

Consultee Comments for Planning Application DC/19/01604

Application Summary

Application Number: DC/19/01604

Address: Land Adjacent BT Exchange Rising Sun Hill Rattlesden Suffolk IP30 0RL

Proposal: Outline Planning Application (Access to be considered) - Erection of 1no. dwelling and garage.

Case Officer: Jamie Edwards

Consultee Details

Name: Mr Doug Reed (Parish Clerk, Rattlesden Parish Council)

Address: Second Thoughts, Church Road, Elmswell Bury St Edmunds, Suffolk IP30 9DY

Email: rattlesdenpc@live.co.uk

On Behalf Of: Rattlesden Parish Clerk

Comments

Rattlesden Parish Council OBJECTS to this application.

The previous application (2194/16) for this critical site within the heart of the village - a designated Conservation Area - provided for a nature garden for the nearby Primary School at this location. While the Parish Council was less than keen on a housing development which was outside the settlement boundary, it recognised the significant benefits which would accrue to the School and also that a nature garden was not only consistent with its green agenda but also would majorly enhance the attractiveness of the site. Accordingly, it was pleased to support the application.

DC/19/01604 is self-evidently a superseding application which, if granted, offers only disbenefits for the centre of the village. Clearly, for whatever reason, the nature garden was not progressed. That is a genuine loss to Rattlesden but was fundamental and key to the original application being acceptable. This 'replacement' application (albeit through a different applicant) offers nothing on the site to the village and is, simply, a further example of creeping overdevelopment which is totally unacceptable. It would not be unreasonable to suggest to say that the Parish Council, on behalf of the village, feels completely misled by how the present position has come about.

The application claims that the proposed shared access will have "no material impact on highway safety". That is extremely questionable. Since the access was provided for by application 2914/16 the traffic situation has been subject to overwhelming change. There have been major developments in the village on Top Road and on land adjacent to Roman Rise - both immediately beyond the site represented by this application. Not only the applicant but also, and crucially, Suffolk Highways must recognise and take this change into proper account.

The 22 dwellings as per DC/18/00229 (land adjacent to Roman Rise) and eight dwellings as per

DC/18/02258 (Top Road) will both impact negatively upon minor, narrow roads which are already over-burdened and unable to cope with the current volumes of traffic. Both will feed substantially increased traffic movements through their obvious and main access road - Rising Sun Hill - the very route on to which this latest application would provide for egress/access. So there must be an impact from this proposal. Moreover, all routes lead to a tiny but remarkably busy junction at the bottom of Rising Sun Hill where visibility is a pre-existing problem - and which is the main access road to the local school and where not only parents park at busy school times but also school buses (as there is no alternative site). The health and safety risks cannot be over-emphasised.

From: Doug Reed <rattlesdenpc@live.co.uk>
Sent: 01 May 2019 15:54
To: Jamie Edwards <Jamie.Edwards@baberghmidsuffolk.gov.uk>
Subject: DC/19/01604 - Rattlesden - Rising Sun Hill Planning Application

Mr Edwards, good afternoon

I submitted Rattlesden Parish Council comments on-line about DC/19/01604 earlier today but, from the detailed discussion yesterday evening, missed a couple of points which I hope you might be able to include as an addendum, please. They are as below.

Kind regards.

Doug Reed
Parish Clerk
Rattlesden Parish Council

Firstly, the design of the original dwellings was considered particularly suitable and was, together with the graveyard extension and nature garden, critical to Parish Council support (i.e. designed to look like a farmhouse and associated buildings - very much in keeping with the location). It is appreciated that no design is offered within the present application but that also precludes Parish Council support in this key site.

Secondly, re highways. The earlier Parish Council comments inadvertently did not account for the impact of the site directly opposite on Rising Sun Hill which was also agreed subsequently and which, itself, has access on to Rising Sun Hill - necessarily in conflict with the access to be achieved for the proposed application. The two together will create congestion on a busy/dangerous stretch of road which has significant pedestrian activity.

From: Andy Rutson-Edwards <Andy.Rutson-Edwards@baberghmidsuffolk.gov.uk>
Sent: 05 April 2019 07:02
To: Jamie Edwards <Jamie.Edwards@baberghmidsuffolk.gov.uk>; BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>
Subject: DC/19/01604

EP Ref: WK/000257827

DC/19/01604 | Outline Planning Application (Access to be considered) - Erection of 1no. dwelling and garage. | Land Adjacent BT Exchange Rising Sun Hill Rattlesden Suffolk IP30 ORL

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

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

1. *All site works at the position of the suspected contamination will stop and the Local Planning Authority and Environmental Health Department will be notified as a matter of urgency.*
2. *A suitably trained geo-environmental engineer should assess the visual and olfactory observations of the ground and the extent of contamination and the Client and the Local Authority should be informed of the discovery.*
3. *The suspected contaminated material will be investigated and tested appropriately in accordance with assessed risks. The investigation works will be carried out in the presence of a suitably qualified geo-environmental engineer. The investigation works will involve the collection of solid samples for testing and, using visual and olfactory observations of the ground, delineate the area over which contaminated materials are present.*
4. *The unexpected contaminated material will either be left in situ or be stockpiled (except if suspected to be asbestos) whilst testing is carried out and suitable assessments completed to determine whether the material can be re-used on site or requires disposal as appropriate.*
5. *The testing suite will be determined by the independent geo-environmental specialist based on visual and olfactory observations.*
6. *Test results will be compared against current assessment criteria suitable for the future use of the area of the site affected.*
7. *Where the material is left in situ awaiting results, it will either be reburied or covered with plastic sheeting.*
8. *Where the potentially contaminated material is to be temporarily stockpiled, it will be placed either on a prepared surface of clay, or on 2000-gauge Visqueen sheeting (or other impermeable surface) and covered to prevent dust and odour emissions.*

9. *Any areas where unexpected visual or olfactory ground contamination is identified will be surveyed and testing results incorporated into a Verification Report.*
10. *A photographic record will be made of relevant observations.*
11. *The results of the investigation and testing of any suspect unexpected contamination will be used to determine the relevant actions. After consultation with the Local Authority, materials should either be: • re-used in areas where test results indicate that it meets compliance targets so it can be re-used without treatment; or • treatment of material on site to meet compliance targets so it can be re-used; or • removal from site to a suitably licensed landfill or permitted treatment facility.*
12. *A Verification Report will be produced for the work.*

Andy

Andy Rutson-Edwards, MCIEH AMIOA
Senior Environmental Protection Officer

Babergh and Mid Suffolk District Council - Working Together

Tel: 01449 724727

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

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

Your Ref:DC/19/01604
Our Ref: SCC/CON/1317/19
Date: 18 April 2019



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: Jamie Edwards

Dear Jamie

TOWN AND COUNTRY PLANNING ACT 1990

CONSULTATION RETURN: DC/19/01604

PROPOSAL: Outline Planning Application (Access to be considered) - Erection of 1no. dwelling and garage.

LOCATION: Land Adjacent BT Exchange Rising Sun Hill Rattlesden Suffolk IP30 0RL

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

Condition: The vehicular access shall be laid out and completed in all respects in accordance with Drawing No. DM01 and with an entrance width of 4.5m and made available for use prior to occupation.

Thereafter the access shall be retained in the specified form.

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

Condition: Before the development is commenced details of the areas to be provided for storage and presentation of Refuse/Recycling bins shall be submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

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

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. 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: The gradient of the vehicular access shall not be steeper than 1 in 20 for the first five metres measured from the nearside edge of the adjacent metalled carriageway.

Reason: To ensure that vehicles can enter and leave the public highway in a safe manner.

Condition: The access driveway shall be constructed at a gradient not steeper than 1 in 8.

Reason: To ensure that vehicles can enter and leave the public highway in a safe manner.

Condition: Prior to the dwellings hereby permitted being first occupied, the vehicular access onto the highway shall be properly surfaced with a bound material for a minimum distance of 10 metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the local planning authority.

Reason: To secure appropriate improvements to the vehicular access in the interests of highway safety.

Condition: The vehicular access hereby permitted shall be a minimum width of 4.5 metres for a distance of 10 metres measured from the nearby edge of the carriageway.

Reason: To ensure vehicles can enter and leave the site in a safe manner.

Condition: Before the access is first used clear visibility at a height of 0.6 metres above the carriageway level shall be provided and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 2.4 metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 90 metres in each direction along the edge of the metalled carriageway from the centre of the access (Y dimension).

Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

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

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

Reason: To enable vehicles to enter and exit the public highway in forward gear in the interests of 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.

Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense.

The County Council's Central Area Manager must be contacted on Telephone: 01473 341414. Further information go to: <https://www.suffolk.gov.uk/roads-and-transport/parking/apply-for-a-dropped-kerb/>

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

Yours sincerely,

Kyle Porter
Development Management Technician
Growth, Highways and Infrastructure



25 April 2019

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

By email only

Dear Jamie,

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

Application: DC/19/01604
Location: Land Adjacent BT Exchange, Rising Sun Hill, Rattlesden, Suffolk IP30 0RL
Proposal: Outline Planning Application (Access to be considered) - Erection of 1no. dwelling and garage.

Thank you consulting Place Services on the above application.

No objection subject to securing biodiversity mitigation and enhancement measures

Summary

We have reviewed the Ecological Scoping Survey (Hiller Ecology Ltd., February 2016) submitted by the applicant, relating to the likely impacts of development on designated sites, Protected & Priority species.

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

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

We also support the reasonable biodiversity enhancements, which should also be secured by a condition of any consent. However, we recommend that any new landscaping should comprise of native species only as defined in Schedules 2 and 3 of the Hedgerow Regulations 1997. The loss of the small section of hedgerow removed to facilitate the site access should also be appropriately compensated proportionately within the landscape design.



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 and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Scoping Survey (Hiller Ecology Ltd., February 2016) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW,) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.”

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

2. PRIOR TO OCCUPATION: 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 of the Ecological Scoping Survey (Hiller Ecology Ltd., February 2016)

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

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



Please contact me with any queries.

Yours sincerely,

Hamish Jackson BSc (Hons) GradCIEEM MRSB

Junior Ecological Consultant

ecology.placeservices@essex.gov.uk

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

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

Consultation Response Pro forma

1	Application Number	DC/19/01604 Land Adjacent BT Exchange, Rising Sun Hill, Rattlesden	
2	Date of Response	25/04/19	
3	Responding Officer	Name:	Karolien Yperman
		Job Title:	Heritage and Design Officer
		Responding on behalf of...	Heritage Team
4	Summary and Recommendation (please delete those N/A) Note: This section must be completed before the response is sent. The recommendation should be based on the information submitted with the application.	Based on the limited amount of information included with this outline application, the Heritage Team considers that the erection of a dwelling and garage on this site would likely cause no harm to the character and appearance of the Rattlesden Conservation Area, subject to matters of layout, scale, massing, design, use of materials and boundary treatment.	
5	Discussion Please outline the reasons/rationale behind how you have formed the recommendation. Please refer to any guidance, policy or material considerations that have informed your recommendation.	<p>This is an outline application for the erection of a dwelling and garage in the Rattlesden Conservation Area. The heritage concern relates to the impact of the proposal on the character and appearance of the Conservation Area.</p> <p>The site is located at the south-western corner of the Rattlesden Conservation Area. The application site forms part of a larger field, which was the subject of a previous application (2194/16). In this application for the erection of two dwellings on this land, the current application site was designated as a nature garden for the local primary school. The Heritage Team commented on the previous application that the proposed development would change the character of the land, however not to the detriment of the Conservation Area, subject to conditions.</p> <p>Within the context of the previously granted application, as well as the granted outline application for 5 dwellings on the east side of Rising Sun Hill, the current application site contributes little to the Conservation Area, and while the erection of a dwelling would change the character of the land, it is unlikely that this development would cause harm to the character and appearance of the Conservation Area. This would be subject to appropriate layout, scale, massing, design,</p>	

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

		use of materials and boundary treatment at reserved matters stage.
6	<p>Amendments, Clarification or Additional Information Required (if holding objection)</p> <p>If concerns are raised, can they be overcome with changes? Please ensure any requests are proportionate</p>	<p><i>Decision-takers should be mindful of the specific legal duties of the local planning authority with respect to the special attention which shall be paid to the desirability of preserving or enhancing the character and appearance of the Conservation Area, as set out in section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.</i></p>
7	Recommended conditions	

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Comments for Planning Application DC/19/01604

Application Summary

Application Number: DC/19/01604

Address: Land Adjacent BT Exchange Rising Sun Hill Rattlesden Suffolk IP30 0RL

Proposal: Outline Planning Application (Access to be considered) - Erection of 1no. dwelling and garage.

Case Officer: Jamie Edwards

Customer Details

Name: Mr Robert Boardman

Address: 8 Gardeners Walk, Elmswell, Bury St Edmunds, Suffolk IP30 9ET

Comment Details

Commenter Type: Amenity Group

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

Comment Reasons:

- Boundary Issues

Comment: It appears that footpath no. 58 runs within part of the western boundary of this site. It is not clear from these plans as to what provision has been made for this path to continue along its route as per the definitive map and statement for the parish of Rattlesden.

Bob Boardman, Stowmarket Ramblers, footpath secretary