such harm to the local landscape character is inevitable, information about how this can be potentially mitigated is absent, and the submitted Planning Statement provides "*Precise details of planting and hard surfacing are reserved matters which can be addressed by a planning condition.*" Officers are of the view that no level of planting would overcome the identified harm, as noted previously, the significance of the field is predominantly in its openness/free from built form. A permanent built

development would have a lasting, urbanising impact upon this part of the countryside and in so doing the proposal conflicts with Policy CS5 of the Core Strategy, policy CS5 is given full weight as it is in line with Chapter 15 of the NPPF. The proposal's inability to conserve local landscape character weighs negatively in the planning balance.

7. Land Contamination, Flood Risk, Drainage and Waste

7.1 National Planning Policy Framework (2021) Paragraph 159. Provides that Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

7.2 Mid Suffolk District Council's Core Strategy Policy CS4 sets out that: The council will support development proposals that avoid areas of current and future flood risk, and which do not increase flooding elsewhere, adopting the precautionary principle to development proposals.

7.3 The Suffolk Flood Risk Management Strategy 2016 Paragraph 2.5 - Planning authorities should only approve development where it can be demonstrated that the proposal satisfies all the following criteria:

- a. it does not increase the overall risk of all forms of flooding in the area through the layout and form of the development and use of appropriate SuDs
- b. it will be adequately protected from flooding.
- c. it is and will remain safe for people for the lifetime of the development

7.4 The application site is within Flood Zone 1 and partly within an area identified as at risk of surface water flooding. The submitted Flood Risk Assessment fails to adequately demonstrate the extent of flood risk affecting the site. Furthermore, the NPPF at paragraph 161 requires that for **all flood sources** a sequential approach to development is taken, whereby it must be demonstrated that there is no reasonably available alternative land at lower risk of flooding that could accommodate the development instead of the site proposed. Having regard to paragraph 161 the Council consider that there are likely to be reasonably available alternative sites across the district particularly and there are no cogent planning reasons to reduce the search area for such to this location or just the site. On this basis the Sequential Test has been technically failed. The applicant is also proposing to utilise a hybrid SuDS system without demonstrating why a full SuDS system cannot be utilised and this is not considered acceptable.

7.5 The proposal is in in the round conflict with Mid Suffolk Core Strategy Policy CS4 and paragraphs 161 and 164 of the NPPF

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

8.1 Policy HB1 of the Local Plan seeks to protect the character and appearance of buildings of architectural or historic interest, particularly protecting the settings of Listed Buildings, the policy is given full weight given its compliance with Chapter 16 of the NPPF.

8.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Listed Building or its setting. In this case, there are specific NPPF policies relating to designated heritage assets that should be considered.

- 8.3 Paragraph 195 of the NPPF identifies that the impact of a proposal on the significance of a heritage asset should be taken into account, in order to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.
- 8.4 Paragraph 202 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. In particular, paragraph 199 identifies that when considering the impact of development on the significance of a heritage asset, great weight should be given to the asset's conservation, irrespective of the level of harm.
- 8.5 The NPPF defines the setting of a heritage asset as the surroundings in which it is experienced. The extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset; may affect the ability to appreciate that significance; or may be neutral.
- 8.6 To the east of the proposal site, beyond the playing field, is Grove Farmhouse, a Grade II Listed C16 farmhouse. Although the proposal site is not directly adjacent to this listed building, and a sense of physical separation would be retained, it is considered that the development would result in impact upon this heritage asset.
- 8.7 The application site is visually perceptible within the same context as Grove Farmhouse and, as it would be a fairly dense, suburban form of development, it would appear out of keeping with a historically rural farmhouse. Additionally, it is highly likely that the site is historically formed part of the land used by the farmhouse for farming activities. The land also appears to have formed part of the medieval Buttonhaugh Green, as shown on Hodskinsons Map of 1783. Although they are now separated by non-agricultural land, this historic connection would be lost through development of the site for residential housing. It is considered that any development on this site would undermine future generations appreciation of the context of Grove Farmhouse.
- 8.8 Similarly, Buttonhaugh Green likely has historic interest in its own right, as a former medieval common, and the proposal would result in further erosion of its historically undeveloped character, in cumulation with other recently approved developments.
- 8.9 It is noted that this part of the setting of Grove Farmhouse/part of Buttonhaugh Green has already been considerably developed and thus eroded, in the last 100+ years, and the proposal site is a relatively small gap within this development. Nonetheless harm has been identified. The level of harm to Grove Farmhouse is considered a very low to low level of less than substantial harm, dependent to some extent upon their exact relationship historically. The impact on Buttonhaugh Green would be very low.
- 8.10 Paragraph 202 of the NPPF requires that a finding of less than substantial harm must be weighed against the public benefits of the proposed development. It is considered irrespective of design, layout, and style of the development, any built form on this site would fail to conserve the heritage asset as set out above and, this combined with limited public benefit that it would offer leads Officers to conclude that the development would be contrary to Local Development Plan policy HB1, and paragraph 199 & 202 of the NPPF, where collectively these policies require that great weight should be attached to the preservation of the heritage assets.

9. Impact On Residential Amenity

- 9.1 Paragraph 130 of the NPPF sets out a number of core planning principles which should underpin decision-taking, including seeking to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 9.2 The proposed layout is not considered highly dense, and the properties are afforded suitable amenity space. The Officers have not assessed the proposal to give rise to loss of amenity in terms of loss of light, overdominance, loss of privacy, given the style, scale and orientation of the proposed dwellings. Similarly, no harmful impact upon adjacent/surrounding neighbours have been identified that cannot be overcome by way of suitable conditions (construction management, construction hours, etc...). The Officers do not consider that the site is overdeveloped by virtue of the size and scale of the development shown.
- 9.3 The site layout demonstrates that it is capable of accommodating the proposal in a manner that will not unduly compromise the residential amenity of existing occupiers and nearby residential dwellings. Comments by EHO are noted regarding noise generated by HGV traffic, however they have advised that this issue can be potentially overcome by way of condition. In terms of comments provided by Strategic Housing officer, regarding "The affordable housing mix is not supported, and it needs to be determined that the affordable homes meet the Nationally Described Space Standard". Officers are of the view that as Mid Suffolk currently does not benefit from a policy that directly addresses this matter, it cannot be used as a reason for refusal.
- 9.4 The proposal is therefore not contrary to policy H16 of the Local Plan and Para 130 of the NPPF.

10. Planning obligations/CIL

- 10.1 The application is liable to CIL which would be managed through the standard independent CIL processes. The application, if approved, would require the completion of a Section 106 agreement to secure an affordable housing contribution (as advised by your Strategic Housing Officers).

PART FOUR – CONCLUSION

12. Planning Balance and Conclusion

- 12.1. It is considered that the application, for the reasons set out above, would not accord with the most important policies for the decision within the development plan taken in the round and that such material considerations as there are do not indicate that a decision should be taken other than in accordance with that those policies of the plan.

The basket of most important policies here, CS1, CS2, CS5, CS9, FC1, FC1.1, GP1, HB1, H4, H7, H13, H14, H15, H16, T9 and T10, are, on the balance of probabilities, considered to be up to date insofar as they relate to this application, the site, and its particular circumstances. It is therefore considered that the presumption in favour of sustainable development should not be engaged in the determination of this application. Para 11(d(i) of the NPPF provides 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:

“The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed,” footnote 7 includes designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 68); and areas at risk of flooding or coastal change.

Therefore, even if the "tilted balance" were considered to be engaged the significant and demonstrable harm to the strategic purpose of the development plan in achieving sustainable development through "good design" would be such that planning permission should be refused.

The proposed development would result in adverse impact on Grade II listed Grove Farmhouse, and the proposal would also impact on Buttonhaugh Green. Paragraph 202 of the NPPF requires that a finding of less than substantial harm must be weighed against the public benefits of the proposed development., and visual quality of the locality, rural character of the site. The identified harm would not be outweighed by public benefit, as these benefits can be achieved elsewhere in a more sustainable location in the district away from heritage impactful settings, and as such the proposal would be contrary to paragraph 202 of the NPPF, and policies HB1 of the Local Plan.

The harm identified and outcome from paragraph 202 would be such that paragraph 11 (d)i applies, which confirms that policies in the Framework provide a clear reason for refusing the development proposed.

Furthermore, the submitted Flood Risk Assessment fails to adequately demonstrate the extent of flood risk affecting the site. Furthermore, the NPPF requires for all flood sources that a sequential approach to development is taken, whereby it must be demonstrated that there is no reasonably available alternative land at lower risk of flooding that could accommodate the development instead of the site proposed. The Council consider that there are reasonably available alternative sites across the district particularly given its land supply position, and there are no reasonable planning reasons to reduce the search area to this area or just the site. On this basis the Sequential Test has been failed. The applicant is also proposing to utilise a hybrid SuDS system without demonstrating why a full SuDS system cannot be utilised.

The proposal does not accord with development plan policies mentioned above or national planning guidance and there is significant conflict with the NPPF.

RECOMMENDATION

(1) That the Chief Planning Officer be authorised to REFUSE Planning Permission based on the following reasons and such other reasons as he considers fit:

1. The proposal is in a countryside location where the development of these new dwellings would not materially enhance or maintain the vitality of the rural community. Future occupants will, moreover, be likely to be reliant upon the private car to access services, facilities, and employment. The District Council has an evidenced supply of land for housing in excess of 9 years and has taken steps to boost significantly the supply of homes in sustainable locations.

On this basis the proposal would not promote sustainable development and would be contrary to the adopted policies of the development plan which seek to direct the majority of new development to towns and key service centres listed in the Core Strategy 2008 with some provision to meet local

needs in primary and secondary villages under policy CS1. In the countryside development is to be directed to more sustainable locations having regard to policy CS2 and it is considered that in the circumstances of this application the direction of new housing development to more sustainable locations is of greater weight than the delivery of these additional dwellings in a less sustainable location. Having regard to the significant supply of land for homes in the District it is considered that the objectives of paragraph 60 of the NPPF are being secured and that on the considerations of this application the objective to boost significantly the supply of homes should be given reduced weight.

It is considered that the development of this site would cause adverse impacts to the proper planning of the District having regard to the above mentioned development plan objectives which are consistent for the purposes of this application with the objectives of the NPPF to secure planned development in more sustainable locations rather than piecemeal development in less sustainable locations. Those adverse and unacceptable impacts would significantly and demonstrably outweigh the limited benefits of this development.

On this basis the proposal is not acceptable in principle, being contrary to paragraphs 8 and 11 of the NPPF (2021), saved Policy H7 of the Mid Suffolk Local Plan (1998), Policies CS1 and CS2 of the Core Strategy (2008) and Policy FC1 and FC1.1 of the Core Strategy Focused Review (2012).

2. The site is an uncultivated grassed surrounded by hedges and being situated in the junction of Ashfield Rd and Grove Lane, it occupies a prominent position in the locality, therefore although it does not bear any significant vegetation or contains any mature trees, its openness together with its positioning immediately adjacent to the open playing field to the east, contributes positively to the natural landscape character and local distinctiveness of the area. The undeveloped area also marks the gradual transition into the open countryside and the fields beyond, the proposed development would close this gap and would have a significant urbanising impact upon semi-rural character of the site.

The negative visual harm upon the street scene would be significant, and the open character and attendant rural sense of place would be lost, and on this basis the proposal fails to protect or conserve intrinsic character of the countryside. As such the proposal would fail to comply with the requirements of Policy CL8, T9, T10, GP1 of the adopted Mid Suffolk Local Plan (1998), Policy CS5 of the Mid Suffolk Core Strategy (2008), and chapter 15 of the NPPF (2018).

3. The application site is within Flood Zone 1 and partly within an area identified as at risk of surface water flooding. The submitted Flood Risk Assessment fails to adequately demonstrate the extent of flood risk affecting the site. Furthermore, the NPPF requires for all flood sources that a sequential approach to development is taken, whereby it must be demonstrated that there is no reasonably available alternative land at lower risk of flooding that could accommodate the development instead of the site proposed. The Council considers that there are reasonably available alternative sites across the district and there are no reasonable planning reasons to reduce the search area to this area or just the site. On this basis the sequential test has been failed.

Pursuant to the AMR data and recent permissions within Countryside Villages (as defined in Mid Suffolk Local Plan Policy CS1), the Council consider that there are reasonably available alternative sites as defined by the NPPF. On this basis the sequential test has been failed.

The proposal is contrary to Mid Suffolk's Core Strategy Focused Review (2012) policies FC1 and FC1.1, Core Strategy (2008) policy CS4 and paragraphs 159, 167 and 168 of the NPPF.

4. The proposal fails to provide a safe and secure access onto highways. Furthermore, the details provided fail to provide suitable visibility splays required to meet current highway standards/guidance. Suitable visibility splays that can be secured are essential to avoid significant risk of highway danger. No evidence has been submitted to demonstrate that reduced visibility splays can be accepted. On this basis there is a risk to highway safety and the proposal fails to meet policy T10 of the Local Plan 1998 and provisions of the NPPF in this regard.
5. The proposed development would cause less than substantial harm to Grove Farmhouse a Grade II Listed Building and its appreciation and the setting of Buttonhaugh Green. On that basis the application would fail to enhance and preserve the significance of a designated heritage asset when great weight should be given to the asset's conservation in accordance with paragraphs 196, 197, 199 and 202 and contrary to policies HB1 of the adopted Local Plan 1998 and CS5 of the adopted Core Strategy 2008

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

- Proactive working statement



Application No: DC/21/06379

Location: Land East Of, Ashfield Road,
Elmswell

| | | Page No. |
|--|---|----------|
| Appendix 1: Call In Request | No | |
| Appendix 2: Details of Previous Decision | N/a | |
| Appendix 3: Parish Council | <i>Elmswell parish response</i> | |
| Appendix 4: National Consultee Responses | <i>Historic England, Natural England</i> | |
| Appendix 5: County Council Responses | <i>SCC Highways, SCC Fire and Rescue, SCC Development Contributions, SCC Flood and Water management, SCC travel plan</i> | |
| Appendix 6: Internal Consultee Responses | <i>Strategic Housing, Heritage, Environmental Health (Land Contamination), Environmental Health (Climate Change), Environmental Health (noise/odour/light/smoke), Place Services/Ecology, Arboricultural Officer, Archaeological Officer,</i> | |
| Appendix 7: Any other consultee responses | <i>Cllr Sarah Mansel, Anglian Water, Public Realm, East Suffolk Drainage Board</i> | |
| 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.

Mahsa Kavyani

Babergh and Mid Suffolk District Councils



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Comments for Planning Application DC/21/06379

Application Summary

Application Number: DC/21/06379

Address: Land East Of Ashfield Road Elmswell Suffolk

Proposal: Full Planning Application - Erection of 19No dwellings (including 6No Affordable) and construction of new vehicular accesses.

Case Officer: Mahsa Kavyani

Customer Details

Name: Mr Peter Dow

Address: Blackbourne Community Centre, Blackbourne Road, Elmswell, Suffolk IP30 9UH

Comment Details

Commenter Type: Parish Clerk

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:DC/21/06379 19 dwellings on land east of Ashfield road

Elmswell Parish Council objects to this application for the following reasons:

The site is in the countryside outside of the Settlement Boundary within which new development will properly take place.

With regard to the strong policy imperatives aimed at protecting the existing character and appearance of the countryside, this proposal offers no justification for exceptional treatment and does not present a case for special consideration under categories identified and defined in the Local Plan, the Core Strategy or the National Planning Policy Framework.

Councillors make this statement with reference to the following factors:

1 MSDC has achieved a Housing Land Supply of more than 5 years. The Draft 5YHLS position statement November 2021 indicates that there is a 9.5 year housing land supply, almost double what government requires. In line with NPPF objectives in paras 78 and 83, Planning permission has been granted for substantial housing growth within or adjoining the Elmswell settlement boundary, and delivery of these developments is well advanced. On this basis, there should be no overriding presumption in favour of development that does not meet local policies. While some previously adopted policies are "out of date" and to be replaced in the new draft Local Plan, many are still aligned with objectives of the NPPF.

2 Most relevant here are FC1 and FC1.1 regarding Sustainable Development, CS5 relating to natural landscape and Mid Suffolk's environment, which aligns with NPPF 127 and 170. The conflicts with these policies and guidance are material considerations. The proposal is an

extension into the countryside, with no exceptional justification, and is harmful to the open rural character and landscape of the area.

3 This proposal does not constitute sustainable development using the NPPF overarching economic, social and environmental objectives. The economic benefit of construction employment is short term, and the contribution to the local economy from occupiers would be very modest. The social benefit is questionable, given the distance and difficulty in reaching village facilities and activities on foot. There would be no environmental benefit, rather the incursion of buildings into the countryside would diminish the natural landscape, habitat and biodiversity.

4 This is not an 'exception' site providing affordable housing, and would not make any significant contribution to the vitality of the village.

5 Considering these points, together with the NPPF as a whole and policies FC1 and FC1.1, the proposal cannot be judged to be a sustainable development.

6 There is no pavement on Grove Lane or part of Ashfield Road and footpaths across the fields to the village are only recreational, not level, unlit, and virtually unusable in/after bad weather. The lack of close, convenient and safe access to facilities by walking or cycling means greater reliance on car journeys. Grove Lane is not wide enough to safely accommodate passing vehicles and pedestrians and cyclists. The lane is heavily used by a variety of commercial traffic, much of which gives little consideration to the residents. There is considerable use by extremely large vehicles, which are unable to pass each other without driving on to the verge. Grove Lane cannot be regarded as inherently safe for children, the elderly or those with animals. It cannot be considered a sustainable location for additional dwellings.

7 The site is an uncultivated grassed field surrounded by hedges, making a high-profile positive contribution to the appearance of the local landscape and potential for biodiversity and wildlife habitat. The proposal seeks to disrupt the existing pattern of development and the village's transition into open countryside. Regardless of design, any type of built form would harm the open countryside, with no appreciable public or local benefit to outweigh that harm. This is contrary to policies GP1, FC1.1, CS5 and CL8, which require developments to conserve and enhance the local character and respect the local distinctiveness of Mid Suffolk, including its natural landscape and protection of biodiversity. As these policies are broadly aligned with objectives in paragraphs 127 and 170 of the NPPF, this conflict must be given significant weight.

8 The proposal seeks to create an enclave whose residents would be dependent on car use to reach village facilities and amenities. In effect, it seeks to create a large satellite population with no sustainable means of connection to the village. The Transport Statement quotes NPPF paras 108-110 on highway objectives: "That it is safe for all users" and "That it promotes sustainable, high-quality alternatives to the private car and to achieve developments accessible to all vehicles and people". The proposal flies in the face of both of these strictures and goes further to suggest that the lack of a pavement from Grove Lane as far as Oak Lane is not a problem as pedestrians can use the grass verge as a walking route to and from the village. Local residents have long complained about the lack of a proper pavement on this part of Ashfield Road and have warned of near misses with the large volume of cars and HGVs that use it. The verge is uneven, muddy, subject to erosion by large vehicles and encroachment by hedges, dangerous to walk along in bad weather and in the dark, and impossible for anyone pushing a buggy, holding onto small children

or carrying shopping. It is completely impassable for anyone who has reduced mobility. There is no verge at all on the other side of the road, forcing pedestrians going towards Grove Lane from the village to walk with their backs to the traffic, contrary to Highway Code rules. This is especially dangerous if an obstruction forces pedestrians to step into the carriageway. This verge is neither safe nor high-quality, and to suggest that it constitutes a safe walking route to village amenities betrays a cynical disregard for pedestrian safety on the part of the applicant.

9 Suffolk County Council Highways Officers highlight exactly these concerns in their formal Objection which confirms that the proposal presents, in terms of NPPF paragraph 111, 'an unacceptable impact on highway safety.'

Peter Dow

Clerk to Elmswell Parish Council

21.12.2021



06 January 2022

Mahsa Kavyani
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/21/06379
Location: Land East Of Ashfield Road Elmswell Suffolk
Proposal: Full Planning Application - Erection of 19No dwellings (including 6No Affordable) and construction of new vehicular accesses

Dear Mahsa,

Thank you for consulting Place Services on the above application.

No objection subject to ecological mitigation measures and enhancement measures

Summary

We have reviewed the Preliminary Ecological Appraisal (Aspen Ecology, May 2021), submitted 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.

The mitigation measures identified in Preliminary Ecological Appraisal (Aspen Ecology, May 2021) should be secured and implemented in full. This is necessary to conserve protected and Priority Species.

In addition, we support the proposed reasonable biodiversity enhancements, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 174 [d] of the National Planning Policy Framework 2021. 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 Preliminary Ecological Appraisal (Aspen Ecology, May 2021) as already 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) as updated by the Environmental Act 2021.

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 recommendations made within the Preliminary Ecological Appraisal (Aspen Ecology, May 2021).”

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

- a) Purpose and conservation objectives for the proposed enhancement measures;*
- b) detailed designs to achieve stated objectives;*
- c) locations of proposed enhancement measures by appropriate maps and plans;*
- d) persons responsible for implementing the 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 and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) as updated by the Environmental Act 2021.



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.

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: 182952/1/0136356

Local Planning Authority: Mid Suffolk District

Site: Land East Of Ashfield Road Elmswell Suffolk

Proposal: Full Planning Application - Erection of 19No dwellings (including 6No Affordable) and construction of new vehicular accesses.

Planning application: DC/21/06379

Prepared by: Pre-Development Team

Date: 1 December 2021

ASSETS

Section 1 - Assets Affected

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

WASTEWATER SERVICES

Section 2 - Wastewater Treatment

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 - Used Water Network

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

Section 4 - Surface Water Disposal

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

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented. The applicant has indicated on their application form that their method of surface water drainage is via SuDS. If the developer wishes Anglian Water to be the adopting body for all or part of the proposed SuDS scheme the Design and Construction Guidance must be followed. We would recommend the applicant contact us at the earliest opportunity to discuss their SuDS design via a Pre-Planning Strategic Enquiry. The Lead Local Flood Authority (LLFA) are a statutory consultee for all major development and should be consulted as early as possible to ensure the proposed drainage system meets with minimum operational standards and is beneficial for all concerned organisations and individuals. We promote the use of SuDS as a sustainable and natural way of controlling surface water run-off. We please find below our SuDS website link for further information.

<https://www.anglianwater.co.uk/developers/drainage-services/sustainable-drainage-systems/>

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

Sent: 09 Dec 2021 02:16:42

To:

Cc:

Subject: FW: 2021-12-09 JS Reply Land East Of, Ashfield Road, Elmswell Ref DC/21/06379

Attachments:

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

Sent: 09 December 2021 14:13

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

Cc: Mahsa Kavyani <Mahsa.Kavyani@babberghmidsuffolk.gov.uk>

Subject: 2021-12-09 JS Reply Land East Of, Ashfield Road, Elmswell Ref DC/21/06379

Dear Mahsa Kavyani,

Subject: Land East Of, Ashfield Road, Elmswell, Suffolk Ref DC/21/06379

Suffolk County Council, as Lead Local Flood Authority (LLFA), have reviewed application ref DC/21/06379

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

- Site Location Plan Ref 4458-01
- Site Layout Plan Ref 4458-02d
- Flood Risk Assessment and Drainage Strategy Ref 259/2020/FRADS P3

A holding objection is necessary because the site is predicted to be a risk of surface water flooding, this is contrary to national and local policy/guidance. There are issues/errors within the submitted Flood Risk Assessment and Drainage Strategy Ref 259/2020/FRADS P3.

1. *National Planning Policy Framework (2021) Paragraph 159. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.*
2. *Mid Suffolk District Council’s Core Strategy Policy CS 4 Sept 2008 Flood Risk: The council will support development proposals that avoid areas of current and future flood risk, and which do not increase flooding elsewhere, adopting the precautionary principle to development proposals.*
3. *The Suffolk Flood Risk Management Strategy 2016 Paragraph 2.5 - Planning authorities should only approve development where it can be demonstrated that the proposal satisfies all the following criteria:*
 - a. *it does not increase the overall risk of all forms of flooding in the area through the layout and form of the development and use of appropriate SuDs*
 - b. *it will be adequately protected from flooding;*
 - c. *it is and will remain safe for people for the lifetime of the development*

The applicant is also proposing to utilise a hybrid SuDS system without demonstrating why a full SuDS system cannot be utilised.

The holding objection is a temporary position to allow reasonable time for the applicant and the LLFA to discuss what additional information is required 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 to overcome our current objection:-

1. Demonstrate that the proposed development meets the requirement of national and local policy/guidance in relation to flood risk.
 - a. Properties are proposed within a surface water blue corridor.

2. Update the submitted Flood Risk Assessment and Drainage Strategy Ref 259/2020/FRADS P3 as it references superseded national and local policy i.e., NPPF, SFRA.
3. Submit a surface water drainage strategy utilising above ground open SuDS for collection, conveyance, storage, and discharge, or demonstrate why this is not appropriate for this site.
4. Demonstrate that the applicant has the right or has acquired the right to discharge clean surface water to the watercourse in perpetuity
5. Demonstrate that the SuDS basin has a 1.5m width wet/dry bench every 0.6m depth of water, 300-500mm freeboard and a 3m maintenance strip around the top.
6. Maintenance plan/schedule needs to include maintenance of the watercourse if within the ownership of the development.
7. Provide a CDM designer risk assessment for all open SuDS features.

Note further information may be required.

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: GHI Floods Planning

Sent: 10 February 2022 13:55

Subject: 2022-02-10 JS Reply Land East Of, Ashfield Road, Elmswell Ref DC/21/06379

Dear Mahsa Kavyani,

Subject: Land East Of, Ashfield Road, Elmswell Ref DC/21/06379

Suffolk County Council, as Lead Local Flood Authority (LLFA), have reviewed application ref DC/21/06379

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

- Site Location Plan Ref 4458-01
- Site Layout Plan Ref 4458-02d
- Flood Risk Assessment and Drainage Strategy Ref 259/2020/FRADS P4

A holding objection is necessary because the site is predicted to be a risk of surface water flooding, this is contrary to national and local policy/guidance. There are omissions within the submitted Flood Risk Assessment and Drainage Strategy Ref 259/2020/FRADS P4.

1. National Planning Policy Framework (2021) Paragraph 159. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

2. Mid Suffolk District Council's Core Strategy Policy CS 4 Sept 2008 Flood Risk: The council will support development proposals that avoid areas of current and future flood risk, and which do not increase flooding elsewhere, adopting the precautionary principle to development proposals.

3. The Suffolk Flood Risk Management Strategy 2016 Paragraph 2.5 - Planning authorities should only approve development where it can be demonstrated that the proposal satisfies all the following criteria:

- a. it does not increase the overall risk of all forms of flooding in the area through the layout and form of the development and use of appropriate SuDs*
- b. it will be adequately protected from flooding;*
- c. it is and will remain safe for people for the lifetime of the development*

The applicant is also proposing to utilise a hybrid SuDS system without demonstrating why a full SuDS system cannot be utilised.

The holding objection is a temporary position to allow reasonable time for the applicant and the LLFA to discuss what additional information is required 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 to overcome our current objection:-

1. Demonstrate that the proposed development meets the requirement of national and local policy/guidance in relation to flood risk.
 - a. Properties are proposed within a surface water blue corridor, this is contrary to national and local policy.
2. Submit a surface water drainage strategy utilising above ground open SuDS for collection, conveyance, storage, and discharge, or demonstrate why this is not appropriate for this site.
 - a. This shall be as either a viability assessment or as constraints plan
3. Demonstrate that the SuDS basin has a 1.5m width wet/dry bench every 0.6m depth of water, 300-500mm freeboard and a **3m maintenance strip around the top**.
4. Provide a CDM designer risk assessment for all open SuDS features.

Kind Regards

Jason Skilton
Flood & Water Engineer
Suffolk County Council
Growth, Highway & Infrastructure

Your Ref: DC/21/06379
Our Ref: SCC/CON/5378/21
Date: 10 December 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 - MSDC

Dear Mahsa

TOWN AND COUNTRY PLANNING ACT 1990 CONSULTATION RETURN: DC/21/06379

PROPOSAL: Full Planning Application - Erection of 19No dwellings (including 6No Affordable) and construction of new vehicular accesses.

LOCATION: Land East Of, Ashfield Road, Elmswell, Suffolk

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

Objection until the following comments have been addressed:

A development of this scale should provide safe and suitable access to local amenities, including the primary school and sustainable transport connections without the need for motor vehicle travel. The presence of a narrow, unmade path in the western side verge of Ashfield Road is noted, but this does not provide a suitable, year round walking route for any type of vulnerable road user.

NPPF 110 requires that 'safe and suitable access to the site can be achieved for all users' and NPPF 112 requires that developments should 'give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas' and 'address the needs of people with disabilities and reduced mobility in relation to all modes of transport'.

Ashfield Road is a highly trafficked, unlit C class road and subsequently, the need for pedestrians to walk in or enter the road to access local amenities would result in 'an unacceptable impact on highway safety' (NPPF 111).

Significant improvements to the existing route would be required to address the above comments.

It is also noted that the proposed visibility splays onto Ashfield Road are not clearly illustrated on the submitted drawings. This is necessary to enable the Highway Authority to assess whether they can be achieved within the highway verge and/or land controlled by the applicant.

SCC Passenger Transport Comments:

We don't have any services along Ashfield Road at present, and this development certainly isn't big enough to fund one, or tempt someone to run past commercially. Ordinarily at this point I would ask that they at least create a safe pedestrian route to the nearest stops, but I don't think even that will be possible due to the lack of footway.

Yours sincerely,

Ben Chester
Senior Transport Planning Engineer
Growth, Highways and Infrastructure

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

Sent: 25 Nov 2021 02:45:48

To:

Cc:

Subject: FW: MSDC Planning Consultation Request - DC/21/06379

Attachments:

From: Chris Ward <Chris.Ward@suffolk.gov.uk>

Sent: 25 November 2021 12:05

To: Mahsa Kavyani <Mahsa.Kavyani@baberghmidsuffolk.gov.uk>

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

Subject: RE: MSDC Planning Consultation Request - DC/21/06379

Dear Mahsa,

Thank you for consulting me about the proposed residential development at Land East of Ashfield Road in Elmswell. On reviewing the planning documents submitted I have no comment to make, as 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/>

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/F311079
Enquiries to: Water Officer
Direct Line: 01473 260588
E-mail: Fire.BusinessSupport@suffolk.gov.uk
Web Address: <http://www.suffolk.gov.uk>

Date: 25/11/2021

Dear Sirs,

LAND CORNER OF ASHFIELD ROAD/GROVE LANE, ELMSWELL, IP30 9HJ
Planning Application No: DC/21/06379/FUL

I refer to the above application.

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

Access and Fire Fighting Facilities

Access to buildings for fire appliances and firefighters must meet with the requirements specified in Building Regulations Approved Document B, (Fire Safety), 2019 Edition, Volume 1 - Part B5, Section 11 dwelling houses, and, similarly, Volume 2, Part B5, Sections 16 and 17 in the case of buildings other than dwelling houses. These requirements may be satisfied with other equivalent standards relating to access for fire fighting, in which case those standards should be quoted in correspondence.

Suffolk Fire and Rescue Service also requires a minimum carrying capacity for hard standing for pumping/high reach appliances of 15/26 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2000 Approved Document B, 2019 Edition.

Water Supplies

No additional water supply for fire fighting purposes is required in respect of this planning application.

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).

/continued

OFFICIAL

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

Should you need any further advice or information on access and fire fighting facilities, you are advised to contact your local Building Control or 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

Consultee Comments for Planning Application DC/21/06379

Application Summary

Application Number: DC/21/06379

Address: Land East Of Ashfield Road Elmswell Suffolk

Proposal: Full Planning Application - Erection of 19No dwellings (including 6No Affordable) and construction of new vehicular accesses.

Case Officer: Mahsa Kavyani

Consultee Details

Name: Mr Thomas Pinner

Address: BMSDC, Endeavour House, Ipswich IP1 2BX

Email: Not Available

On Behalf Of: Heritage Team

Comments

Dear Mahsa,

DC/21/06379 Full Planning Application Erection of 19 dwellings.

21/12/2021

To the east of the proposal site, beyond the playing field, is Grove Farmhouse, a Grade II Listed C16 farmhouse. Although the proposal site is not directly adjacent to this listed building, and a sense of physical separation would be retained, I consider that the development may still cause some amount of harm. Firstly, I consider that the development may still be somewhat visually perceptible within the same context as Grove Farmhouse and, as it would be a fairly dense, suburban form of development, this would appear out of keeping with a historically rural farmhouse. Secondly, the development site may historically have formed part of the land used by the farmhouse for farming activities given the land appears to have formed part of the medieval Buttonhaugh Green, as shown on Hodskinsons Map of 1783, this would be in the form of use but not ownership prior to enclosure, with possible ownership as well after enclosure. Although they are now separated by non-agricultural land, if there was a historic connection then this would probably still be more apparent with the proposal site in its current form, as opposed to if it was developed for housing. Thirdly, as the land between Grove Farmhouse and Ashfield Road was likely historically part of Buttonhaugh Green, then this land adds to the evidence for the reason for positioning the listed building on the edge of the green, as was typical in the C16, thus adding to its story. I consider that development on the proposal site would make the reason why Grove Farmhouse was located here more difficult to appreciate.

Similarly, Buttonhaugh Green likely has historic interest in its own right, as a former medieval

common, and the proposal would result in further erosion of its historically undeveloped character, in cumulation with other recently approved developments.

However, it is noted that this part of the setting of Grove Farmhouse/part of Buttonhaugh Green has already been considerably developed and thus eroded, in the last 100+ years, and the proposal site is a relatively small gap within this development. Consequently, I consider that the level of harm would be limited due to this. Overall I would characterise the level of harm to Grove Farmhouse as a very low to low level of less than substantial harm, dependent to some extent upon their exact relationship historically. The impact on Buttonhaugh Green would be very low. I consider there would likely be limited opportunity for mitigation of this harm.

If the LPA are minded to approve this application, I would not request any conditions in this case.

Kind Regards,

Thomas Pinner BA(Hons), MA, MA
Heritage and Design Officer
Babergh and Mid Suffolk District Councils
M 07850 883264
T 01449 724819
E thomas.pinner@babberghmidsuffolk.gov.uk
E heritage@babberghmidsuffolk.gov.uk
W www.babergh.gov.uk www.midsuffolk.gov.uk

Advance Notice of Christmas Closure

Please be advised that the Development Management, Heritage and Planning Enforcement Team will be unavailable from midday on Friday 24th December returning on Tuesday 4th January 2022.

For our latest Coronavirus response please visit click the following link-
<https://www.midsuffolk.gov.uk/features/our-covid-19-response/>

MID SUFFOLK DISTRICT COUNCIL

MEMORANDUM

To: Mahsa Kavyani – Planning Officer

From: Robert Feakes – Housing Enabling Officer

Date: 15 December 2021

Subject: Full Planning Application

Proposal: DC/21/06379

Erection of 19No dwellings (including 6No Affordable) and construction of new vehicular accesses.

Location: Land East Of Ashfield Road Elmswell Suffolk

1. Key Points

| |
|---|
| Holding Objection: The affordable housing mix is not supported and it needs to be determined that the affordable homes meet the Nationally Described Space Standard. |
|---|

| |
|--|
| Comment: The market housing mix provides a small number of smaller units, but no 1-beds |
|--|

2. Housing Need Information

2.1 The Ipswich Housing Market Area, Strategic Housing Market Assessment (SMHA) document, updated in 2019, confirms a continuing need for housing across all tenures and a growing need for affordable housing.

2.2 The 2019 SHMA indicates that in Mid Suffolk there is a need for 127 new affordable homes per annum. The Council's Choice Based Lettings system currently has 37 applicants registered for affordable housing with a local connection to Elmswell as of December 2021, with more than 600 on the Housing Register with a connection to Mid Suffolk.

3. Affordable Housing

3.1 35% of the development equates to 6.65 units. The applicant is proposing the following affordable housing units. No proposals have been set out in respect of tenure. Furthermore, it is not clear whether the affordable housing units meet the Nationally Described Space Standard.

- 2 x 1b Flats
-

- 4 x 2b Houses

3.2 With regard to local housing needs as expressed on the Housing Register, the following mix would be preferable:

| Tenure | Number of units | Bedrooms and Occupants | Minimum unit Size (GIA) (m2) |
|--|-----------------|------------------------|------------------------------|
| Affordable Rent (4 units total) | 2 | 1b2p Flat ¹ | 50 |
| | 1 | 2b4p | 79 |
| | 1 | 3b5p | 93 |
| Shared Ownership (2 units total) ² | 1 | 2b4p | 79 |
| | 1 | 3b5p | 93 |

3.3 It would be welcomed if the ground floor 1-bed flat could be fitted with a level access shower. Could this be made a requirement of the designs, by condition or obligation?

3.4 The residual 0.65 of a dwelling should be secured by way of a commuted sum of **£49,358**. A methodology for calculating this figure is set out in the appendix to this memo.ⁱ

3.5 The layout of the affordable housing is acceptable. Given the small number of affordable units, it would be challenging to pepper-pot them through the site.

3.6 Gross internal areas have not been provided; **it needs to be determined whether the affordable units meet the Nationally Described Space Standard, with units meeting the floorspace measurements set out in the table above.**

3.7 Whilst the development proposals may not represent entirely tenure-neutral design, the affordable units are visually similar to the open market units. It is noticeable that the affordable units do not have parking on plot, whereas the open market units do.

3.8 The affordable units need to be assessed to determine whether there is sufficient vehicle and cycle parking (in line with Suffolk Guidance on parking). It also needs to be determined that there is sufficient bin storage.

3.9 The highway access to the affordable dwellings needs to be built to an adoptable standard. This is to enable either adoption by the Highway Authority or to reduce long term maintenance costs for the eventual Registered Provider, which will either be passed on to tenants / leaseholders or be absorbed by the RP, reducing future investment in affordable housing.

¹ With own front door and no communal spaces, as per current design of units 4 and 5.

² With regard to paragraph 65 of the NPPF (July 2021).

3.10 Further points related to affordable housing include:

- Affordable Housing requirements need to be secured via a planning obligation (Section 106 agreement).
- The affordable homes must be promptly transferred to a suitable Registered Provider, approved by the District Council.
- Properties must be built to meet any current Homes England requirements.
- It would be welcomed if the units could meet part M4(2) of the Building Regulations. This would go some way towards compensating for the lack of bungalows from amongst the affordable housing mix.
- The Council is to be granted 100% nomination rights to all the affordable units on initial lets and 100% thereafter.
- The location and phasing of the affordable housing units must be agreed with the Council to ensure they are integrated within the proposed development according to current best practice
- The Council will not support applications for grant funding to deliver these affordable homes.

4. Open Market Mix

4.1 The key (extant) policy for considering this issue is Policy CS9 of the Mid Suffolk Core Strategy.

4.2 The Strategic Housing Market Assessment ('SHMA' 2019, part 2) indicates the market housing requirements for the district as a whole. This may not represent a directly and specifically appropriate mix in the circumstances and constraints of a development, but it offers a guide as to how the development can provide an appropriate mix (in the context of CS9) and contribute to meeting overall needs. The table below compares the development as proposed with the split set out in the SHMA.

| Size of unit (bedrooms) | Current proposal | Split to mirror district-wide requirementⁱⁱ | Difference |
|--------------------------------|-------------------------|---|-------------------|
| 1 | 0 | 1 | -1 |
| 2 | 2 | 4 | -2 |
| 3 | 7 | 4 | 3 |
| 4+ | 4 | 4 | - |

4.3 The table above would suggest that a need for some of the units to be brought forward as 1- or 2-bed. It is noted that no units are proposed to be bungalows.

4.4 No commitment has been made to ensuring that all market (and affordable) units meet Part M4(2) of the Building Regulations, although this is not currently in planning policy. It is not known whether the open market units meet the floorspace requirements of the Nationally Described Space Standard.

Appendix 1: Commuted Sum Calculation

The commuted sum calculation is as follows based on a 2-bed affordable dwelling as this is much needed within the district:

An NDSS compliant 2 bed 4-person house @ 79 sqm GIA at a design and build rate of £2,000/m² for an affordable unit gives the following total design and build cost:

$$79 \times £2,000 = £158,000$$

A suitable plot value based on the above property and taking the District Valuation Service Property market report into account at £600/sqm is £47,400.00

| | |
|--|----------|
| Design and Build Cost: | £158,000 |
| Plot Value: | £47,400 |
| Plus, Housing Association on costs at 7% of design and build | £11,060 |
| Plus MSDC management fee of | £500.00 |
| Less Housing Association acquisition price | £141,024 |

Commuted sum total = £75,936 per 2 bed house unit

The figure for 1 whole dwelling is £75,936 therefore in this case the sum required to be paid for 65% of one dwelling = **£49,358**

ii

Appendix 2: Size of new owner-occupied accommodation required in Mid Suffolk over the next 18 years

Source: Ipswich Strategic Housing Market Assessment Part 2 Partial Update (January 2019)

Table 4.4e (using the 2014-based projections)

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

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

Sent: 13 Dec 2021 09:21:59

To:

Cc:

Subject: FW: (300948) DC/21/06379LC

Attachments:

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

Sent: 13 December 2021 09:12

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

Cc: Mahsa Kavyani <Mahsa.Kavyani@baberghmidsuffolk.gov.uk>

Subject: (300948) DC/21/06379LC

EP Reference : 300948

DC/21/06379. Land Contamination

Land East of, Ashfield Road, Elmswell, BURY ST EDMUNDS, Suffolk.

Erection of 19No dwellings (including 6No Affordable) and construction of new vehicular accesses.

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

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/>.

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

Sent: 26 Nov 2021 03:46:25

To:

Cc:

Subject: FW: WK300949 DC2106379

Attachments:

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

Sent: 26 November 2021 15:43

To: Mahsa Kavyani <Mahsa.Kavyani@babberghmidsuffolk.gov.uk>; BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>

Subject: WK300949 DC2106379

Environmental Health -
Noise/Odour/Light/Smoke

APPLICATION FOR PLANNING PERMISSION - DC/21/06379

Proposal: Full Planning Application - Erection of 19No dwellings (including 6No Affordable) and construction of new vehicular accesses.

Location: Land East Of, Ashfield Road, Elmswell, Suffolk

Thank you for the opportunity to comment on this application. Having reviewed the documents I have the following comments to make.

The application site is in close proximity to a corner and the transport statement indicates that Grove Lane is used by HGV traffic to access an industrial estate and therefore there is potential for a loss of amenity at new dwellings. As such I would require an Environmental Noise Assessment (ENA).

Should the ENA identify that daytime and night-time ambient noise levels at dwellings exceed the WHO and BS8223 guideline values for both internal and external daytime noise and night-time WHO guidance levels for sleep disturbance in bedrooms then a scheme of mitigation shall be submitted for approval to show compliance prior to any permission being granted.

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

Prohibition 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

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.

Reason: to minimise detriment to nearby residential amenity

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

Method of any demotion to take place, including the recycling and disposal of materials arising from demolition.

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

Tel: 01449 724727

Email andy.rutson-edwards@baberghmidsuffolk.gov.uk

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

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

Sent: 26 Nov 2021 10:12:37

To:

Cc:

Subject: FW: DC/21/06379

Attachments:

From: Simon Davison <Simon.Davison@baberghmidsuffolk.gov.uk>

Sent: 26 November 2021 09:57

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

Subject: DC/21/06379

Dear Mahsa,

APPLICATION FOR PLANNING PERMISSION - DC/21/06379

Proposal: Full Planning Application - Erection of 19No dwellings (including 6No Affordable) and construction of new vehicular accesses.

Location: Land East Of, Ashfield Road, Elmswell, Suffolk.

Upon review of the application and associated documents the following condition must be met: No development shall commence above slab level until a scheme for the provision and implementation of water, energy and resource efficiency measures for the lifetime of the development shall be submitted to and approved, in writing, by the Local Planning Authority.

The scheme such include as a minimum to achieve:

- Agreement of provisions to ensure no more than 105 litres per person per day is used
- Agreement of provisions to ensure the development is zero carbon ready
- An electric car charging point per dwelling
- A Water-butt per dwelling
- Compost bin per dwelling
- Agreement of heating of each dwelling/building
- Agreement of scheme for waste reduction

Kind regards

Simon Davison PIEMA
Senior Environmental Management Officer
Babergh and Mid Suffolk District Councils - Working Together

Mobile: 07874 634932

t: 01449 724728

email: simon.davison@baberghmidsuffolk.gov.uk

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

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

Sent: 29 Nov 2021 10:37:52

To:

Cc:

Subject: FW: (300947) DC/21/06379. AQ

Attachments:

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

Sent: 29 November 2021 10:29

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

Cc: Mahsa Kavyani <Mahsa.Kavyani@baberghmidsuffolk.gov.uk>

Subject: (300947) DC/21/06379. AQ

EP Reference : 300947

DC/21/06379. Air Quality

Street Record, Ashfield Road, Elmswell, BURY ST EDMUNDS, Suffolk.

Erection of 19No dwellings (including 6No Affordable) and construction of new vehicular accesses.

I can confirm that the scale of development, at 19 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

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

Our Ref: 21_05695_P
Your Ref: DC/21/06379

16/12/2021

Dear Sir/Madam

RE: Erection of 19No dwellings (including 6No Affordable) and construction of new vehicular accesses at land east of Ashfield Road, Elmswell, Suffolk

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

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

The reason for our recommendation is to promote sustainable development within the Board's Watershed Catchment therefore ensuring that flood risk is not increased within the Internal Drainage District (required as per paragraph 167 of the [National Planning Policy Framework](#)). For further information regarding the Board's involvement in the planning process please see our [Planning and Byelaw Strategy](#), available online.

Kind Regards,

Ellen

Ellen Moore
Sustainable Development Officer
Water Management Alliance



Jane Marson (Chairman) Michael Paul (Vice-Chairman)

Phil Camamile (Chief Executive)

Constituted by The East Suffolk Internal Drainage Board Order 2008
Statutory Instrument 2008 No 750



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

Sent: 29 Nov 2021 09:00:01

To:

Cc:

Subject: FW: 2021-11-29 JS reply Land East Of, Ashfield Road, Elmswell, Suffolk Ref DC/21/06379

Attachments:

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

Sent: 29 November 2021 07:09

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

Cc: Mahsa Kavyani <Mahsa.Kavyani@baberghmidsuffolk.gov.uk>

Subject: 2021-11-29 JS reply Land East Of, Ashfield Road, Elmswell, Suffolk Ref DC/21/06379

Dear Mahsa Kavyani,

Subject: Land East Of, Ashfield Road, Elmswell, Suffolk Ref DC/21/06379

Suffolk County Council, as Lead Local Flood Authority (LLFA), have reviewed application ref DC/21/06379

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

- Site Location Plan Ref 4458-01
- Site Layout Plan Ref 4458-02d

A holding objection is necessary because the applicant has not submitted the necessary assessment of flood risk nor a detailed strategy for the disposal of surface water as required for a major, full planning application.

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 to overcome our current objection:-

1. Submit a flood risk assessment
2. Submit a detailed strategy for the disposal of surface water
 - a. As a minimum, we require the following document and information to be submitted for each type of planning application or stage with the planning process.

| Document Submitted | Document Description | Full |
|--|---|------|
| Flood Risk Assessment (FZ3 or Site >1Ha) | Evaluation of flood risk (fluvial, pluvial & groundwater) to the site – will guide layout and location of open spaces. (SCC may require modelling of ordinary watercourse if EA Flood Maps not available) | ✓ |
| Drainage Strategy/Statement (less detail required for Outline) | Document that explains how the site is to be drained using SuDS principles. Shall include information on:- <ul style="list-style-type: none"> • Existing drainage (inc adjacent roads) • Impermeable Area (Pre and Post Development) • Proposed SuDS • Hydraulic Calculations (see below) • Treatment Design (i.e. interception, pollution indices) • Adoption/Maintenance Details • Exceedance Rate 191 | ✓ |
| Contour Plan | Assessment of topography/flow paths/blue corridors | ✓ |

| | | |
|---|---|---|
| Impermeable Areas Plan | Plan to illustrate new impervious surfaces | ✓ |
| Evidence of any third party agreements to discharge to their system (i.e. Anglian Water agreement or adjacent landowner) | Evidence of any permissions or permits being obtained. | ✓ |
| Detailed Development Layout and SuDS Provision Plan (including landscaping details) | Dimensioned plans showing the detailed development layout including SuDS components, open spaces and exceedance corridors. | ✓ |
| Full SI Report | Detailed assessment of ground conditions – leading on from initial testing <ul style="list-style-type: none"> • Widespread coverage of trial pits to BRE 365 • Contamination/Pollution check • Groundwater Monitoring | ✓ |
| Detailed Drainage Scheme Plan | Dimensioned plan showing main aspects of the drainage infrastructure. Plans should ref:- <ul style="list-style-type: none"> • SuDS details (size/volume) • Pipe Numbers/Sizes/Levels • Outfall & Permitted Discharge (if applicable) | ✓ |
| Detailed SuDS Drawings (Open SuDS) | Dimensioned plans of proposed SuDS components i.e. scaled cross sections/long sections | ✓ |
| Full hydraulic calculations (MicroDrainage “Network” output) | At this stage, SCC require simulations of the drainage network inc SuDS components. MicroDrainage Network should be submitted for 1,30 and 100yr+CC storms. (Source Control files are useful but not enough on their own) | ✓ |
| Discharge Agreements | Evidence of any permissions or permits being obtained. | ✓ |
| Health and Safety Risk Assessment | Where deep open SuDS (water level >0.5m) are proposed a H&S file will be required. | ✓ |

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: SM-NE-Crewe LUP Hub (NE)
Sent: 29 November 2021 12:12
Subject: DC/21/06379 For QC

Dear Sir or Madam,

Application ref: DC/21/06379
Our ref: 375833

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,

Oli Chenkin
Natural England
Consultation Service

From: Sarah Mansel (Cllr)
Sent: 20 December 2021 14:39
Subject: DC/21/06379

Good afternoon,

I wish to formally object to this application for 19 dwellings on this site which is less than 100 m from my home.

This is speculative application outside the settlement boundary, on the edge of Elmswell which has several allocated large developments already partially complete. The economic sustainability of the amenities in the village is secure without a further 19 dwellings here. MSDC now has over 9 years housing land supply so there is no need to develop here in the countryside.

It is interesting to note that both MSDC strategic housing and SCC highways have already raised objection to this development.

The applicant notes that the site is less than 2km from most of the amenities within the village but fails to highlight the fact that there is no safe pedestrian or cycle route into the village. Ashfield Road, despite being only a C class road is heavily used by HGVs and other commercial traffic. It is used as an alternative route between A14 and A143 because of the weight restriction on A1088 through Norton. In addition HC Wilson occupy a site along Grove Lane and their oversized HGVs make regular journeys to A14 along Grove Lane and Ashfield Road. There is no pavement on Grove Lane, and the pavement along Ashfield Road starts at Oak Lane about 400m south of the proposed site entrance. There is only a muddy slippery and rutted verge to walk along - this is not suitable for buggies or wheelchairs, nor for most people after dark. This cannot be regarded as a sustainable location for a further 19 dwellings. Most of the future occupants will be heavily reliant on the use of a motor vehicle, and the use of electric vehicles will not solve the issue of Ashfield Road already being a busy road.

This application site also forms one of the few remaining vestiges of the ancient (but undesignated) Bottenhaugh Green, once a common land shared between the 3 parishes of Elmswell, Gt Ashfield and Wetherden. Traditionally dwellings would have been sited on the edges of the common set back from the road, and this pattern of development is slowly being eroded away - so we need to preserve the remaining parts of open land which once formed the common.

Although this proposal does not have a high density of housing, it is still significantly higher density than the surrounding dwellings. This area is also a 'gateway' approach to the village from the north and has an 'edge of settlement' rural character. This proposal does not match the character of the surroundings.

I'm happy to discuss my concerns about this application and request that you keep me updated with your views as planning officer.

Many thanks

Cllr Sarah Mansel

Mid Suffolk District Councillor (Green Party)

Elmswell and Woolpit Ward

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

Sent: 07 Dec 2021 09:14:53

To:

Cc:

Subject: FW: MSDC Planning Consultation Request - DC/21/06379

Attachments:

-----Original Message----- From: BMSDC Public Realm Consultation Mailbox Sent: 07 December 2021 09:12 To: BMSDC Planning Area Team Yellow Subject: RE: MSDC Planning Consultation Request - DC/21/06379 Public Realm Officers do not wish to offer any comments on this planning application. Regards Dave Hughes Public Realm Officer

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

Sent: 02 Dec 2021 02:09:30

To:

Cc:

Subject: FW: Application - Elmswell, Land East of Ashfield Road IP30 9HQ

Attachments:

From: RM Archaeology Mailbox <archaeology@suffolk.gov.uk>

Sent: 02 December 2021 13:03

To: Planning Contributions Mailbox <planningcontributions.admin@suffolk.gov.uk>

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

Subject: RE: Application - Elmswell, Land East of Ashfield Road IP30 9HQ

Good afternoon,

We had seen this on the planning lists also and we have looked at this proposal. In our opinion there would be no significant impact on known archaeological sites or areas with archaeological potential. We have no objection to the development and do not believe any archaeological mitigation is required.

Best regards

Lisa

Lisamaria De Pasquale

Assistant Archaeological Officer (Technical Support)

Suffolk County Council Archaeological Service

Bury Resource Centre

Hollow Road

Bury St Edmunds

Suffolk IP32 7AY

Tel.:01284 741230

M: 07523931041

Email: lisa.depasquale@suffolk.gov.uk

Website: <http://www.suffolk.gov.uk/archaeology>

Suffolk Heritage Explorer: <https://heritage.suffolk.gov.uk>

Follow us on Twitter: [@SCCArchaeology](https://twitter.com/SCCArchaeology)

Like us on Facebook: [@SCCArchaeologicalService](https://www.facebook.com/SCCArchaeologicalService)

Follow us on Instagram: [@SCCArchaeology](https://www.instagram.com/SCCArchaeology)

Advanced notice:

Please be advised that the SCCAS office will be closed from the 23rd December to the 4th January. General calls and emails will not be answered or monitored during this time.

(Please note there will be no FINDS appointments during the 20th December to the 6th January).

Your ref: DC/21/06379
Our ref: Elmswell – land east of Ashfield Road
60207
Date: 04 May 2022
Enquiries: Neil McManus
Tel: 07973 640625
Email: neil.mcmanus@suffolk.gov.uk

Mahsa Kavyani,
Growth & Sustainable Planning,
Babergh and Mid Suffolk District Councils,
Endeavour House,
8 Russell Road,
Ipswich,
Suffolk,
IP1 2BX

Dear Mahsa,

Elmswell: land east of Ashfield Road – developer contributions

I refer to the proposal: full planning application – erection of 19no. dwellings (including 6no. affordable units) and construction of new vehicular accesses.

A consultation response was previously submitted by way of letter dated 30 November 2021, which was time-limited to six months. This response remains valid for a further 6 months to 29 November 2022, unless the proposed scheme is amended.

However, issues to discuss and resolve with the local planning authority and the applicant include the following:

1. The Highway Authority holding objection dated 10 December 2021.
2. The lead local flood authority (LLFA) holding objection dated 10 February 2022.

Yours sincerely,



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

cc Ben Chester, SCC (highways)
Jason Skilton, SCC (LLFA)

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

Sent: 30 Nov 2021 10:21:45

To:

Cc:

Subject: FW: MSDC Planning Consultation Request - DC/21/06379

Attachments:

-----Original Message----- From: East of England Region Sent: 30 November 2021 09:10 To: BMSDC Planning Area Team Yellow Subject: RE: MSDC Planning Consultation Request - DC/21/06379 T&CP (Development Management Procedure) (England) Order 2015 & Planning (Listed Buildings & Conservation Areas) Regulations 1990 Land East Of, Ashfield Road, Elmswell, Suffolk Application No. DC/21/06379 Thank you for your letter of 25/11/21 regarding the above application for planning permission. 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 enclosed. 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 Charlie Field Historic Environment Advice Assistant E-mail: charlie.field@historicengland.org.uk Enclosure: List of applications requiring consultation with and notification to Historic England Planning and Listed Building Consent applications requiring consultation with and notification to Historic England (the Historic Buildings and Monuments Commission for England) April 2021 Introduction This enclosure sets out the circumstances in which Historic England must be consulted or notified of applications for planning permission or listed building consent. It has been amended to reflect the changes introduced by MHCLG on 21 April 2021 (a) extending planning controls to statues and other monuments and, (b) extending the range of applications for listed building consent notified to Historic England. Applications for planning permission Historic England must be consulted or notified (see note 1) of the following planning applications by virtue of the following provisions: Consultation: Development which in the opinion of the local planning authority falls within these categories: P1 Development of land involving the demolition, in whole or in part, or the material alteration of a listed building which is classified as Grade I or II* P2 Development likely to affect the site of a scheduled monument P3 Development likely to affect any battlefield or a Grade I or II* park or garden of special historic interest which is registered in accordance with section 8C of the Historic Buildings and Ancient Monuments Act 1953 Basis for this - Town and Country Planning (Development Management Procedure) (England) Order 2015 - article 18 and Schedule 4. P4 Development likely to affect certain strategically important views in London Basis for this - Secretary of State for Communities and Local Government Directions relating to Protected Vistas 2012 Notification: Development which the local authority (or Secretary of State) think would affect: P5 The setting of a Grade I or II* listed building; or P6 The character or appearance of a conservation area where i) the development involves the erection of a new building or the extension of an existing building; and ii) the area of land in respect of which the application is made is more than 1,000 square metres Basis for this - Planning (Listed Buildings and Conservation Areas) Regulations 1990 - regulation 5A (as amended by The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2015 P7 Local authority/ies own applications for planning permission for relevant demolition in conservation areas. (see note 2) Basis for this - Town and Country Planning General Regulations 1992 (as amended by the Town and Country Planning General (Amendment) (England) Regulations 2015 Note 1: There is a difference between Consultation and Notification. When LPAs consult on applications, there is a duty to provide a substantive response to the LPA within 21 days. A notification from the LPA is to enable representations to be made if we so wish, and to respond within 21 days. Historic England does not make a distinction in its handling of advice work. Applications for listed building consent Historic England must be notified of the following applications for listed building consent by virtue of the following provisions: Notification: L1 For works in respect of any Grade I or II* listed building; and L2 For relevant works in respect of any grade II (unstarred) listed building (relevant works means: i) works for the demolition of any principal building (see note 3); ii) works for the alteration of any principal building which comprise or include the demolition of a principal external wall of the principal building; or iii) works for the alteration of any principal building which comprises or includes the demolition of all or a substantial part of the interior of the principal building. iv) commemorative object works. For the purposes of sub paragraphs ii) and iii) above: a) a proposal to retain less than 50% of the surface area of that part of a principal building represented on any elevation (ascertained by external measurement on a vertical plan, including the vertical plane of any roof) is treated as a proposal for the demolition of a principal external wall; b) a proposal to demolish any principal internal element of the structure including any staircase, load bearing wall, floor structure or roof structure is treated as a proposal for the demolition of a substantial part of the interior.) For the purposes of sub paragraph iv) above: "commemorative object works" means works for the full or part demolition of a statue, monument, memorial or plaque that are, or are part of, a listed building L3 Decisions taken by the local planning authorities on these applications Basis for this - Arrangements for handling heritage applications - Notification to Historic England and National Amenity Societies and the Secretary of State (England) Direction 2021 - made under section 12, 15 (1) and (5) of the Planning (Listed Buildings and Conservation Areas) Act 1990 Historic England 27 April 2021 Note 2: Relevant demolition is defined in section 196D of the Town and Country Planning Act 1990 as "demolition of a building that is

situated in a conservation area in England and is not a building to which section 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990 does not apply by virtue of s75 of that Act (listed buildings, certain ecclesiastical buildings, scheduled monuments and buildings described in a direction of the Secretary of State under that section.) Note 3: "principal building" means a building shown on the list compiled under Section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and includes (unless the list entry indicates otherwise) any object or structure fixed to that building, but does not include any curtilage building.

Your ref: DC/21/06379
 Our ref: Elmswell – land east of Ashfield Road
 60207
 Date: 30 November 2021
 Enquiries: Neil McManus
 Tel: 07973 640625
 Email: neil.mcmanus@suffolk.gov.uk

Mahsa Kavyani,
 Growth & Sustainable Planning,
 Babergh and Mid Suffolk District Councils,
 Endeavour House,
 8 Russell Road,
 Ipswich,
 Suffolk,
 IP1 2BX

Dear Mahsa,

Elmswell: land east of Ashfield Road – developer contributions enquiry

I refer to the proposal: full planning application – erection of 19no. dwellings (including 6no. affordable units) and construction of new vehicular accesses.

Summary of infrastructure requirements split between CIL/s106:

| | | |
|------|--|---------|
| CIL | Education | |
| | - Secondary school expansion @ £23,775 per place | £71,325 |
| | - Sixth form expansion @ £23,775 per place | £23,775 |
| CIL | Libraries improvements @ £216 per dwelling | £4,104 |
| CIL | Household waste @ £113 per dwelling | £2,147 |
| | | |
| S106 | Education | |
| | - Primary school new provision @ £20,508 per place | £82,032 |
| S106 | Early years new provision @ £20,508 per place | £41,016 |
| S106 | Secondary school transport | £18,075 |
| S106 | Elmswell/Woolpit new footway/cycleway contribution @ £850 per dwelling | £16,150 |
| S106 | Monitoring fee per obligation | £412 |
| S106 | Highways | tbc |

The National Planning Policy Framework (NPPF) [July 2021] paragraph 57 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 council and district councils have a shared approach to calculating infrastructure needs, in the adopted Section 106 Developers Guide to Infrastructure Contributions in Suffolk.

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

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

The emerging BMSDC 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 21 January 2016 and charges CIL on planning permissions granted from 11 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').

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

- 1. Education.** The revised NPPF says in paragraph 95, *'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.'*

The NPPF in paragraph 106 says, '*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.'

In paragraph 15 of the DfE guidance it says, "*We advise that you base the assumed cost of mainstream school places on national average costs published annually in the DfE school place scorecards. This allows you to differentiate between the average per pupil costs of a new school, permanent expansion or temporary expansion, ensuring developer contributions are fairly and reasonably related in scale and kind to the development. You should adjust the national average to reflect the costs in your region, using BCIS location factors*".

The most recent scorecard is 2019 and the national average school expansion build cost per pupil for primary schools is £17,268 (March 2020). The regional weighting for the East of England based on BCIS indices, which includes Suffolk, is 1. When applied to the national expansion build cost (£17,268/1.00) produces a total of £17,268 per pupil for permanent expansion of primary schools.

The most recent scorecard is 2019 and the national average new build cost per pupil for primary schools is £20,508 (March 2020). The regional weighting for the East of England based on BCIS indices, which includes Suffolk, is 1. When applied to the national new build cost (£20,508 x 1.00) produces a total of £20,508 per pupil for new build primary schools.

The most recent scorecard is 2019 and the national average new build cost per pupil for secondary schools is £24,929 (March 2020). The regional weighting for the East of England based on BCIS indices, which includes Suffolk, is 1. When applied to the national new build cost (£24,929/1.00) produces a total of £24,929 per pupil for new build of secondary schools.

The most recent scorecard is 2019 and the national average school expansion build cost per pupil for secondary schools is £23,775 (March 2020). The regional weighting for the East of England based on BCIS indices, which includes Suffolk, is 1. When applied to the national expansion build cost (£23,775/1.00) 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*".

SCC anticipates the following pupil yields from a development of 19 dwellings, namely:

- a) Primary school age range, 5-11: 4 pupils. Cost per place is £20,508 (2021/22 costs).
- b) Secondary school age range, 11-16: 3 pupils. Cost per place is £23,775 (2021/22 costs).
- c) Secondary school age range, 16+: 1 pupil. Costs per place is £23,775 (2021/22 costs).

The local schools are Elmswell County Primary School, Woolpit Primary Academy, Ixworth Free School, and Thurston Community College.

At the primary school level, the strategy is to deliver a new primary school at Woolpit which will also serve Elmswell. A school site has been secured as part of the scheme granted planning permission under reference DC/18/04247/OUT. On this basis, a proportionate capital contribution towards new build costs is sought from this proposed scheme.

At the secondary school level, the strategy is to expand existing provision to meet the demands arising from basic need and housing growth. On this basis, at the secondary school level a future CIL funding bid of at least £95,100 (2021/22 costs) will be made.

The nearest secondary school is Thurston Community College which is over 3-miles from the proposed development and accordingly pupils will be eligible for free school travel.

If the Council considers that planning permission should be granted for the proposed development, this must be on the basis that s106 developer funding is secured by way of a planning obligation for the site-specific costs of secondary school transport. Contribution required as follows:

- a) **Secondary school transport contribution** – 3 secondary-age pupils are forecast to arise from the proposed development. Developer contributions are sought to fund school transport provision for a minimum of five years for secondary-age pupils. Annual school transport cost per pupil is £1,205. Therefore, contribution is £1,205 x 3 pupils x 5 years = £18,075, increased by the RPI. Contribution held for a minimum period of 10 years from date of the final dwelling occupation. This contribution will be used for secondary school transport costs.

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.

The recently published guidance from the Department for Education on Delivering schools to support housing growth states in paragraph 16: *"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”.

From these development proposals SCC would anticipate up to 2 FTE pre-school children arising, at a cost per place of £20,508.

This early years strategy is to deliver a new setting. An early years site is to be secured as part of the scheme under reference DC/18/02146/OUT. On this basis, a proportionate capital contribution towards new build costs is sought from this proposed scheme.

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 the 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.

A planning obligation or planning conditions will cover site specific matters.

A s106 contribution of £850 per dwelling is sought as a contribution towards the funding and delivery of a new footway/cycleway between Elmswell and Woolpit.

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., £4,104, 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.

A future CIL funding bid of at least £2,147 (£113 per dwelling) will be made to improve the HWRC provision at Stowmarket serving the proposed development.

- 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 60 to 65 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 (LLFA). Paragraphs 159 – 169 refer to planning and flood risk and paragraph 167 states: *'When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:*

- a) *within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;*
- b) *the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;*
- c) *it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;*
- d) *any residual risk can be safely managed; and*
- d) *safe access and escape routes are included where appropriate, as part of an agreed emergency plan.'*

And paragraph 169 says, '*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.'*

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

9. Ecology, landscape & heritage. These are matters for the Council to consider and address. In terms of good design, it is suggested that consideration should be given to incorporating suitable roosting and nesting boxes within dwellings for birds and bats, as well as providing suitable biodiversity features including plants to attract & support insects, reptiles, birds & mammals. Refer to the MHCLG guidance on the Natural environment [updated 21 July 2019].

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

11. Superfast broadband. This should be considered as part of the requirements of the NPPF Section 10 '*Supporting high quality communications.*' 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 from the applicant for the reimbursement of its reasonable legal costs associated with work on a S106A for site specific mitigation, 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 the Deed.
- 14.** The above information is time-limited for 6 months only from the date of this letter and/or will need to be reassessed if a planning application is submitted.

Yours sincerely,



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

cc Sarah Hammond, SCC (education)
Ben Chester, SCC (highways)
Jason Skilton, SCC (LLFA)

Consultee Comments for Planning Application DC/21/06379

Application Summary

Application Number: DC/21/06379

Address: Land East Of Ashfield Road Elmswell Suffolk

Proposal: Full Planning Application - Erection of 19No dwellings (including 6No Affordable) and construction of new vehicular accesses.

Case Officer: Mahsa Kavyani

Consultee Details

Name: Mrs Linda Hoggarth

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

Email: Not Available

On Behalf Of: Mid Suffolk Disability Forum

Comments

The Mid Suffolk Disability Forum would like to see a commitment to ensuring that all dwellings will meet Part M4 of the Building Regulations in this planning application.

All dwellings should be visitable and meet Part M4(1), and at least 50% of the dwellings should meet the 'accessible and adaptable' standard Part M4(2).

It is also our view that 3% of the dwellings in housing developments of over 10 dwellings should be bungalows to assist people with mobility problems and to assist people who wish to downsize from larger dwellings. No bungalows appear to have been included in this development.

Every effort should be made to ensure all footpaths are wide enough for wheelchair users, with a minimum width of 1500mm, and that any dropped kerbs are absolutely level with the road for ease of access.

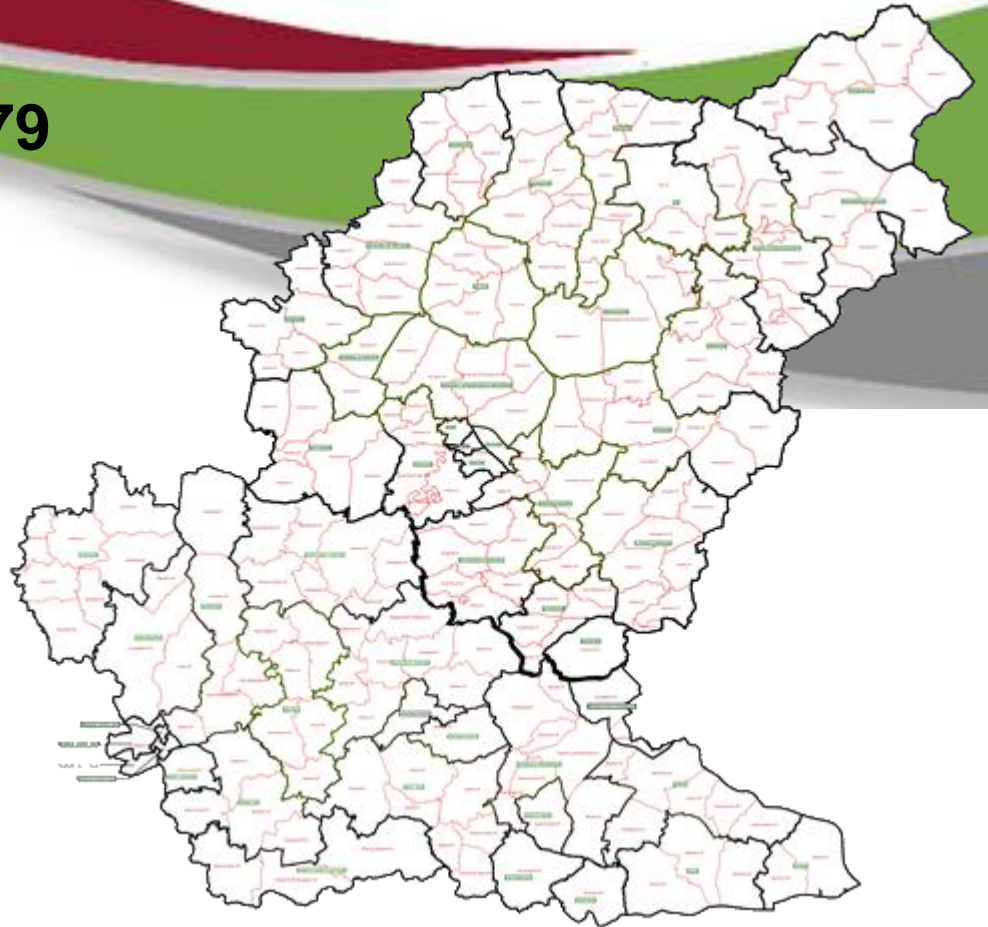
Surfaces should be firm, durable and level. No loose gravel, cobbles or uneven setts should be used.

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Application No:DC/21/06379

**Address: Land East Of
Ashfield road Elmswell**




Page 211

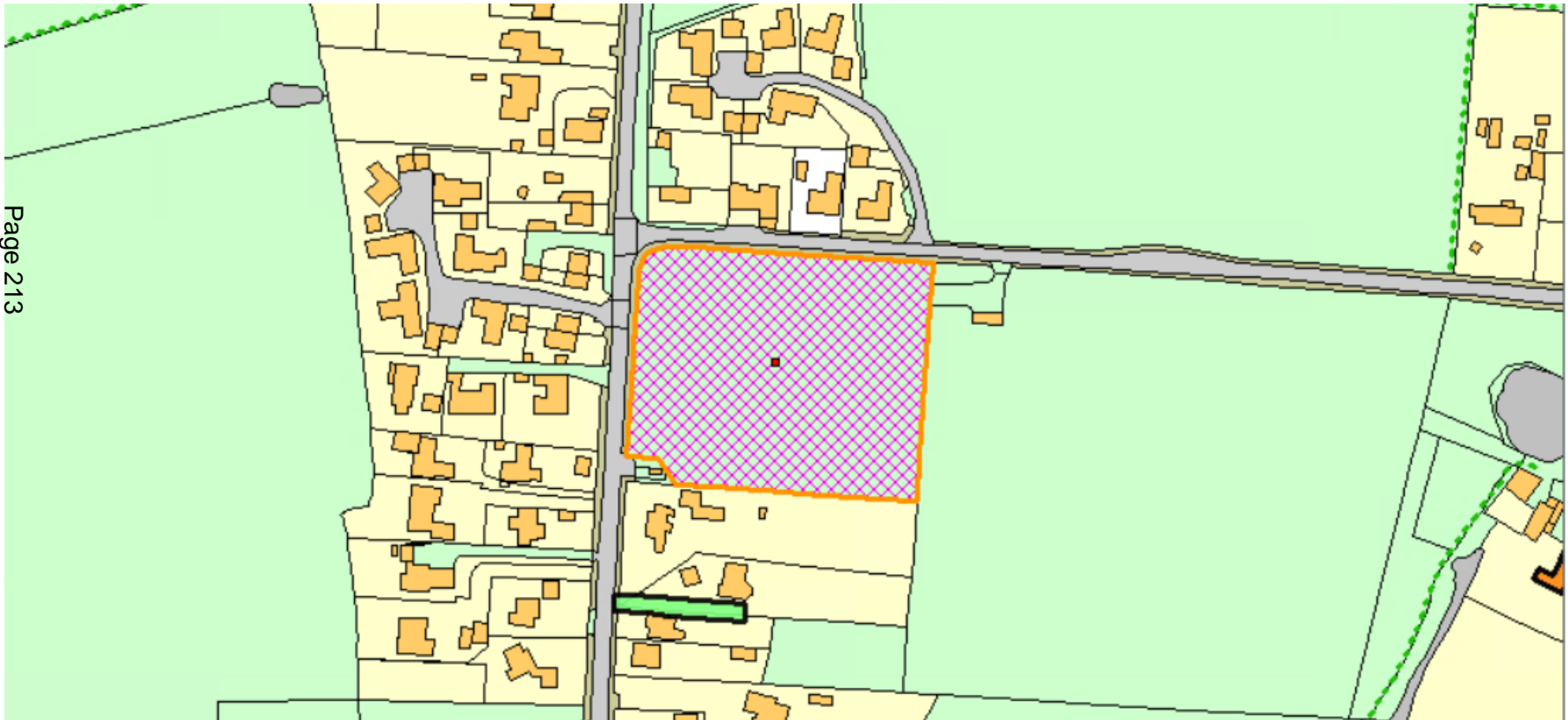




Constraints Map

Slide 3

-  TPO - Individual TPOs/trees/T1
-  Area of Trees
-  Grade II



Site Location plan

Slide 4



Site Layout plan

Slide 5



Page 215

| | |
|---|--------------------------------|
| Client: HARTON HUTTON | Scale: 1:500 |
| Project: RESIDENTIAL DEVELOPMENT, CORNER OF ASHFIELD ROAD, ELMSWELL | Date: SEPT 2001 |
| Drawing: DETAILED PLANNING | Contract: 4458 Drg No. 02 D |

BROWN & SCARLETT
ARCHITECTS
1 Old Hall Barns, Thurston Road
Pakenham, IP31 2NG
Tel: 01284 768000
info@brownandscarlett.co.uk



EAST ELEVATION ~



NORTH ELEVATION ~

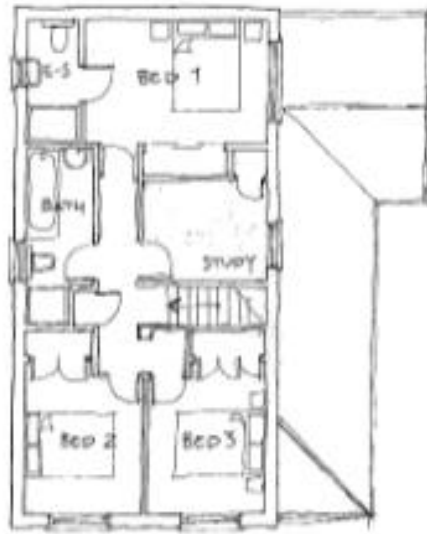


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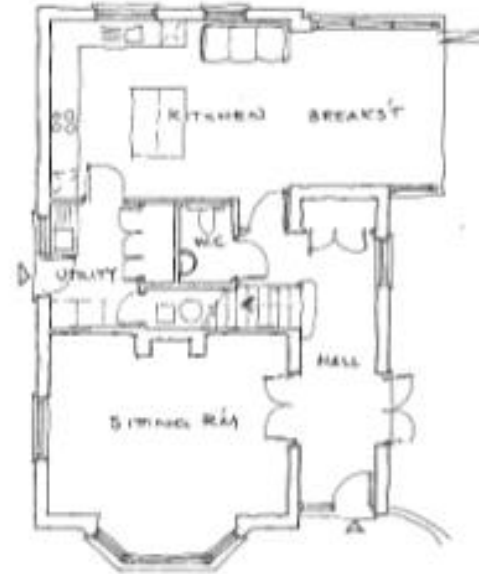
PLOT 1



WEST ELEVATION ~



FIRST FLOOR ~ PLOT 1



GROUND FLOOR ~ 1:100



EAST ELEVATION ~



NORTH ELEVATION ~ 1:100

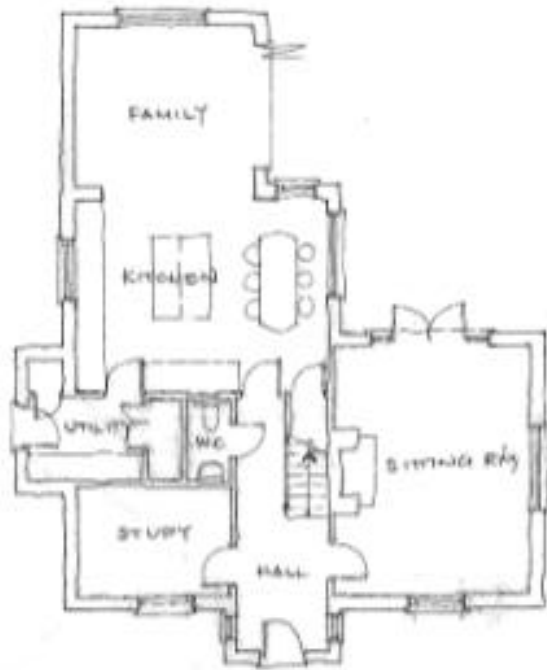


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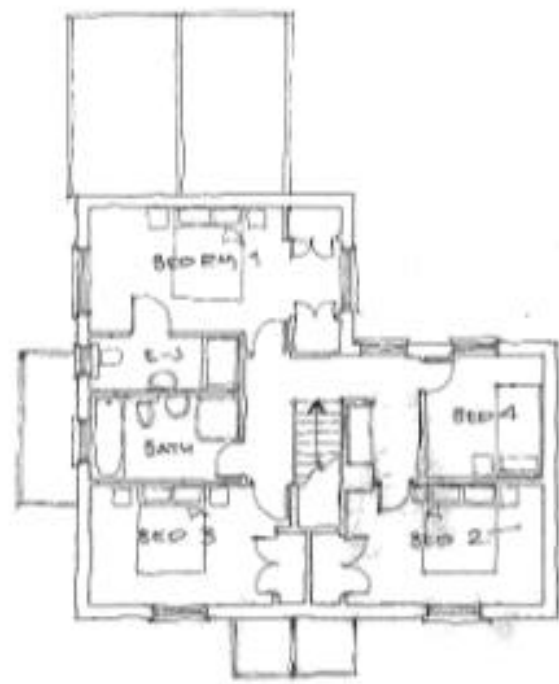


WEST ELEVATION ~

PLOT 2



GROUND FLOOR ~ PLOT 2

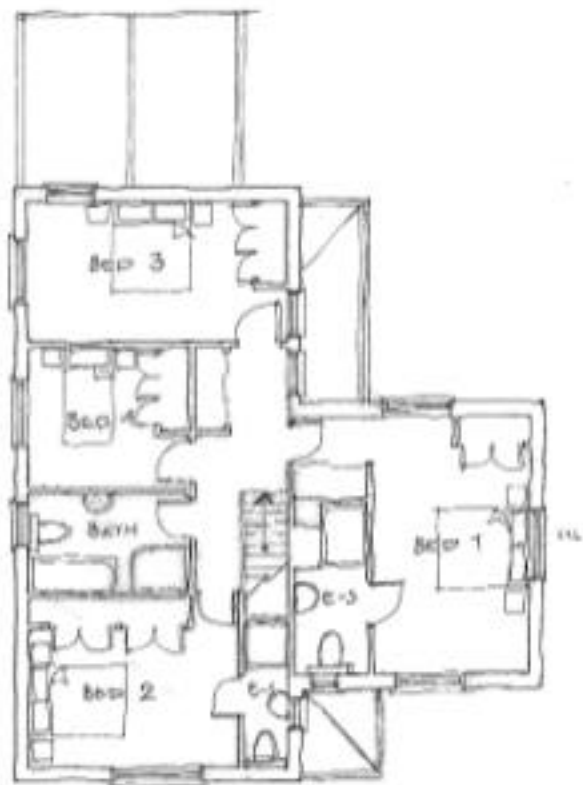


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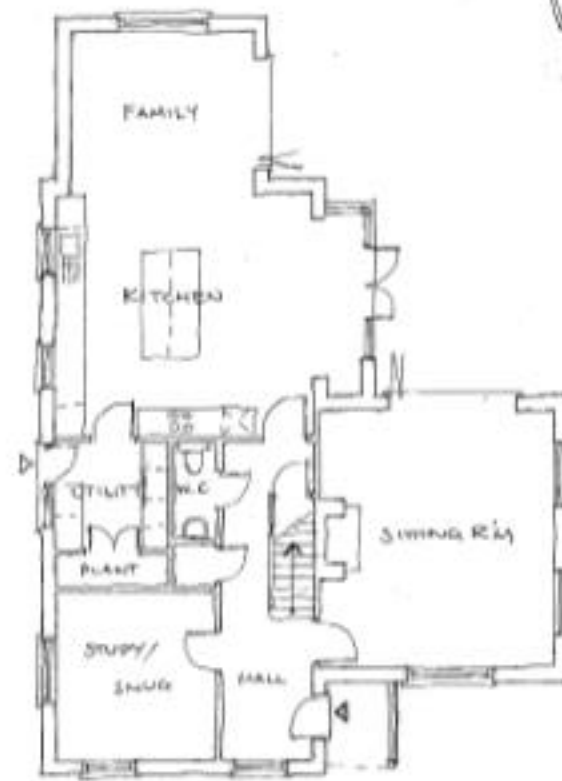


PLOT 3

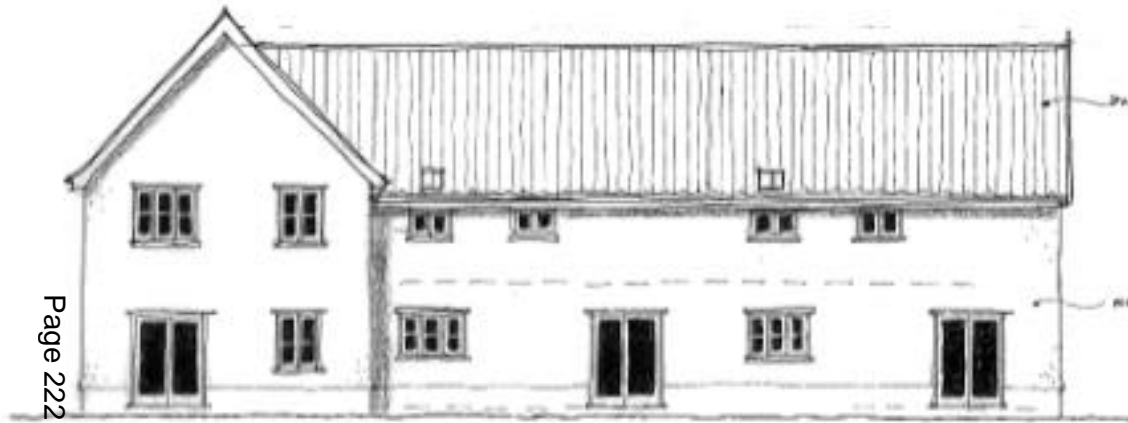




FIRST FLOOR ~ PLOT 3



GROUND FLOOR ~ 1:100



SOUTH ELEVATION ~



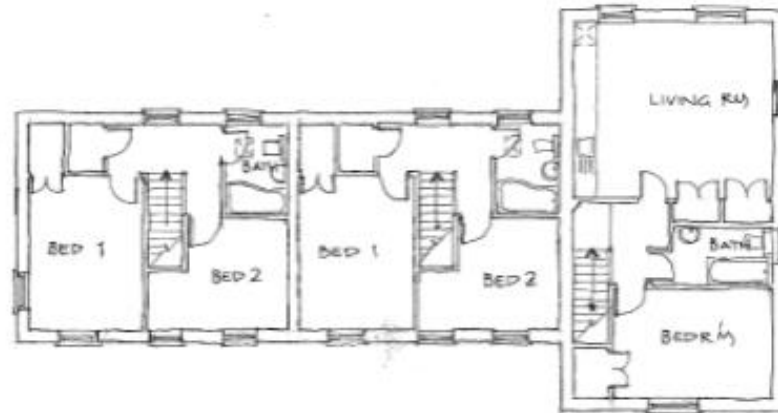
EAST ELEVATION ~



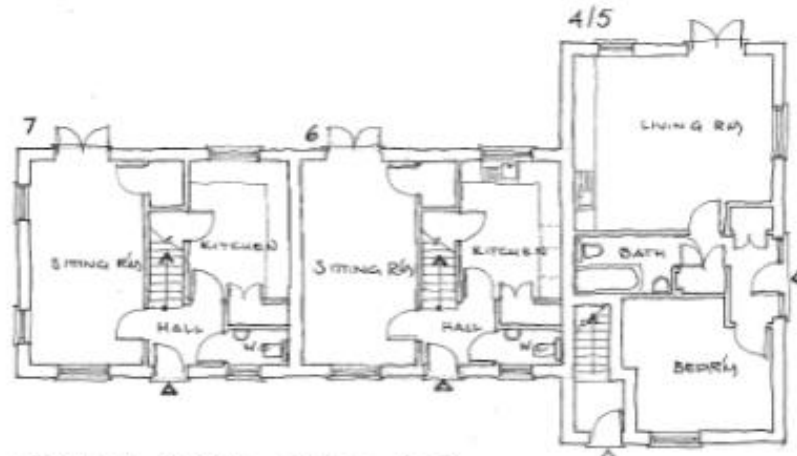
WEST ELEVATION ~ PLOTS 4-7



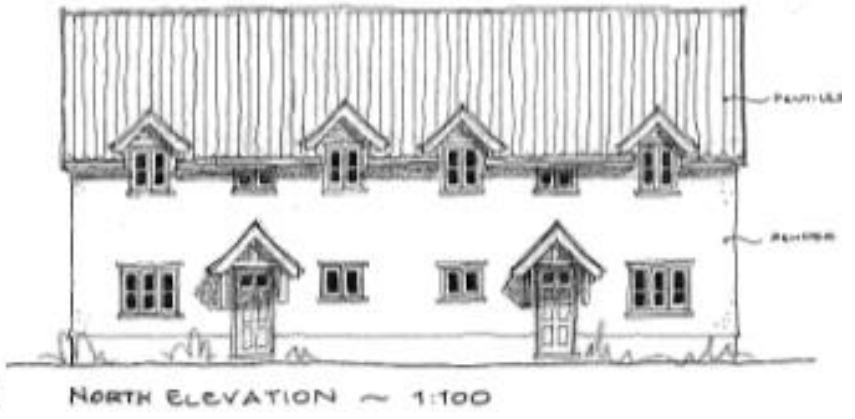
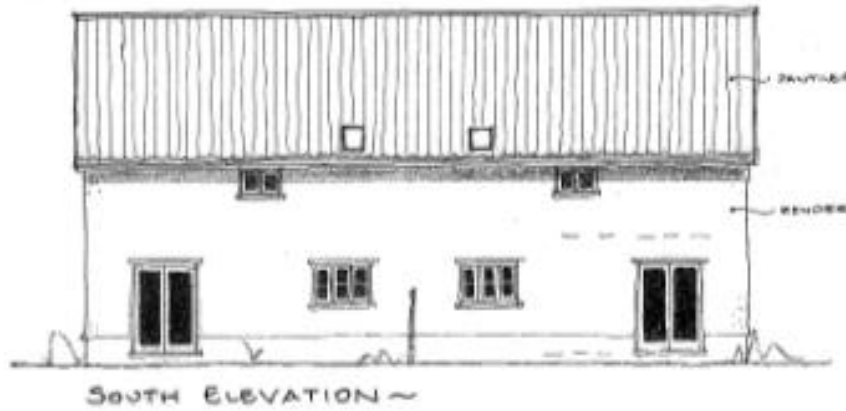
NORTH (FRONT) ELEVATION ~

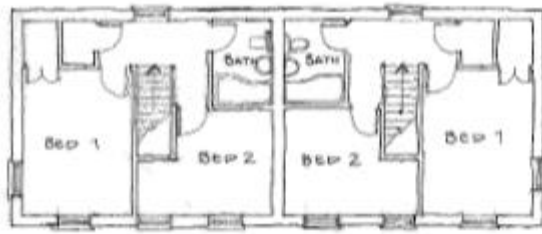


FIRST FLOOR ~ 1:100



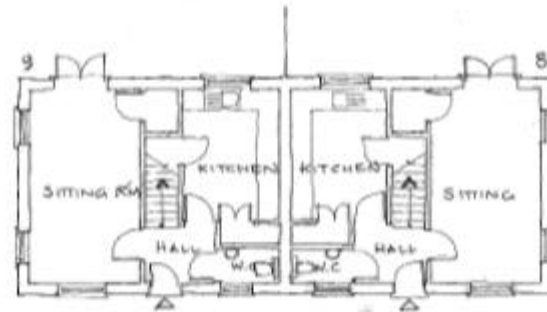
GROUND FLOOR PLOTS 4-7





FIRST FLOOR ~

PLOTS 8 & 9



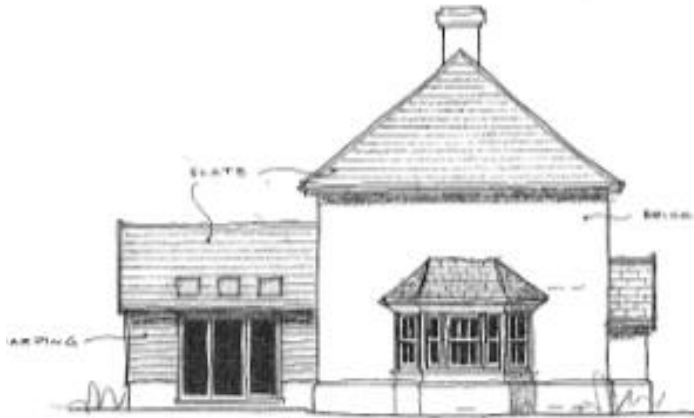
GROUND FLOOR ~ 1:100



SOUTH ELEVATION ~



EAST ELEVATION ~

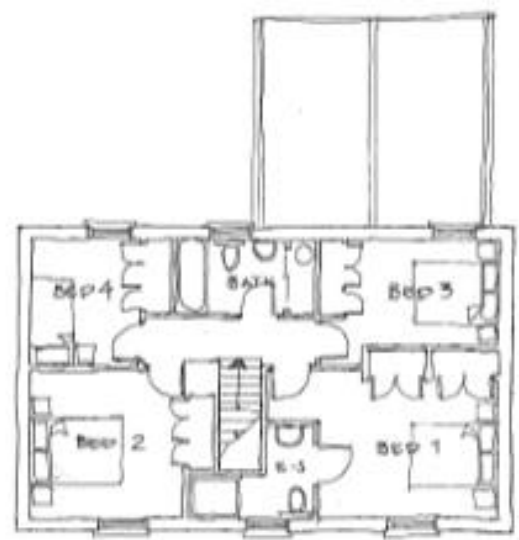


WEST ELEVATION ~

PLOT 14



NORTH (FRONT) ELEVATION ~



FIRST FLOOR ~ PLOT 14



GROUND FLOOR ~ 1:100

Proposed elevations



SOUTH ELEVATION ~



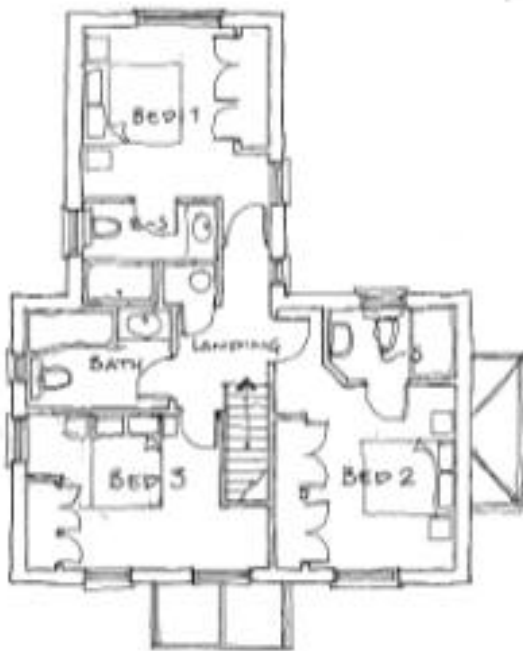
WEST ELEVATION ~



EAST ELEVATION ~ 1:100 PLOT 15

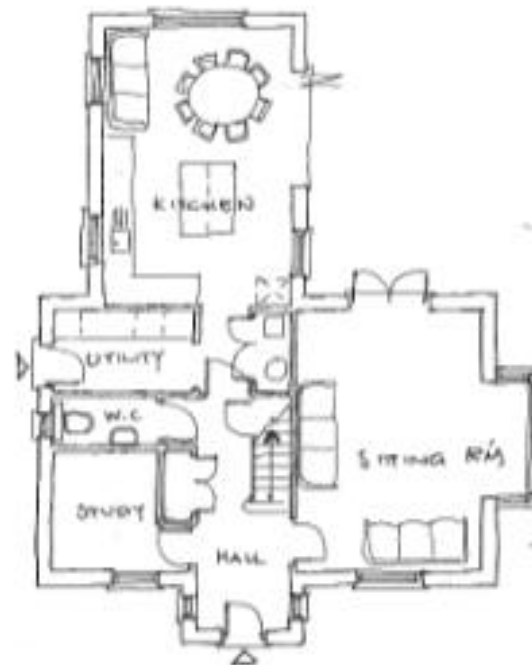


NORTH (FRONT) ELEVATION ~



FIRST FLOOR ~

PLOT 15



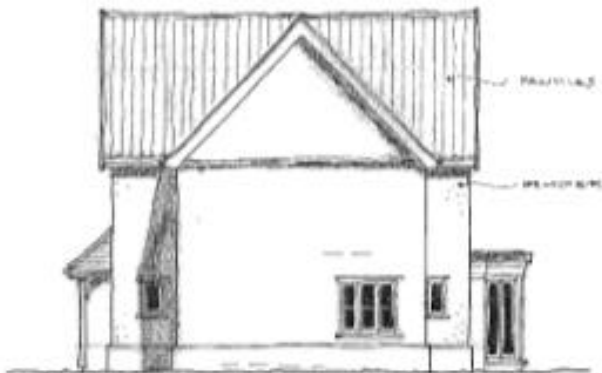
GROUND FLOOR ~ 1:100



SOUTH ELEVATION ~



EAST ELEVATION ~



WEST ELEVATION ~ PLOT 16



NORTH ELEVATION ~



FIRST FLOOR ~ 1:100



PLOT 16

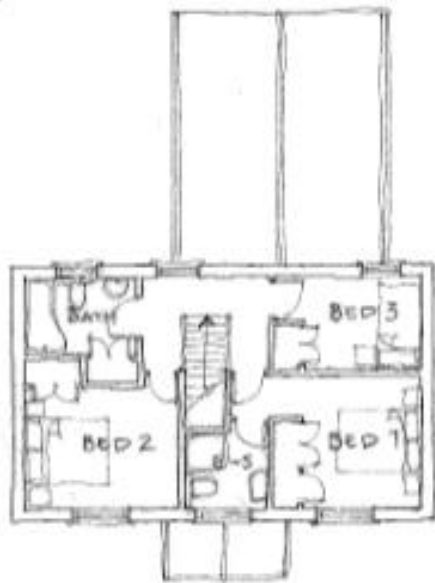


GROUND FLOOR ~

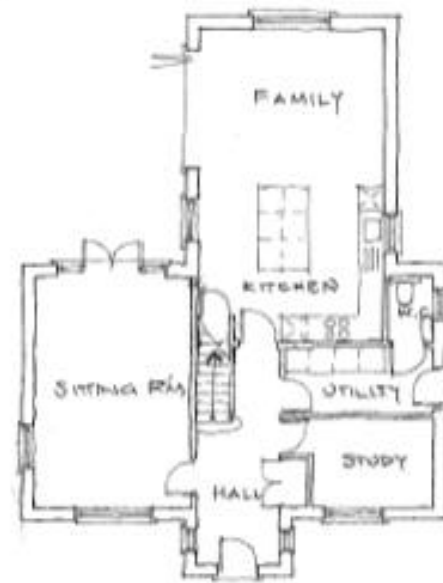
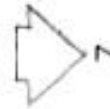


PLOT 17





FIRST FLOOR ~ PLOT 17



GROUND FLOOR ~ 1:100



WEST ELEVATION ~



NORTH ELEVATION ~

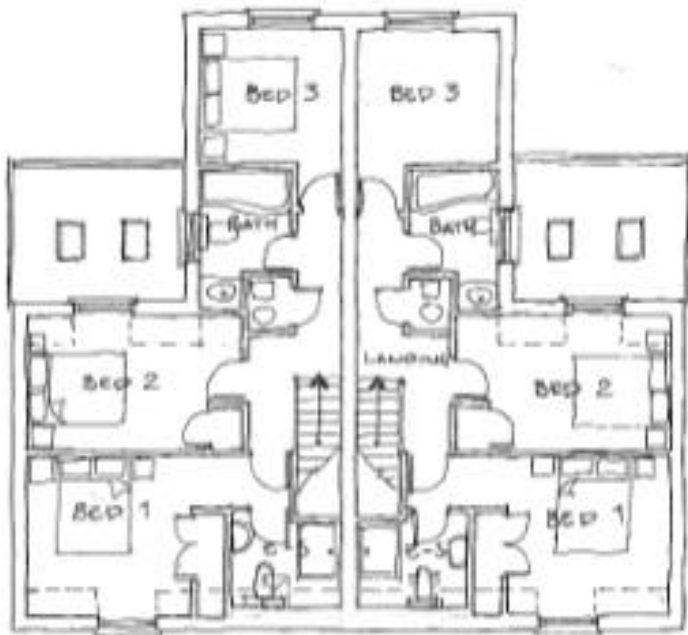
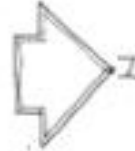


SOUTH ELEVATION ~ 1:100

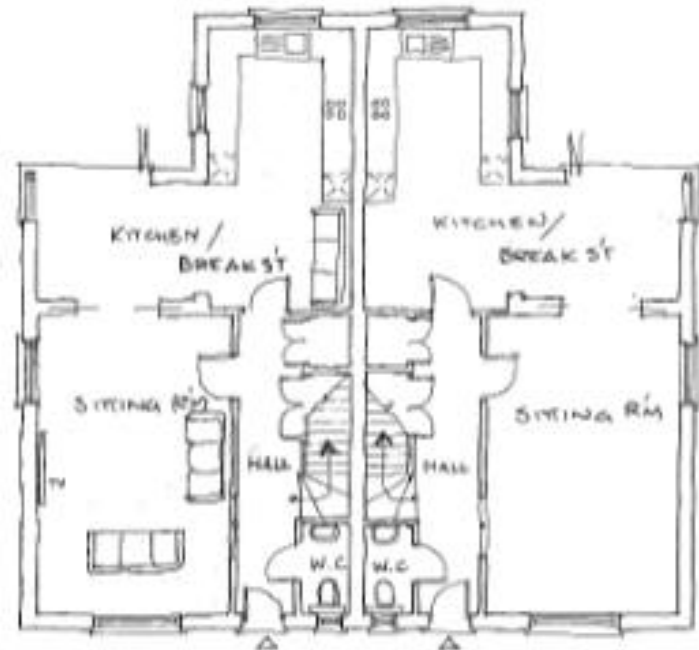
PLOTS 18 & 19



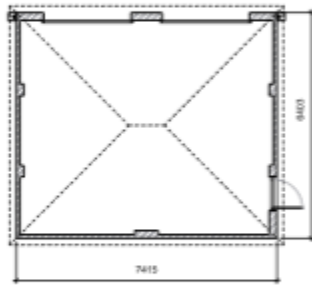
EAST (FRONT) ELEVATION ~



FIRST FLOOR ~ 1:100



GROUND FLOOR ~ PLOTS 18 & 19



garage floor plan



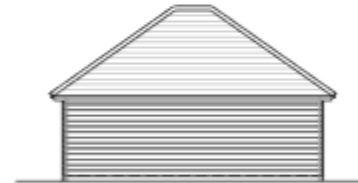
north elevation



east elevation

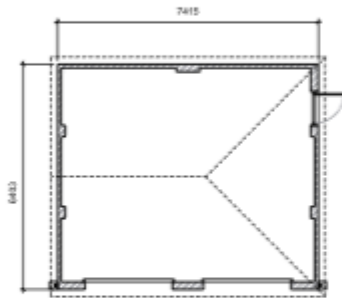


west elevation

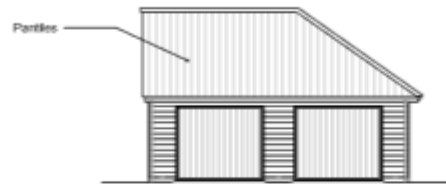


south elevation





garage floor plan



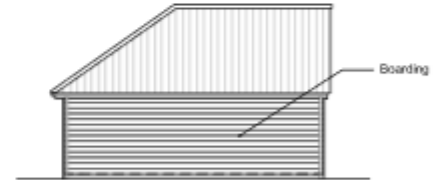
south elevation



east elevation

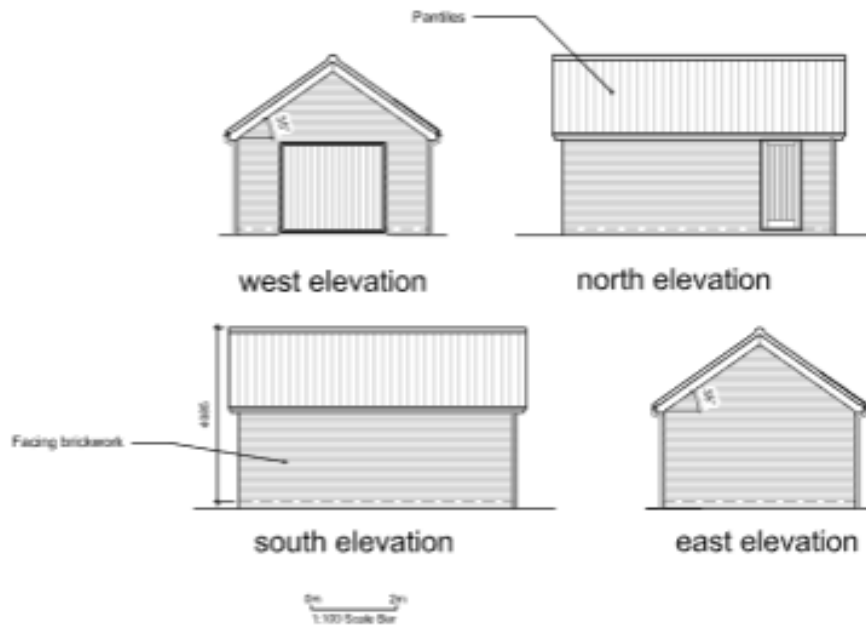
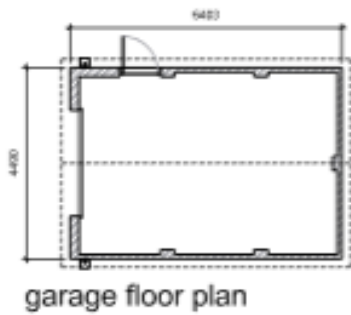


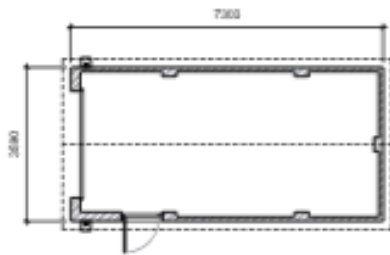
west elevation



north elevation



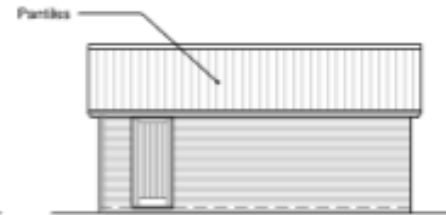




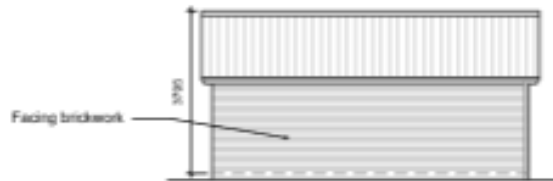
garage floor plan



west elevation



south elevation



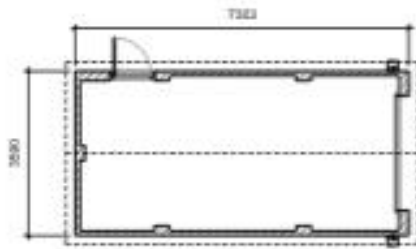
north elevation



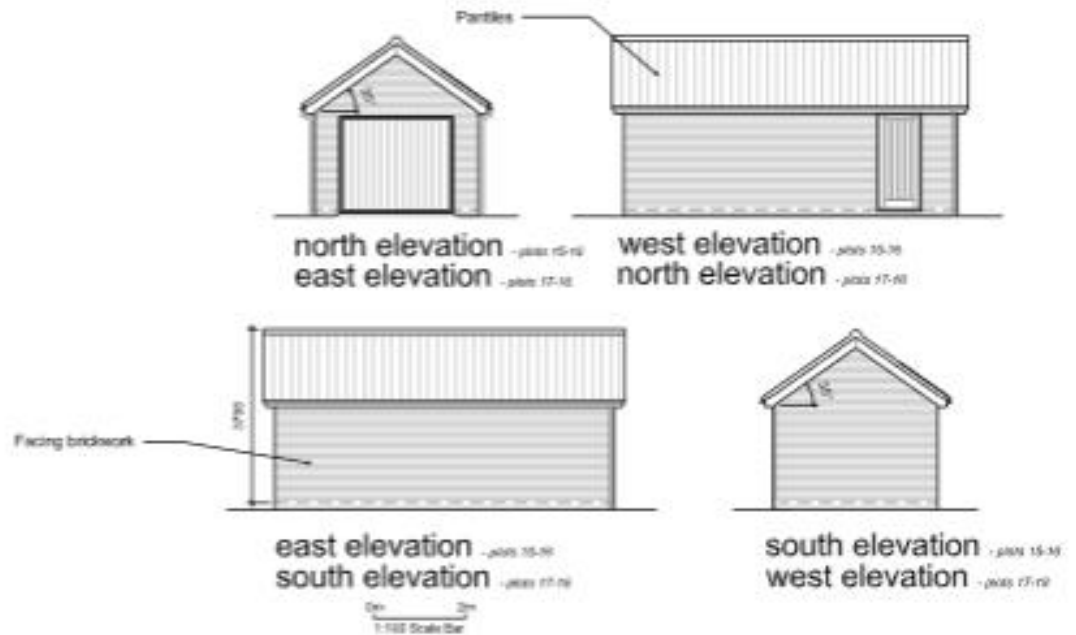
east elevation

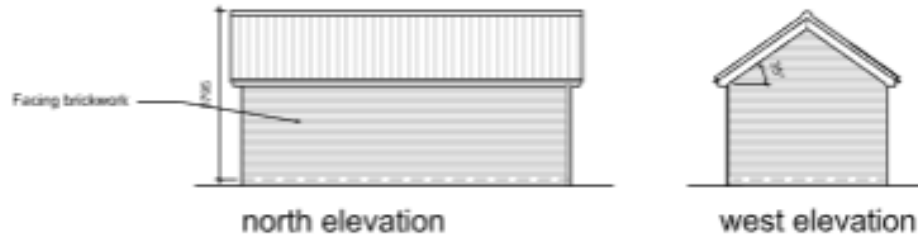
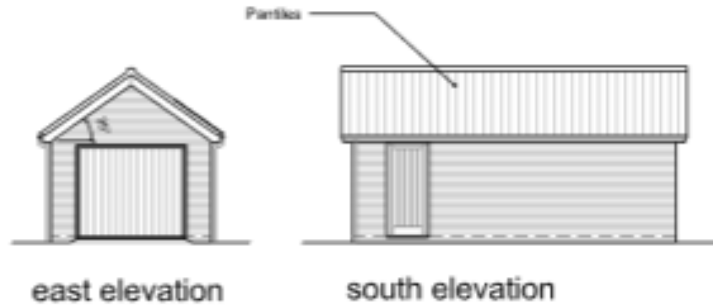
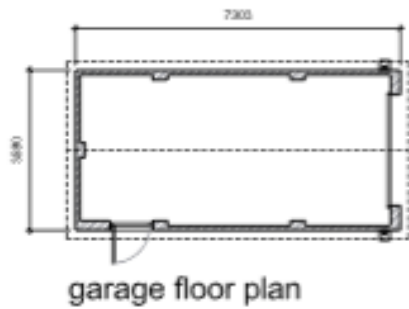


Page 240



garage floor plan





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