

Consultee Comments for Planning Application DC/20/03704

Application Summary

Application Number: DC/20/03704

Address: Land West Of Old Norwich Road Whitton Ipswich Suffolk IP1 6LQ

Proposal: Application for approval of reserved matters including Access, Layout, Scale, Appearance and Landscaping following outline planning application 1832/17 Allowed at Appeal APP/W3520/W/18/3200941 for residential development for up to 190 dwellings (Use Class C3) with public open space, vehicular access and associated infrastructure.

Case Officer: Bradly Heffer

Consultee Details

Name: Mrs Charmaine Greenan

Address: Valley View, Church Lane, Claydon Ipswich, Suffolk IP6 0EG

Email: Not Available

On Behalf Of: Claydon And Whitton Parish Clerk

Comments

Claydon and Whitton Parish Councillors have the following concerns:

- The first archaeological dig in this location recommended a further independent dig, but there appears to be a suggestion that the dig will be performed by the developer.
- Councillors remain concerned about the implications of a roundabout to access and exit the new estate. There is no need for a roundabout as traffic should not be turning left out of the estate - this route is only for buses, cyclists, pedestrians and emergency vehicles. Councillors are worried that a roundabout in this location will encourage new residents to turn left and use the restricted road to reach the A14 more quickly. Councillors ask that further thought is put into how to prevent vehicles using the restricted route through Claydon, for example by possibly using cameras that are followed up with fines for using the road.
- Councillors are concerned that insufficient thought has been applied to congestion issues for new residents to leave the estate for the A14, as this road is frequently very busy and will be a lot busier with all the building happening in this area.
- Councillors are concerned that Plot 1 continues to have a significant impact on existing residents, as it overlooks an annex that is currently inhabited by an elderly couple.
- Further clarification is required regarding raised bus stops on the estate, as this formed part of the appeal paperwork.

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Case Officer: Bradly Heffer

Consultee Details

Name: Mrs Charmaine Greenan

Address: Valley View, Church Lane, Claydon Ipswich, Suffolk IP6 0EG

Email: claywhit@btinternet.com

On Behalf Of: Claydon And Whitton Parish Clerk

Comments

Claydon and Whitton Parish Council wish to ensure that future and existing residents in the parish have the best possible standard of living and that potential future issues that can be planned out are addressed. To this end, the Parish Council has the following concerns regarding the application for approval of reserved matters:

Plot 1

The position of Plot 1 is too close and will be overbearing for existing residents on Old Norwich Road. There is currently a bungalow next to Plot 1 on Old Norwich Road, which is set very low on the land, and Plot 1 is a two storey building that will sit much higher than the current property. Could this be replaced with a bungalow?

Access Roundabout

Parish Councillors feel that a roundabout is unnecessary in this situation and there are examples of larger planned developments (such as Church Lane, Barham) that have not had a roundabout recommended. Beyond the estate are only six properties on a no through road plus two buses per hour, so a roundabout is unnecessary as there will not be the through traffic to justify it.

The concerns regarding the roundabout are that it will create extra noise and air pollution with drivers having to slow down and accelerate. There are also road safety concerns. Old Norwich Road is a popular national cycle route, used by a variety of commuter and pleasure cyclists, including many young people on their way to school in Claydon (in future there are likely to be many more young people accessing schooling in Claydon or Ipswich from this estate). This unnecessary roundabout will add an extra danger to cyclists.

There are also concerns that if a roundabout is used for entrance onto the estate, it will encourage drivers to potentially turn left and illegally use the bus and cycle route as a cut through to Claydon and the A14. The Parish Council, together with the Police and Crime Commissioner Tim Passmore, are very concerned that this illegal use may increase and further endanger all the cyclists and pedestrians who use this route and make for difficulties at the junction at the bottom on Old Ipswich Road in Claydon, with unsafe turns onto Ipswich Road. In addition, if the road is used more with impunity, there may be an increase in drivers cutting through Claydon from the A14 and up Old Ipswich / Old Norwich Road to reach Ipswich without using the junction at Whitehouse. The Parish Council would welcome a road design that would direct traffic onto a bend into the new estate, and make it more difficult to continue straight on. In addition, on exiting the estate, it would be helpful if traffic could be directed to turn right, without the option of a left turn, to reduce the risk of illegal usage of Old Norwich / Old Ipswich Road.

Noise Pollution

The Parish Council remains concerned about the noise pollution from the A14 that will adversely affect potential future residents of the estate. It is thought that the particular landscape in this location allows for excessive road noise onto the planned development and the Parish Council would like to see further measures by the developer to improve the lives of future residents.

Parking Allocations on the estate

Parish Councillors note that there are a proportion of parking spaces allocated into garages. Realistically, residents do not use garages to park their cars in and this leads to significantly less than two parking spaces per property. It is felt that residents will use the allocated visitors parking bays for extra cars / work vans etc and there will be many cars parked on the roads of the estate that will create dangerous areas for pedestrians, drivers and playing / cycling children. The Parish Council requests that the parking on the estate is reviewed and allows for an actual two car parking spaces per house plus visitor parking.

Access for larger vehicles

Parish Councillors were concerned on viewing the plans about how larger vehicles such as dustbin lorries and emergency service vehicles would be able to manoeuvre around the estate, particularly the lack of room provided for turning, especially when considering the reality of on street parking that is likely given the scarcity of allocated parking in the plans. These manoeuvres will be dangerous for pedestrians, cyclists and other road users.

Buses

The Planning appeal paperwork detailed bus stops to be included on the estate, which would encourage the use of public transport so close to Ipswich. However, Parish Councillors could not find these bus stops detailed on the plans.

Buffer Zone

The Parish Council would like further clarity on the layout, fencing and maintenance of the buffer zone. Concerns about anti-social behaviour were expressed about this area from the police and plans were changed to reflect these, but Parish Councillors would like to understand how access to this area is to be prevented for anti-social behaviour and prevention of fly tipping, which would create an unsightly and unpleasant environment for future and existing residents. They would also like to understand how maintenance of this area is to be achieved in future.

Surface Water

These plans raise the question of how surface water is to be dealt with and Parish Councillors would like to understand this better before approving of these plans.

From: BRAMFORD PARISH COUNCIL <bramfordparishcouncil@btinternet.com>

Sent: 08 December 2020 13:57

To: BMSDC Planning Mailbox <planning@baberghmidsuffolk.gov.uk>

Subject: Re: Planning application consultation request - DC/20/03704

Dear James,

We have no comments to make regarding the planning application consultation request - DC/20/03704.

Many thanks.

Kind Regards,

Bramford Parish Council.

From: BRAMFORD PARISH COUNCIL <bramfordparishcouncil@btinternet.com>

Sent: 22 September 2020 23:01

To: BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>

Subject: Re: DC/20/03704 - Land west of Old Norwich Road Whitton Ipswich (EH Air, sustainability and other issues)

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Hello,

No, we do not need to comment on this matter. Thank you.

Regards,
Bramford Parish Council.

From: Planning Liaison <planningliaison@anglianwater.co.uk>
Sent: 05 September 2020 15:15
To: BMSDC Planning Mailbox <planning@baberghmidsuffolk.gov.uk>
Subject: Land West Of Old Norwich Road Whitton Ipswich Suffolk IP1 6LQ - DC/20/03704

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Dear Bradly Heffer,

Our Reference: PLN-0102797

Please see below our response for the planning application- Land West Of Old Norwich Road Whitton Ipswich Suffolk IP1 6LQ - DC/20/03704

Surface Water

We have reviewed the applicant's submitted surface water drainage information (190680-con-x-00-dr-c-1000-p9-drainage strategy - site wide) and have found that the proposed method of surface water discharge does not relate to an Anglian Water owned asset. As such, it is outside of our jurisdiction and we are unable to provide comments on the suitability of the surface water discharge. 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. A connection to the public surface water sewer may only be permitted once the requirements of the surface water hierarchy as detailed in Building Regulations Part H have been satisfied. This will include evidence of the percolation test logs and investigations in to discharging the flows to a watercourse proven to be unfeasible.

Please do not hesitate to contact the Pre-Development Team on the number below or via email should you have any questions related to our planning application response.

Kind regards,
Rory



Planning Liaison Team
Development Services
Telephone: 03456066087 Option 1

Anglian Water Services Limited
Thorpe Wood House, Thorpe Wood, Peterborough,
Cambridgeshire, PE3 6WT

From: Planning EE <PlanningEE@highwaysengland.co.uk>
Sent: 08 December 2020 12:04
To: BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>
Cc: Spatial Planning <SpatialPlanning@highwaysengland.co.uk>; Norman, Mark <Mark.Norman@highwaysengland.co.uk>; Willison, Simon p <simon.willison@aecom.com>
Subject: DC-20-03704 Consultation Response

Dear Sir/Madam

Thank you for your consultation on the above planning application.

We have reviewed the details and information provided. Due to the nature of the Reserved Matters relating to this application for the proposed development, there is unlikely to be any adverse effect upon the Strategic Road Network.

Consequently our previous recommendation of **No Objection** remains unchanged.

Kind Regards

JARROD GOY

Spatial Planning

Highways England | Woodlands | Manton Lane | Bedford | MK41 7LW

Web: <http://www.highways.gov.uk>

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Developments Affecting Trunk Roads and Special Roads

Highways England Planning Response (HEPR 16-01)

Formal Recommendation to an Application for Planning Permission

From: Martin Fellows
Operations (East)
planningee@highwaysengland.co.uk

To: Mid Suffolk District Council
growthandplanning@highwaysengland.co.uk

Council's Reference: DC/20/03704

Referring to the planning application referenced above, dated 2 December 2019, application for the submission of details under Outline Planning Permission DC/17/04113 - Appearance, Landscaping, Layout and Scale for the erection of 98 dwellings (including 34 affordable homes), provision of a junior football pitch, areas of public open space and off site highway improvements, Land East Of King George's Field, Green Road, Haughley, IP14 3RA, notice is hereby given that Highways England's formal recommendation is that we:

- a) offer no objection;
- ~~b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – Highways England recommended Planning Conditions);~~
- ~~c) recommend that planning permission not be granted for a specified period (see Annex A – further assessment required);~~
- ~~d) recommend that the application be refused (see Annex A – Reasons for recommending Refusal).~~

Highways Act Section 175B is ~~/~~ is not relevant to this application.¹

¹ Where relevant, further information will be provided within Annex A.

Signature:	Date: 7 December 2020
Name: Mark Norman	Position: Spatial Planning Manager
Highways England: Woodlands, Manton Lane Bedford MK41 7LW	
mark.norman@highwaysengland.co.uk	

Annex A Highways England recommended no objection

HIGHWAYS ENGLAND has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

This response represents our formal recommendations with regards to DC/20/03704 and has been prepared by Simon Willison.

Given the scale and location of this development it is unlikely to result in a severe impact upon the strategic road network.

From: Planning EE <PlanningEE@highwaysengland.co.uk>

Sent: 03 September 2020 16:02

To: BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>

Cc: growthandplanning <growthandplanning@highwaysengland.co.uk>; 'Willison, Simon p' <simon.willison@aecom.com>

Subject: DC/20/03704 Consultation Response

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Dear Sir/Madam

Thank you for your consultation on the above planning application.

We have reviewed the details and information provided. The amendments proposed to this planning application are unlikely to have an adverse effect upon the Strategic Road Network.

Consequently our previous recommendation of **No Objection** remains unchanged.

Kind Regards

JARROD GOY

Spatial Planning

Highways England | Woodlands | Manton Lane | Bedford | MK41 7LW

Web: <http://www.highways.gov.uk>

From: planning.apps <planning.apps@suffolk.nhs.uk>

Sent: 08 December 2020 09:56

To: BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>

Subject: DC/20/03704

Please be aware that the CCG has responded to a previous version of this planning application and that response is still pertinent.

Regards

CCG Estates Planning Support

Ipswich & East Suffolk CCG & West Suffolk CCG
Endeavour House, 8 Russell Road, Ipswich, IP1 2BX

planning.apps@suffolk.nhs.uk

www.westsuffolkccg.nhs.uk

www.ipswichandeastsuffolkccg.nhs.uk





**Ipswich and East Suffolk
Clinical Commissioning Group**

Endeavour House
8 Russell Road
Ipswich
Suffolk
IP1 2BX

Email address: planning.apps@suffolk.nhs.uk
Telephone Number – 01473 770000

Your Ref: DC/20/03704

Our Ref: IESCCG/000920/IPS

Planning Services
Babergh and Mid Suffolk District Councils
Endeavour House
8 Russell Road
Ipswich
Suffolk, IP1 2BX

23/09/2020

Dear Sirs, Madam

Proposal: Application for approval of reserved matters including Access, Layout, Scale, Appearance and Landscaping following outline planning application 1832/17 Allowed at Appeal APP/W3520/W/18/3200941 for residential development for up to 190 dwellings (Use Class C3) with public open space, vehicular access and associated infrastructure.

Location: Land West Of Old Norwich Road, Whitton, Ipswich, Suffolk IP1 6LQ

1. I refer to your consultation letter on the above planning application and advise that, following a review of the applicants' submission the following comments are with regard to the primary healthcare provision on behalf of Ipswich & East Suffolk Clinical Commissioning Group (CCG).

Background

2. The proposal comprises a development of up to 190 residential dwellings, which is likely to have an impact of the NHS funding programme for the delivery of primary healthcare provision within this area and specifically within the health catchment of the development. The CCG would therefore expect these impacts to be fully assessed and mitigated by way of a developer contribution secured through the Community Infrastructure Levy (CIL).

Review of Planning Application

3. There are 2 GP practices within a 2km radius of the proposed development. These practices do not have sufficient capacity for the additional growth resulting from this development and cumulative development growth in the area. Therefore a developer contribution, via CIL processes, towards the capital funding to increase capacity within the GP Catchment Area would be sought to mitigate the impact.

Healthcare Needs Arising From the Proposed Development

4. At the earliest stage in the planning process it is recommended that work is undertaken with Ipswich and East Suffolk CCG and Public Health England to understand the current and future dental needs of the development and surrounding areas giving consideration to the current dental provision, current oral health status of the area and predicted population growth to ensure that there is sufficient and appropriate dental services that are accessible to meet the needs of the development but also address existing gaps and inequalities.

Encourage oral health preventative advice at every opportunity when planning a development, ensuring that oral health is everybody's business, integrating this into the community and including this in the health hubs to encourage and enable residents to invest in their own oral healthcare at every stage of their life.

Health & Wellbeing Statement

As an Integrated Care System it is our ambition that every one of the one million people living in Suffolk and North East Essex is able to live as healthy a life as possible and has access to the help and treatment that they need in the right place, with good outcomes and experience of the care they receive.

Suffolk and North East Essex Integrated Care System, recognises and supports the role of planning to create healthy, inclusive communities and reduce health inequalities whilst supporting local strategies to improve health, social and cultural wellbeing for all aligned to the guidance in the NPPF section 91. The way health and care is being delivered is evolving, partly due to advances in digital technology and workforce challenges. Infrastructure changes and funds received as a result of this development may incorporate not only extensions, refurbishments, reconfigurations or new buildings but will also look to address workforce issues, allow for future digital innovations and support initiatives that prevent poor health or improve health and wellbeing.

The NHS Long term plan requires a move to increase investment in the wider health and care system and support reducing health inequalities in the population. This includes investment in primary medical, community health services, the voluntary and community sector and services provided by local authorities so to boost out of hospital care and dissolve the historic divide between primary and community health services. As such, a move to health hubs incorporating health and wellbeing teams delivering a number of primary and secondary care services including mental health professionals, are being developed. The Acute hospitals will be focussing on providing specialist treatments and will need to expand these services to cope with additional growth. Any services which do not need to be delivered in an acute setting will look to be delivered in the community, closer to people's homes.

The health impact assessment (HIA) submitted with the planning application will be used to assess the application. This HIA will be cross-referenced with local health evidence/needs assessments and commissioners/providers own strategies so to ensure that the proposal impacts positively on health and wellbeing whilst any unintended consequences arising are suitably mitigated against.

The primary healthcare services directly impacted by the proposed development and the current capacity position is shown in Table 1.

Table 1: Summary of capacity position for healthcare services closest to the proposed development.

Premises	Weighted List Size ¹	NIA (m²)²	Capacity³	Spare Capacity (NIA m²)⁴
The Chesterfield Drive Practice	11,118	375.50	5,476	-387
Deben Road Surgery	6,920	259.00	3,777	-216
Total	18,038	634.50	9,253	-603

Notes:

1. The weighted list size of the GP Practice based on the Carr-Hill formula, this figure more accurately reflects the need of a practice in terms of resource and space and may be slightly lower or higher than the actual patient list.
 2. Current Net Internal Area occupied by the Practice.
 3. Based on 120m² per 1750 patients (this is considered the current optimal list size for a single GP within the East DCO) Space requirement aligned to DH guidance within "Health Building Note 11-01: facilities for Primary and Community Care Services"
 4. Based on existing weighted list size.
5. This development is not of a size and nature that would attract a specific Section 106 planning obligation. Therefore, a proportion of the required funding for the provision of increased capacity by way of extension, refurbishment or reconfiguration at The Chesterfield Drive Practice and Deben Road Surgery, servicing the residents of this development, would be sought from the CIL contributions collected by the District Council.
 6. Although, due to the unknown quantities associated with CIL, it is difficult to identify an exact allocation of funding, it is anticipated that any funds received as a result of this development will be utilised to extend the above mentioned surgery. Should the level of growth in this area prove this to be unviable, the relocation of services would be considered and funds would contribute towards the cost of new premises, thereby increasing the capacity and service provisions for the local community.

Developer Contribution required to meet the Cost of Additional Capital Funding for Health Service Provision Arising

7. In line with the Government's presumption for the planning system to deliver sustainable development and specific advice within the National Planning Policy Framework and the CIL Regulations, which provide for development contributions to be secured to mitigate a development's impact, a financial contribution is sought.
8. Assuming the above is considered in conjunction with the current application process, Ipswich and East Suffolk CCG would not wish to raise an objection to the proposed development.
9. Ipswich and East Suffolk CCG is satisfied that the basis of a request for CIL contributions is consistent with the Position Statement produced by Babergh and Mid Suffolk District Councils

Ipswich and East Suffolk CCG look forward to working with the applicant and the Council to satisfactorily address the issues raised in this consultation response and would appreciate acknowledgement of the safe receipt of this letter.

Yours faithfully

Chris Crisell

Estates Project Manager

Ipswich and East Suffolk Clinical Commissioning Group

From: SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>
Sent: 09 December 2020 11:19
To: BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>
Subject: Planning Consultation DC/20/03704 - Additional NE Response
Importance: High

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F.A.O. Mr Bradly Heffer

Dear Mr Heffer

Our ref: 334598
Your ref: DC/20/03704

Further to our previous response which was sent this morning (see attachment above) we include further advice.

Our Norfolk and Suffolk Area team noted from the information provided within the Ecological Impact Assessment, Appendix 11. Mitigation masterplan, that the locations of badger setts are visible to everyone. They think this is an oversight as badger sett locations are usually redacted for the badgers safety.

If you have any queries please contact us at consultations@naturalengland.org.uk.

Yours sincerely

Clare Foster
Natural England
Consultation Service
Operations Delivery
Hornbeam House
Crewe Business Park
Electra Way,
Crewe
Cheshire, CW1 6GJ

From: SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>
Sent: 09 December 2020 08:23
To: BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>
Subject: Planning Consultation DC/20/03704 - NE Response
Importance: High

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F.A.O. Mr Bradly Heffer

Dear Mr Heffer,

Our ref: 334598
Your ref: DC/20/03704

Thank you for your amended consultation including the 'Information to support habitats regulations assessment'.

Natural England has previously commented on this proposal, our ref: 326834, and made comments to the authority in our letter dated 23 September 2020. I enclose a copy of the letter for your reference.

The advice provided in our previous response applies equally to this amendment. We have reviewed the documents and we are content that there will be no adverse effect on integrity if the mitigation listed within the document 'Information to support habitats regulations assessment' is secured.

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

Yours sincerely

Clare Foster
Natural England
Consultation Service
Operations Delivery
Hornbeam House
Crewe Business Park
Electra Way,
Crewe
Cheshire, CW1 6GJ

Date: 23 September 2020
Our ref: 326834
Your ref: DC/20/03704



planningblue@baberghmidsuffolk.gov.uk
FAO Bradly Heffer

Customer Services
Hornbeam House
Crew e Business Park
Electra Way
Crew e
Cheshire
CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

Dear Mr Heffer

**Planning consultation: Approval of reserved matters of outline application 1832/17 for up to 190 dwellings with public open space, vehicular access and associated infrastructure
Location: Land West Of Old Norwich Road Whitton Ipswich Suffolk IP1 6LQ**

Thank you for your consultation on the above dated 02 September 2020 which was received by Natural England on the same day.

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

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

We consider that without appropriate mitigation the application would:

- have an adverse effect on the integrity of the following designated sites:
 - Deben Estuary Special Protection Area and Ramsar
 - Stour and Orwell Estuaries Special Protection Area and Ramsar
- damage or destroy the interest features for which the following Sites of Special Scientific Interest have been notified:
 - .Deben Estuary
 - Orwell Estuary
 - Stour Estuary
- Further information on the designated sites is available from <https://designatedsites.naturalengland.org.uk/>.

The Report to Inform a Habitats Regulation Assessment; file reference 1005463 HRA vf1 CL/DM, dated 29 October 2018 states that mitigation was agreed between the applicant and the local authority in line with Natural England's advice. It is therefore our view that the proposal is unlikely to lead to adverse effects on the integrity of the internationally important designated sites listed above. Natural England also consider that the proposal is also unlikely to adversely affect the Sites of Special Scientific Interest mentioned above.

We therefore have no objections, subject to the agreed mitigation options identified in the Shadow Habitats Regulation Assessment (HRA) report being secured through an appropriate planning condition or obligation attached to any planning permission.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Other advice

We provided further general advice on the consideration of protected species and other natural environment issues in our response to Mr Colin Lee of Aspect Ecology dated 18 December 2018 (planning application ref: 1832/17; our ref: 267303) which we hope has been helpful.

Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our [Discretionary Advice Service](#).

If you have any queries relating to the advice in this letter please contact me on 020 802 64908.

Should the proposal change, please consult us again.

Yours sincerely

Patrick Robinson
Norfolk and Suffolk Area Team

Your Ref:DC/20/03704
Our Ref: SCC/CON/4677/20
Date: 2 December 2020



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: Bradly Heffer

Dear Bradly,

TOWN AND COUNTRY PLANNING ACT 1990

CONSULTATION RETURN: DC/20/03704

PROPOSAL: Amended drawings and further information received by LPA 16/11/2020, ref:

Application for approval of reserved matters including Access, Layout, Scale, Appearance and Landscaping following outline planning application 1832/17 Allowed at Appeal APP/W3520/W/18/3200941 for residential development for up to 190 dwellings (Use Class C3) with public open space, vehicular access and associated infrastructure.

LOCATION: Land West Of Old Norwich Road Whitton Suffolk IP1 6LQ

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:

COMMENTS

Parking for 4-bedroomed dwellings with tandem parking in front of a garage is only on dwellings on private drives so the site is in accordance with Suffolk Guidance for Parking on a private drive.

CONDITIONS

Should the Planning Authority be minded to grant planning approval the Highway Authority in Suffolk would recommend they include the following conditions and obligations:

Highway Improvement Condition; detailed design of the mitigation measures on Old Norwich Road are to be submitted and approved by the highway authority. The approved scheme shall be laid out, constructed and made functionally available for use prior to increase in production and thereafter retained in the approved form for the lifetime of the development.

Reason: To ensure that suitable highway improvements and mitigation measures are provided.

Parking Condition: The use shall not commence until the area(s) within the site shown on Drawing No. 8859 / 21A for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

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

Cycle Condition: The areas to be provided for cycle parking as shown on Drawing No. 8859 / 21A shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

Reason: To ensure that the provision for cycle parking is provided in line with sustainable transport policies.

EVC Condition: Before the development is commenced, details of electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be in accordance with Suffolk Parking Guidance 2019 and carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To promote the use of sustainable travelling alternatives within the area and use of electric vehicles.

Bin Condition: The areas to be provided for presentation and storage of Refuse/Recycling bins as shown on Drawing No.8859 / 22A shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

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

Construction Management Plan 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 photographic survey to be carried out to determine the condition of the carriageway and footways prior to commencement of the works
- Means of access for construction traffic
- haul routes for construction traffic on the highway network and monitoring and review mechanisms.
- provision of boundary hoarding and lighting
- details of proposed means of dust suppression
- details of measures to prevent mud from vehicles leaving the site during construction
- details of deliveries times to the site during construction phase
- details of provision to ensure pedestrian and cycle safety
- programme of works (including measures for traffic management and operating hours)
- parking and turning for vehicles of site personnel, operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials
- 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 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.

NOTES

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

It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. These works will need to be applied for and agreed with Suffolk County Council as the Local Highway Authority. Application form for minor works licence under Section 278 of the Highways Act 1980 can be found at the following webpage: www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/.

Yours sincerely,

Samantha Harvey
Senior Development Management Engineer
Growth, Highways and Infrastructure

Your Ref:DC/20/03704
Our Ref: SCC/CON/3516/20
Date: 15 September 2020



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

Email: planning@baberghmidsuffolk.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: Bradly Heffer

Dear Bradly

TOWN AND COUNTRY PLANNING ACT 1990

CONSULTATION RETURN: DC/20/03704

PROPOSAL: Application for approval of reserved matters including Access, Layout, Scale, Appearance and Landscaping following outline planning application 1832/17 Allowed at Appeal APP/W3520/W/18/3200941 for residential development for up to 190 dwellings (Use Class C3) with public open space, vehicular access and associated infrastructure.

LOCATION: Land West Of Old Norwich Road Whitton Suffolk IP1 6LQ

ROAD CLASS:

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

Construction of Roads and Footways

- Dimensions of the proposed roads and footways are to Suffolk Design Guide. The details are to be to Suffolk County Estate Road Specification.
- All footway links within the site are to have bound surfacing to enable use throughout the year. Full details finishes and construction will be agreed under s38 of Highways Act 1980 if the developer wishes the roads and footways to be adopted by SCC as the Highway Authority.

Parking

- Where a 4-bedroomed dwellings with tandem parking in front of a garage; is not acceptable unless on a private drive. Plots 3, 32, 42, 11, 41, 182 and 43 are showing 'triple' parking on Minor or shared roads.
- The 4-bedroomed dwellings on Plots 97,168,109 and 175 are only providing 2 parking places on plot when 3 are required for this size dwelling.

Landscaping

- Landscaping has not been provided with the reserved matters. We recommend planting of soft landscaping is not proposed within visibility splays for junctions and on bends; we suggest that these locations are grassed areas as the hedges may not be maintained in the future and be kept lower than 600mm high.
- Any hedges proposed adjacent to the back of footways are to be planted with sufficient room to allow growth, so they do not overhang the footway.

- Trees to have 2.5m minimum offset from the edge of the adoptable highway and should have root protection and not interfere with street lighting.

We can recommend conditions once the above points have been addressed. We look forward to receiving further information.

Yours sincerely,

Samantha Harvey
Senior Development Management Engineer
Growth, Highways and Infrastructure

Your Ref:DC/20/03704
Our Ref: SCC/CON/3516/20
Date: 14 September 2020



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: Bradly Heffer

Dear Bradly

TOWN AND COUNTRY PLANNING ACT 1990

CONSULTATION RETURN: DC/20/03704

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All footway links within the site are to have bound surfacing to enable use throughout the year.

Full details finishes and construction will be agreed under s38 of Highways Act 1980 if the developer wishes the roads and footways to be adopted by SCC as the Highway Authority.

Parking

Where a 4-bedroomed dwellings with tandem parking in front of a garage; is not acceptable unless on a private drive. Plots 3, 32, 42, 11, 41, 182 and 43 are showing 'triple' parking on Minor or shared roads. The 4-bedroomed dwellings on Plots 97,168,109 and 175 are only providing 2 parking places on plot when 3 are required for this size dwelling.

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Trees to have 2.5m minimum offset from the edge of the adoptable highway and should have root protection and not interfere with street lighting.

We can recommend conditions once the above points have been addressed. We look forward to receiving further information.

Yours sincerely,

Samantha Harvey

Senior Development Management Engineer

Growth, Highways and Infrastructure

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

Sent: 27 November 2020 11:45

To: BMSDC Planning Area Team Blue <planningblue@babberghmidsuffolk.gov.uk>

Cc: Bradly Heffer <Bradly.Heffer@babberghmidsuffolk.gov.uk>

Subject: 2020-11-27 JS reply Land West Of Old Norwich Road, Whitton, Ipswich, Suffolk IP1 6LQ Ref DC/20/03704 RMA

Dear Bradley Heffer,

Subject: Land West Of Old Norwich Road, Whitton, Ipswich, Suffolk IP1 6LQ Ref DC/20/03704 Reserved Matter Applications

Suffolk County Council, Flood and Water Management have reviewed application ref DC/20/03704.

We have reviewed the following submitted documents and we recommend **approval subject to conditions** at this time;

- Site Location Plan Ref 8859/01
- Construction Management Plan (No reference)
- Sustainable Drainage Maintenance Plan Ref 190680/J Courtney V1
- Drainage Strategy Report Ref 190680/J Courtney V1.4
- Reserved Matters Drainage Strategy Part 1 to 4 Ref 190680
- Drainage Strategy, Sheet 1 & 2 Ref 190680-con-x-00-dr-c-1001-P10
- Drainage Strategy, Site Wide 190680-con-x-00-dr-c-1000-P10
- Letter from Conisbee Consulting Ref J Courtney/190680 Dated 12th Nov 2020
- 190680 CDM Risk Assessment
- Landscape Masterplan Drawing Ref PR175-01 Rev N

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

No development shall commence until details of the proposed landscaping for the SuDS features have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be carried out to the satisfaction of the Local Planning Authority in accordance with a previously agreed timescale. In addition, landscaping features which, within a period of 5 years of being planted die, are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority agrees, in writing, to a variation of the previously approved details.

Reason: In order to ensure that the landscaping provided as part of the approved SuDS features is of an appropriate type and standard to maintain water quality and in the interests of securing a satisfactory form of development.

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 section 50 license under the New Roads and Street Works Act 1991
- 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

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

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

Sent: 14 September 2020 10:08

To: BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>

Cc: Bradly Heffer <Bradly.Heffer@baberghmidsuffolk.gov.uk>; Grace Waspe <Grace.Waspe@baberghmidsuffolk.gov.uk>

Subject: 2020-09-14 JS reply Land Between A14 And Old Norwich Road, Old Norwich Road, Whitton IP1 6LQ Ref DC/20/03703 DoC

Dear Bradly Heffer,

Subject: Land Between A14 And Old Norwich Road, Old Norwich Road, Whitton, Suffolk IP1 6LQ - Condition 9 (Construction Surface Water Management Plan), Condition 18 (Surface Water Drainage Scheme), Condition 19 (Implementation, Maintenance and Management) and Condition 24 (Flood Risk Asset Register)

***Note, This should be read in conjunction with the reserved matters application Ref DC/20/03704.**

**** Note, The LLFA will only be reviewing the surface water element of the report**

Suffolk County Council, Flood and Water Management have reviewed application ref DC/20/03703.

We have reviewed the following submitted documents and we recommend **refusal** to discharge condition 9, 19, & 24

- Construction Management Plan (No reference)
- Sustainable Drainage Maintenance Plan Ref 190680/J Courtney V1
- Drainage Strategy Report Ref 190680/J Courtney V1.4
- Reserved Matters Drainage Strategy Part 1 to 4 Ref 190680
- Drainage Strategy, Sheet 1 & 2 Ref 190680-con-x-00-dr-c-1001-p9
- Drainage Strategy, Site Wide 190680-con-x-00-dr-c-1000-p9

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

18) Concurrent with the first reserved matters application a surface water drainage scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be in accordance with the approved Flood Risk Assessment (FRA) by Hydrock, dated September 2017, and include:

- a) dimensioned plans and drawings of the surface water drainage scheme;
- b) further infiltration testing on the site in accordance with BRE 365 and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible;
- c) if the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to Q_{bar} or 2l/s/ha for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA;
- d) modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;

- e) modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year climate change rainfall event, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
 - f) topographical plans depicting all exceedance flowpaths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;
 - g) when discharging into the chalk, the infiltration basin shall be no greater than 1m depth and shall be highly vegetated to protect ground water.
- The scheme shall be fully implemented as approved.

19) Concurrent with the first reserved matters application details of the implementation, maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.

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

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

1. Condition 9
 - a. Reference number is to be added to front page
 - b. Reference that the site is within a Source Protection Zone III and Drinking Water Protected Areas (Surface Water) (England)
 - c. SuDS remediation plan or statement is to be added
2. Condition 18
 - a. Submit a cross section of the proposed swales
 - b. Submit new infiltration test results to BRE 365 Digest, as extrapolated results are not accept or provide alternative surface water drainage strategy
 - c. Erosions protection measures required at inlet to the infiltration basin
 - d. Demonstrate the capture and retention of the first 5mm of any rainfall event
 - e. Show maintenance strips/easement around the SuDs features
 - f. Submit a CDM Designers risk assessment for the open SuDS features
 - g. Submit detail of how the swales and the gas main will both be protected during maintenance activities
 - h. Submit a landscaping plan for the all the SuDs features
3. Condition 19, can only be discharged once the reserved matters and condition 8 have been approved
4. Condition 24, a completed flood risk asset register template is to be submitted once the surface water drainage system has been installed (***note the submitted excel cannot be opened**)
 - a. <https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-asset-register/>

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: planningblue@baberghmidsuffolk.gov.uk <planningblue@baberghmidsuffolk.gov.uk>

Sent: 01 September 2020 17:19

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

Subject: MSDC Planning Consultation Request - DC/20/03703

Please find attached planning consultation request letter relating to planning application - DC/20/03703 - Land Between A14 And Old Norwich Road, Old Norwich Road, Whitton, Suffolk IP1 6LQ

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.

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

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

Enquiries to: Abby Antrobus
Direct Line: 01284 741231
Email: abby.antrobus@suffolk.gov.uk
Web: <http://www.suffolk.gov.uk>

Our Ref: 2020_003704
Date: 24th September 2020

For the Attention of Bradly Heffer

Dear Mr Isbell

Planning Application DC/20/03704– Land west of Old Norwich Road, Whitton, Ipswich, Suffolk: Archaeology

As was identified for the outline application for this site, 1832/17, the location overlooking a tributary of the River Gipping location is topographically favourable for early activity. There was known cropmark evidence relating to likely enclosed prehistoric and undated settlement, and geophysical survey and trial-trenched archaeological evaluation was therefore carried out to inform LPA decisions (APS Report No 49/18, November 2018).

The combination of crop mark, geophysical and trial trench evidence shows that within this Reserved Matters application area, there are three main concentrations of prehistoric archaeological remains. These comprise enclosed settlement, enclosures, pits and ditches which date from the Late Neolithic/Early Bronze Age to the Late Iron Age (c. 2,350 BC to AD 42). The associated artefactual and environmental remains relate to aspects of life such as craft, industry and economy. There is potential for evidence from the site to contribute to public understanding of what ancient people were doing in this landscape, and how their activities changed across the area. Defined sites, with their unique and irreplaceable archaeological evidence, will therefore be damaged or destroyed by the physical impacts of development. There are also hints of activity of other periods.

Condition number 28 on the outline consent was worded and placed on the decision by the Inspector at appeal and is written in full below:

'The developer shall keep a written record of any archaeological heritage assets encountered during the excavation and construction phases of development in a manner proportionate to their importance and impact, and keep a public record of this information.'

From the evaluation data, it can be established that the remains are important as the only evidence for understanding the local area in the prehistoric period, and also that, as relatively defined sites across a landscape, they have wider importance with potential to advance specific research themes in the [Regional Research Framework](#). These relate, for example, to prehistoric landscape development and change, transitions between periods, patterns of settlement and agricultural development.

Mitigation in a 'manner proportionate to their importance and impact' will of necessity involve controlled excavation that is designed to meet research questions, with professional and experienced expertise commissioned to recognise and record remains. Without this, the condition could not be discharged.

However, the condition does not follow the wording advised by SCC Archaeological Service and does not reflect model conditions advocated by the heritage sector that are intended to give Local Planning Authorities robust provision to approve a programme of work and have reassurance that the interests of unique archaeological assets will be effectively safeguarded prior to impacts of development.

Securing of a programme of work that can be planned and delivered in advance would also be in the interests of the developer, to avoid significant delays to construction programmes.

SCCAS therefore recommend strongly that conditions are placed on the Reserved Matters consent to provide an effective mechanism for securing further detail on the programme and timing of work, and confirmation of proposals for how it will be assessed, archived and published into the public domain. This recommendation is in line with paragraph 199 of the NPPF.

The following two conditions would be appropriate:

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

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

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

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

REASON:

To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of

archaeological assets affected by this development, in accordance with Core Strategy Objective Policy CS10 of Babergh District Council Core Strategy (2011- 2031) Submission Draft 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 happy to discuss any bespoke tailoring of condition wording.

SCC Archaeological Service would also be pleased to offer guidance on the archaeological work required and, in our role as advisors to Babergh and Mid Suffolk District Councils, we will on request provide a specification. In this case, archaeological excavation will be required where remains were identified in the evaluation which will be negatively impacted by the development.

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,

Dr Abby Antrobus

Senior Archaeological Officer

Your ref: DC/20/03704
Our ref: Whitton – land west of Old Norwich
Road 51089
Date: 20 November 2020
Enquiries: Neil McManus
Tel: 07973 640625
Email: neil.mcmanus@suffolk.gov.uk

Bradly Heffer,
Growth & Sustainable Planning,
Babergh and Mid Suffolk District Councils,
Endeavour House,
8 Russell Road,
Ipswich,
Suffolk,
IP1 2BX

Dear Bradly,

Whitton: land west of Old Norwich Road – reserved matters

I refer to the proposal: application for approval of reserved matters including access, layout, scale, appearance and landscaping following outline planning application 1832/17 allowed at appeal APP/W3520/W/18/3200941 for residential development for up to 190 dwellings (Use Class C3) with public open space, vehicular access and associated infrastructure.

Reason(s) for re-consultation: amended drawings and further information received by the local planning authority on the 16 November 2020.

I previously submitted a consultation response by way of letter dated 04 September 2020. I have no further comments to make but have copied to colleagues.

Yours sincerely,

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

cc Sam Harvey, SCC (highways)
Floods Planning, SCC (LLFA)
Suffolk Archaeological Service

Your ref: DC/20/03704
Our ref: Whitton – land west of Old Norwich
Road 51089
Date: 04 September 2020
Enquiries: Neil McManus
Tel: 07973 640625
Email: neil.mcmanus@suffolk.gov.uk

Bradly Heffer,
Growth & Sustainable Planning,
Babergh and Mid Suffolk District Councils,
Endeavour House,
8 Russell Road,
Ipswich,
Suffolk,
IP1 2BX

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The outline planning application under reference 1832/17 was partially allowed on appeal. The appeal decision is dated 04 March 2019 and in paragraph 5 the Inspector says, “*On the basis of the contents of the obligation and the compliance statements I am content that all matters conform to the CIL Regulations and that the obligation can be taken into account if planning permission is to be granted*”. There is an associated planning obligation dated 08 January 2019. The planning obligations previously secured under the first planning permission must remain in place if reserved matters approval is granted.

I have copied this letter to colleagues.

Yours sincerely,

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

cc Sam Harvey, SCC (highways)
Floods Planning, SCC (LLFA)
Suffolk Archaeological Service

From: Chris Ward <Chris.Ward@suffolk.gov.uk>
Sent: 20 November 2020 08:33
To: Bradly Heffer <Bradly.Heffer@babberghmidsuffolk.gov.uk>
Cc: BMSDC Planning Area Team Blue <planningblue@babberghmidsuffolk.gov.uk>
Subject: RE: MSDC Planning Re-consultation Request - DC/20/03704

Dear Bradly,

Thank you for notifying me about the re-consultation. I can confirm that I have no further comments to add from my response that I made on the 4th September 2020.

Kind regards

Chris Ward
Travel Plan 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/>

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

Sent: 04 September 2020 16:10

To: Bradly Heffer <Bradly.Heffer@babberghmidsuffolk.gov.uk>

Cc: BMSDC Planning Area Team Blue <planningblue@babberghmidsuffolk.gov.uk>; Sam Harvey <Sam.Harvey@suffolk.gov.uk>

Subject: RE: MSDC Planning Consultation Request - DC/20/03704

Dear Bradly,

Thank you for consulting me about the reserved matters planning application for the residential development at Land West of Old Norwich Road in Whitton. Having reviewed the application documents, I have no comments to make for this specific application.

Kind regards

Chris Ward

Travel Plan 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/>

From: GHI PROW Planning <PROWplanning@suffolk.gov.uk>
Sent: 08 September 2020 11:58
To: BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>
Cc: David Falk <david.falk@suffolk.gov.uk>; Debbie Adams <Debbie.Adams@suffolk.gov.uk>
Subject: FW: MSDC Planning Consultation Request - DC/20/03704

PUBLIC RIGHTS OF WAY AND ACCESS RESPONSE

REF: Land west of Old Norwich Road, Whitton, IP1 6LQ – DC/20/03704

Thank you for your consultation concerning the above application.

The proposed site does contain public rights of way (PROW) – Footpath 1 and Footpath 15 Whitton. The Definitive Map for Whitton can be seen at <https://www.suffolk.gov.uk/assets/Roads-and-transport/public-rights-of-way/Whitton.pdf>. A more detailed plot of public rights of way can be provided. Please contact DefinitiveMaps@suffolk.gov.uk for more information. Note, there is a fee for this service.

We accept this proposal on the basis that the Applicant appears to have accommodated FP1 and FP15 in its plans along the southern border of the site, however the Applicant MUST also take the following into account, particularly in relation to carrying out work and/or disturbing the surface of a PROW:

1. 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.

2. 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.
3. **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 discuss applying for permission for structures such as gates to be constructed on a PROW – 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.
 - 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.
4. 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.
5. Any hedges adjacent to PROW must be planted a minimum of 1 metre from the edge of the path in order to allow for annual growth and cutting, and should not be allowed to obstruct the PROW. Some hedge types may need more space, and this should be taken into account by the applicant. In addition, any fencing should be positioned a minimum of 0.5 metres from the edge of the path in order to allow for cutting and maintenance of the path, and should not be allowed to obstruct the PROW.

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
Phoenix House, 3 Goddard Road, Ipswich IP1 5NP
PROWplanning@suffolk.gov.uk

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

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

Sent: 02 September 2020 17:20

To: GHI PROW Planning <PROWplanning@suffolk.gov.uk>

Subject: MSDC Planning Consultation Request - DC/20/03704

Please find attached planning consultation request letter relating to planning application - DC/20/03704 - Land West Of Old Norwich Road, Whitton, Ipswich, Suffolk IP1 6LQ

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.

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

From: Water Hydrants <Water.Hydrants@suffolk.gov.uk>

Sent: 20 November 2020 07:10

To: BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>

Cc: Angela Kempen <Angela.Kempen@suffolk.gov.uk>; laura.dudley-smith@struttandparker.com

Subject: FW: MSDC Planning Re-consultation Request - DC/20/03704

Fire Ref.: F030123

Original Planning Application: 1832/17

Location: Land West of Old Norwich Road, Whitton, Ipswich, Suffolk, IP1 6LQ

Good Morning,

Thank you for your email informing us of the re-consultation for this site.

The Suffolk Fire & Rescue Service made comment on the original planning application 1832/17, which we note was published, and a Condition has been placed under the Schedule of Conditions for the installation of Fire Hydrants.

The Condition for the installation of Fire Hydrants, will need to Remain in Place for planning application DC/20/03704.

If you have any queries, please let us know.

Kind regards,

A Stordy

BSC

Admin to Water Officer

Engineering

Fire and Public Safety Directorate

Suffolk County Council

3rd Floor, Lime Block

Endeavour House

Russell Road

IP1 2BX

Tel.: 01473 260564

Team Mailbox: water.hydrants@suffolk.gov.uk

From: Water Hydrants <Water.Hydrants@suffolk.gov.uk>

Sent: 22 September 2020 14:23

To: BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>

Cc: Angela Kempen <Angela.Kempen@suffolk.gov.uk>

Subject: RE: DC/20/03704 - Land west of Old Norwich Road Whitton Ipswich (EH Air, sustainability and other issues)

Fire Ref.: F030123

Original Planning Application: 1832/17

Location: Land West of Old Norwich Road, Ipswich

Good Afternoon,

Thank you for your email.

The Suffolk Fire and Rescue note that our original comments made on planning application 1832/17 (which was Refused) has been published. Please ensure that there is a Condition for the installation of Fire Hydrants in the Reserved Matters for planning application DC/20/03704.

If you have any queries, please let us know.

Kind regards,

Andrea Stordy

BSC

Admin to Water Officer

Engineering

Fire and Public Safety Directorate

Suffolk County Council

3rd Floor, Lime Block

Endeavour House

Russell Road

IP1 2BX

Tel.: 01473 260564

Team Mailbox: water.hydrants@suffolk.gov.uk

From: Nathan Pittam <Nathan.Pittam@babberghmidsuffolk.gov.uk>
Sent: 24 November 2020 08:12
To: Bradly Heffer <Bradly.Heffer@babberghmidsuffolk.gov.uk>
Cc: BMSDC Planning Mailbox <planning@babberghmidsuffolk.gov.uk>
Subject: DC/20/03704. Land Contamination and Air Quality

Dear Bradly

EP Reference : 283962/283964
DC/20/03704. Land Contamination and Air Quality
SH, Street Record, Old Norwich Road, Whitton, IPSWICH, Suffolk.
Application for approval of reserved matters including Access, Layout, Scale, Appearance and Landscaping following outline planning etc

Many thanks for your request for comments in relation to the above submission. I can confirm that I have no comments to make with respect to land contamination as all such issues were dealt with at the outline permission stage

Kind regards

Nathan

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

Babergh and Mid Suffolk District Councils – Working Together

Email: Nathan.pittam@babberghmidsuffolk.gov.uk
Work: 01449 724715
websites: www.babergh.gov.uk www.midsuffolk.gov.uk

Thank you for contacting us

We are working hard to keep services running safely to support and protect our residents, businesses, communities and staff through this period and beyond.

We will respond to your query as soon as possible. In the meantime, you can find the latest council information, including our response to Covid-19, on our website.



From: Nathan Pittam <Nathan.Pittam@baberghmidsuffolk.gov.uk>
Sent: 18 September 2020 10:15
To: Bradly Heffer <Bradly.Heffer@baberghmidsuffolk.gov.uk>
Cc: BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>
Subject: DC/20/03704. Land Contamination

Dear Bradly

EP Reference : 281046
DC/20/03704. Land Contamination
SH, Street Record, Old Norwich Road, Whitton, IPSWICH, Suffolk.
Application for approval of reserved matters including Access, Layout, Scale, Appearance and Landscaping following outline planning application 1832/17 Allowed etc

Many thanks for your request for comments in relation to the above submission. I can confirm that I have no comments to make with respect to land contamination as all such issues were dealt with at the outline permission stage.

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: 07769 566988 / 01449 724715
websites: www.babergh.gov.uk www.midsuffolk.gov.uk



From: Andy Rutson-Edwards <Andy.Rutson-Edwards@baberghmidsuffolk.gov.uk>
Sent: 19 November 2020 16:08
To: Bradly Heffer <Bradly.Heffer@baberghmidsuffolk.gov.uk>; BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>; BMSDC Planning Mailbox <planning@baberghmidsuffolk.gov.uk>
Subject: DC/20/03704

Environmental Health -
Noise/Odour/Light/Smoke

APPLICATION FOR RESERVED MATTERS - DC/20/03704

Proposal: Application for approval of reserved matters including Access, Layout, Scale, Appearance and Landscaping following outline planning application 1832/17 Allowed at Appeal APP/W3520/W/18/3200941 for residential development for up to 190 dwellings (Use Class C3) with public open space, vehicular access and associated infrastructure.

Location: Land West Of Old Norwich Road, Whitton, Ipswich, Suffolk IP1 6LQ

Thank you for re consulting Environmental Protection on this application. I have no further comments to add to those already submitted by David Harrold on 5/10/20 which still remain valid.

Regards

Andy

Andy Rutson-Edwards, MCIEH AMIOA

Senior Environmental Protection Officer

Babergh and Mid Suffolk District Council - Working Together

Tel: 01449 724727

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

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

From: David Harrold <David.Harrold@baberghmidsuffolk.gov.uk>
Sent: 05 October 2020 10:50
To: BMSDC Planning Mailbox <planning@baberghmidsuffolk.gov.uk>
Cc: Bradly Heffer <Bradly.Heffer@baberghmidsuffolk.gov.uk>
Subject: Plan ref - DC/20/03704 Land West Of Old Norwich Road, Whitton. Environmental Health - Noise/Odour/Light/Smoke

Thank you for consulting me on the above application for approval of reserved matters and in particular access, appearance, landscaping, layout and scale.

I understand that noise issues are subject to a separate application

I can confirm that with respect to noise and other environmental health matters I do not have any comments to make.

.

David Harrold MCIEH
Senior Environmental Health Officer

Babergh & Midsuffolk District Councils
t: 01449 724718
e: david.harrold@baberghmidsuffolk.gov.uk

From: Simon Davison <Simon.Davison@babberghmidsuffolk.gov.uk>
Sent: 09 December 2020 08:49
To: BMSDC Planning Area Team Blue <planningblue@babberghmidsuffolk.gov.uk>
Subject: DC/20/03704

Dear Philip,

APPLICATION FOR RESERVED MATTERS - DC/20/03704

Proposal: Application for approval of reserved matters including Access, Layout, Scale, Appearance and Landscaping following outline planning application 1832/17 Allowed at Appeal APP/W3520/W/18/3200941 for residential development for up to 190 dwellings (Use Class C3) with public open space, vehicular access and associated infrastructure.

Location: Land West Of Old Norwich Road, Whitton, Ipswich, Suffolk IP1 6LQ

Reason(s) for re-consultation: Amended drawings and further information received by the Local Planning Authority on the 16th November 2020.

Many thanks for your request to comment on the sustainability and Climate Change Impacts of this application.

The council declared a climate emergency in 2019 and has an aspiration to become Carbon neutral by 2030, it is encouraging all persons involved in developments and activities in the district to consider doing the same. This council is keen to encourage consideration of sustainability issues at an early stage so that the most environmentally friendly buildings are constructed and the inclusion of sustainable techniques, materials, technology etc can be incorporated into the scheme without compromising the overall viability.

My predecessor, Iain Farquharson, commented on the Planning Consultation Request - 1832/17 and requested that the following condition be placed on any grant of permission: Before any development is commenced a Sustainability & Energy Strategy must be provided detailing how the development will minimise the environmental impact during construction and occupation including (but not limited to) details on environmentally friendly materials, minimum Green Guide ratings, construction techniques, minimisation of carbon emissions beyond Part L, running costs and reduced use of potable water (suggested maximum of 105ltr per person per day). This document shall be submitted to, and approved in writing by, the Local Planning Authority.

The application for approval of reserved matters does not include a Sustainability and Energy Strategy and neither does the re-consultation therefore the original condition, requested by my predecessor, has not been met.

It is therefore requested that the following condition be placed on any grant of permission:

Before any development a Sustainability & Energy Strategy must be provided detailing how the development will minimise the environmental impact during construction and occupation (as per policy CS3, and NPPF) including details on environmentally friendly materials, construction techniques minimisation of carbon emissions and running costs and reduced use of potable water (suggested maximum of 105ltr per person per day). This document shall be submitted to, and approved in writing by, the Local Planning Authority.

It is noted that MHVR and WHVS are discounted as usable technologies at the outset of the project and are referred to as potential 'bolt-on' technologies that could potentially be used to

upgrade the property in the future. Neither of these technologies are appropriate for retrofitting and, if adopted, should always be included at the beginning of the project.

Guidance can be found at the following locations:

<https://www.midsuffolk.gov.uk/environment/environmental-management/planning-requirements/>

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: Simon Davison <Simon.Davison@baberghmidsuffolk.gov.uk>
Sent: 23 September 2020 17:19
To: BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>
Subject: DC/20/03704 Comment on Application for approval of reserved matters

Dear Philip,

APPLICATION FOR RESERVED MATTERS - DC/20/03704

Proposal: Application for approval of reserved matters including Access, Layout, Scale, Appearance and Landscaping following outline planning application 1832/17 Allowed at Appeal APP/W3520/W/18/3200941 for residential development for up to 190 dwellings (Use Class C3) with public open space, vehicular access and associated infrastructure.

Location: Land West Of Old Norwich Road, Whitton, Ipswich, Suffolk IP1 6LQ.

The council declared a climate emergency in 2019 and has an aspiration to become Carbon neutral by 2030, it is encouraging all persons involved in developments and activities in the district to consider doing the same. This council is keen to encourage consideration of sustainability issues at an early stage so that the most environmentally friendly buildings are constructed and the inclusion of sustainable techniques, materials, technology etc can be incorporated into the scheme without compromising the overall viability.

My predecessor, Iain Farquharson, commented on the Planning Consultation Request - 1832/17 and requested that the following condition be placed on any grant of permission: Before any development is commenced a Sustainability & Energy Strategy must be provided detailing how the development will minimise the environmental impact during construction and occupation including (but not limited to) details on environmentally friendly materials, minimum Green Guide ratings, construction techniques, minimisation of carbon emissions beyond Part L, running costs and reduced use of potable water (suggested maximum of 105ltr per person per day). This document shall be submitted to, and approved in writing by, the Local Planning Authority.

The application for approval of reserved matters does not include a Sustainability and Energy Strategy and therefore the original condition, requested by my predecessor, has not been met.

It is therefore requested that the following condition be placed on any grant of permission:

Before any development a Sustainability & Energy Strategy must be provided detailing how the development will minimise the environmental impact during construction and occupation (as per policy CS3, and NPPF) including details on environmentally friendly materials, construction techniques minimisation of carbon emissions and running costs and reduced use of potable water (suggested maximum of 105ltr per person per day). This document shall be submitted to, and approved in writing by, the Local Planning Authority.

It is noted that MHVR and WHVS are discounted as usable technologies at the outset of the project and are referred to as potential 'bolt-on' technologies that could potentially be used to upgrade the property in the future. Neither of these technologies are appropriate for retro-fitting and, if adopted, should always be included at the beginning of the project.

Guidance can be found at the following locations:

<https://www.midsuffolk.gov.uk/environment/environmental-management/planning-requirements/>

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



9 December 2020

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

By email only

Thank you for requesting advice on this re-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/20/03704
Location: Land West Of Old Norwich Road Whitton Ipswich Suffolk IP1 6LQ
Proposal: Application for approval of reserved matters including Access, Layout, Scale, Appearance and Landscaping following outline planning application 1832/17 Allowed at Appeal APP/W3520/W/18/3200941 for residential development for up to 190 dwellings (Use Class C3) with public open space, vehicular access and associated infrastructure.

Dear Brad,

No objection subject to securing biodiversity enhancements

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

Summary

Further to our comments dated 2 November 2020, we have reviewed the amended plans and documents, including the updated Ecological Impact Assessment (SES Ltd, November 2020), Information to support Habitats Regulations Assessment (SES Ltd, November 2020), the Landscape master plan PR175-01n (Matt Lee Landscape Architects, November 2020) and the Boundary Types details (Drg ref: 8859 / 26).

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

The Landscape master plan (Matt Lee Landscape Architects, November 2020) shows that amended proposals relate to hard landscape features. Therefore, we still support the reasonable biodiversity enhancements contained in this landscaping scheme and recommend that the management of these features should be secured via a Landscape and Ecological Management Plan, which will be delivered prior to the commencement of development as secured by condition 13 of the Appeal decision.



In addition, we note that despite hedgehog highways in the timber fencing being recommended in para 4.85 of the amended Ecological Impact Assessment (EclA), these are not shown on either the ecological enhancement plan (Appendix 12 of the EclA, Nov 2020) nor the boundary types details. We therefore recommend that both the EclA and Drg ref: 8859/26 are updated to include this enhancement measure for this Priority species throughout the development and connectivity to the wider landscape. However, it is accepted that the provision of the Hedgehog Highways could also be secured by an additional condition of any consent as recommended below:

1. PRIOR TO SLAB LEVEL: BIODIVERSITY ENHANCEMENT LAYOUT

"A Biodiversity Enhancement Layout, providing the finalised details and locations of hedgehog Friendly Fencing as recommended in the Ecological Impact Assessment (SES Ltd, November 2020) shall be submitted to and approved in writing by the local planning authority.

The enhancement measures shall be implemented in accordance with the approved details and all features 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).

Following recent discussion with the applicant's ecologist, we look forward to details being submitted for the compensatory habitat for the Skylark nesting territories to be delivered offsite prior to commencement for both the construction period and post completion for this development. This has been secured under Condition 15 of 1832/17 granted at appeal for a Skylark Mitigation Strategy and linked to mitigation requirements under Condition 11 for a Construction Environment Management Plan (Biodiversity) so the LPA needs to ensure this is in place prior to commencement of this development.

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

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

Please contact us with any queries.

Yours sincerely,

Sue Hooton CEnv MCIEEM BSc (Hons)

Principal 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 November 2020

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

By email only

Thank you for requesting advice on this re-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/20/03704
Location: Land West Of Old Norwich Road Whitton Ipswich Suffolk IP1 6LQ
Proposal: Application for approval of reserved matters including Access, Layout, Scale, Appearance and Landscaping following outline planning application 1832/17 Allowed at Appeal APP/W3520/W/18/3200941 for residential development for up to 190 dwellings (Use Class C3) with public open space, vehicular access and associated infrastructure.

Dear Brad,

No objection subject to securing biodiversity enhancements

Thank you for consulting Place Services on the above Reserved Matters application.

We note that the Report to Inform a Habitats Regulation Assessment (1005463 HRA vf1 CL/DM, 29 October 2018) states that mitigation for predicted recreational impacts from this development was agreed between the applicant and the local authority in line with Natural England's advice. We are therefore satisfied that the proposal is unlikely to lead to adverse effects on the integrity of the internationally important designated sites listed above. We therefore have no objections, subject to the agreed mitigation options identified in the Shadow Habitats Regulation Assessment (HRA) report being secured through a legal agreement attached to any planning permission to deliver mitigation via the adopted Suffolk Coast RAMS.

We have reviewed the Design and Access Statement (LAP Architects, May 2020), the Landscape master plan PR175-01J (Matt Lee Landscape Architects, August 2020) and the Boundary Types details (Drwg ref: 8859 / 26).

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



The Landscape master plan (Matt Lee Landscape Architects, August 2020) shows the site plans include an attenuation basin with wetland area and a series of swales. We welcome that the attenuation features will be seeded with wildflower grassland, small willow trees planted, the new open space will be seeded with flowering 'pollinator grassland' and that new trees will be planted in a variety of areas within the Site. We support the reasonable biodiversity enhancements contained in this landscaping scheme and recommend that it should be secured by a condition on any consent.

We note that the Boundary Types details (Drwg ref: 8859 / 26) does not show any hedgehog highways in the timber fencing so **we recommend that this drawing is amended to provide an enhancement for this Priority species throughout the development and into the wider landscape.** Subject to the minor amendment, we have no objection on ecological grounds.

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

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

We note that the proposed locations of bird boxes (Swift boxes and Sparrow terraces), bat boxes, invertebrate log piles and reptile hibernacula have been identified in the 1832/17 Ecological Impact Assessment - ecological enhancement plan provided in Appendix 12 (SES, August 2020) submitted to discharge condition 20 of the consent granted at appeal under DC/20/03703.

We also note that the CEMP: Biodiversity submitted for DC/20/03703 states that Skylark will be displaced from the site during construction, it does not include any mitigation measures for ground nesting farmland birds. Paragraph 4.9 refers to the Skylark Mitigation Strategy required by condition 15 of the appeal decision but not its "prior to commencement" trigger. The CEMP will therefore need to be amended to include measures to avoid disturbing ground nesting birds and cross reference with the Skylark Mitigation Strategy.

We appreciate that the compensation for Skylark nesting territories will be contained in the documents to support discharge of Condition 15 of 1832/17 granted at appeal. As these will need to be offsite, we look forward to supporting the LPA with discussions with the applicant to ensure this is in place prior to submission.

We recommend that implementation of the details below is secured by a condition of any planning consent and support the recommended condition wording for a detailed landscape scheme provided by our landscape colleagues. We note that the Appeal decision contained a condition (13) for a landscape and ecological management plan (LEMP) to be agreed prior to the commencement of development. We therefore consider the details for long-term management of the open space have already been secured for implementation and we look forward to consultation on discharge of condition 13 when this document is submitted to the LPA.



Please contact us with any queries.

Yours sincerely,

Sue Hooton CEnv MCIEEM BSc (Hons)

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

07/12/2020

For the attention of: Bradly Heffer

Ref: DC/20/03704; Land West Of Old Norwich Road, Whitton, Ipswich, Suffolk IP1 6LQ

Thank you for re-consulting us on the Application for approval of reserved matters including Access, Layout, Scale, Appearance and Landscaping following outline planning application 1832/17 Allowed at Appeal APP/W3520/W/18/3200941 for residential development for up to 190 dwellings (Use Class C3) with public open space, vehicular access and associated infrastructure.

Since we were last consulted the applicant has submitted a revised Landscape Masterplan (Drwg ref: PR175-01) and Boundary Treatments Plan (Drwg ref: 8859 / 25).

The revised Landscape Masterplan takes into consideration some of our previous comments, which is welcomed. Ideally, we would recommend a detailed landscape scheme with associated specification and schedule is submitted. However, these details can be conditioned if preferred. This detailed landscape scheme condition could be worded as follows:

ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT: DETAILED LANDSCAPE SCHEME.

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

As stated in our previous consultation response, we would also advise the following amendments are considered as part of the detailed landscape scheme:

- It would be recommended that the hedge adjacent to the southern POS is planted in double staggered rows, preferably 5 plants per linear metre. To prevent access through

the hedge during establishment, we would expect the hedge to be accompanied by a 3 strand galvanised wire and tanalised softwood timber post fence, to BS1722- 2: 2006. The fence should be erected through the centre of the staggered row of hedge.

- We would expect to see details of measures to protect the trees to be retained on the site. It needs to be clear how work within the root protection areas (RPA) is being approached and what methods are being used. For instance, is specialist excavation/dig methods or ground protection being used?
- We would expect the pumping station to be screened with soft landscaping to ensure it is sympathetic to its landscape setting.
- The DAS makes reference to street trees, with different species proposed across the site to aid character and placemaking. However many of these look to be within private ownership. It would be useful to understand who will be responsible for which trees, and if within private ownership, is there scope to put a restrictive covenant in place?
- Where feature trees have been proposed in strategic locations such as junctions and focal points we would expect larger stock to be specified. For instance, the POS between plots 178-184 and the junction closest to the toddler play space.

Similarly, a landscape management plan will need to be provided as part of this application, or as a condition. We ask that reference is made to the guards to protect hedgerow/shrub planting from damage by rabbits and other rodents and we would expect these to be biodegradable. They should be checked periodically alongside the tree guards and stakes to ensure that they have not fallen over and are not damaging the plant. If conditioned, this should read as follows:

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

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

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

Kind regards,

Ryan Mills BSc (Hons) MSc CMLI
Senior Landscape Consultant
Telephone: 03330320591
Email: ryan.mills@essex.gov.uk

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

23/09/2020

For the attention of: Bradly Heffer

Ref: DC/20/03704; Land West Of Old Norwich Road, Whitton, Ipswich, Suffolk IP1 6LQ

Thank you for consulting us on the Application for approval of reserved matters including Access, Layout, Scale, Appearance and Landscaping following outline planning application 1832/17 Allowed at Appeal APP/W3520/W/18/3200941 for residential development for up to 190 dwellings (Use Class C3) with public open space, vehicular access and associated infrastructure.

This letter sets out our consultation response on the landscape and layout details. The documents referred to include the Landscape Masterplan (Drwg ref: PR175-01), Boundary Treatments Plan (Drwg ref: 8859 / 25) and Design and Access Statement (DAS).

Recommendations

Before approval can be recommended we would advise the following amendments and documents are considered:

- Street furniture such as bins and benches are included on the landscape masterplan, yet there is no furniture proposed within the POS to the south of the site. We understand this has a more informal character, however we would still expect furniture such as dog and waste bins to be considered as part of the POS provision, especially close to the built envelope edge.
- The Boundary Treatments Plan indicates where fences and walls are proposed. We would advise the side boundary to Plot 92 is also proposed as brick wall rather than close board fencing as it is adjacent to POS.
- It would be recommended that the hedge adjacent to the southern POS is planted in double staggered rows, preferably 5 plants per linear metre. To prevent access through the hedge during establishment, we would expect the hedge to be accompanied by a 3 strand galvanised wire and tanalised softwood timber post fence, to BS1722- 2: 2006. The fence should be erected through the centre of the staggered row of hedge.
- We would expect to see details of measures to protect the trees to be retained on the site. It needs to be clear how work within the root protection areas (RPA) is being approached and what methods are being used. For instance, is specialist excavation/dig methods or ground protection being used?

- We would expect the pumping station to be screened with soft landscaping to ensure it is sympathetic to its landscape setting.
- Although we welcome the use of timber knee rails. There are areas within the built envelope that could be treated with estate railings or similar. This would help articulate the change in character and also contribute to sense of place. For example, Plots 187-189 could have estate railings on their boundary instead.
- The DAS makes reference to Street trees, with different species proposed across the site to aid character and placemaking. However many of these look to be within private ownership. It would be useful to understand who will be responsible for which trees, and if within private ownership, is there scope to put a restrictive covenant in place?
- Currently a narrow landscape buffer is located along the northern boundary of the site, separating the new development from existing dwellings. We understand the reasoning for this space, however, we are concerned this may become a 'left over' space, for fly tipping and anti-social behaviour. We would advise the boundary treatments to Plot 17,20 and 21 be changed to brick wall to improve the quality of the space.
- Where feature trees have been proposed in strategic locations such as junctions and focal points we would expect larger stock to be specified. For instance, the POS between plots 178-184 and the junction closest to the toddler play space.
- The Landscape Masterplan only provides broad landscape terms for features proposed. Ideally, we would recommend a detailed landscape scheme with associated specification and schedule is submitted. However, these details can be conditioned if preferred. This detailed landscape scheme condition could be worded as follows:

ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT: DETAILED LANDSCAPE SCHEME.

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

- Similarly, a landscape management plan will need to be provided as part of this application, or as a condition. We ask that reference is made to the guards to protect hedgerow/shrub planting from damage by rabbits and other rodents and we would expect these to be biodegradable. They should be checked periodically alongside the tree guards and stakes to ensure that they have not fallen over and are not damaging the plant. If conditioned, this should read as follows:

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

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

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

Kind regards,

Ryan Mills BSc (Hons) MSc CMLI
Senior Landscape Consultant
Telephone: 03330320591
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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.

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

From: BMSDC Public Realm Consultation Mailbox <consultpublicrealm@baberghmidsuffolk.gov.uk>

Sent: 23 November 2020 14:34

To: BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>

Subject: RE: MSDC Planning Re-consultation Request - DC/20/03704

Public Realm have no objections to this development on open space grounds. There is a generous area of public open space and a toddlers play area within the development. The proposals to create ecologically rich open space is welcomes.

Regards

Dave Hughes
Public Realm Officer

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

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

Sent: 18 November 2020 08:54

To: BMSDC Public Realm Consultation Mailbox <consultpublicrealm@baberghmidsuffolk.gov.uk>

Subject: MSDC Planning Re-consultation Request - DC/20/03704

Please find attached planning re-consultation request letter relating to planning application - DC/20/03704 - Land West Of Old Norwich Road, Whitton, Ipswich, Suffolk IP1 6LQ

Kind Regards

Planning Support Team

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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.



Appeal Decision

Inquiry opened on 11 December 2018

Site visits made on 11 & 20 December 2018

by Philip Major BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th March 2019

Appeal Ref: APP/W3520/W/18/3200941

Land west of Old Norwich Road, Ipswich IP1 6LH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Ashfield Land Limited against the decision of Mid Suffolk District Council.
 - The application Ref: 1832/17, dated 10 May 2017, was refused by notice dated 28 March 2018.
 - The development proposed is the erection of up to 315 dwellings, vehicular access to Old Norwich Road, public open space, and associated landscaping, engineering and infrastructure works.
-

Preliminary Matters

1. The application was submitted with all matters except access reserved for future consideration. However, prior to the inquiry the Appellant asked that access be added to the reserved matters so that the proposal could be considered as a wholly outline proposal. Whilst initially opposing this request the Council agreed that there would be no prejudice to any party as a result of the further public consultation carried out by the Appellant. I agree that no prejudice to any party would result given this further consultation exercise, and on that basis I have accepted the amendment to the application. My consideration is based on all matters being reserved for future consideration. The drawings to be considered are numbered 1002 (Site Location Plan) and 3501 (Development Parameters).
2. The Appellant has indicated that were I minded to dismiss the appeal for the whole scheme, it would be open to me to issue a split decision. As the site is split into 2 distinct parcels this seems to me to be an option which I could, if appropriate, follow. The northern part of the appeal site is clearly severable from the southern part. The southern parcel of land is that which is suggested might be developed even if the northern parcel was deemed unacceptable. In accordance with established case law¹ there would be no prejudice caused to any party consulted on the original, larger, scheme since the nature of the proposal would be the same, but its extent and impact would be reduced. The southern section would, on the basis of the representations made, accommodate up to 190 dwellings. The land involved in the smaller scheme is shown on drawings numbered 1005 (Site Plan – Southern Land Parcel) and 3502 revA (Development Parameters).

¹ Inquiry documents 3 and 4

3. Parts of the appeal site (and in combination with other sites) are located within the zones of influence of protected European sites, these being the Stour and Orwell Estuary Special Protection Area (SPA/Ramsar site) and the Deben Estuary SPA/Ramsar site. Both are also Sites of Special Scientific Interest (SSSI). For brevity I will refer to them as European sites. Following recent case law² I am required to carry out an Appropriate Assessment (AA) under the Habitats Regulations. I also have a duty, which I have fulfilled, to consult with Natural England. I deal with the AA later.
4. The parties agree that the Council is unable to demonstrate a 5 year supply of deliverable housing sites. Although the Council does not accept that the supply is as low as 3.4 years (as set out in a recent appeal decision³) it nonetheless does not contest the fact that it cannot demonstrate a 5 year supply.
5. An obligation pursuant to S106 of the 1990 Act was submitted, by agreement, subsequent to the close of the inquiry. The obligation deals with a number of matters relating to financial contributions, the provision of affordable housing, open space provision and management, and travel plans. I have taken note of the statements of compliance with the Community Infrastructure Levy Regulations which were submitted with evidence. On the basis of the contents of the obligation and the compliance statements I am content that all matters conform to the CIL Regulations and that the obligation can be taken into account if planning permission is to be granted.
6. The parties have been given the opportunity to comment on the recent revisions to the National Planning Policy Framework (NPPF) 2019 and the publication of the housing delivery test results. I have taken due note of the comments received in reaching my decision. However, in essence, there is agreement that the only significant change relates to the AA and its relationship with the presumption in favour of sustainable development in the revised NPPF.

Decision

7. The appeal is dismissed insofar as it relates to the northern parcel of the application site shown on drawing No 1004 within the S106 obligation dated 8 January 2019. The appeal is allowed insofar as it relates to the southern parcel of land as delineated by the red line on drawing No 1005, dated December 2018 and planning permission is granted for the erection of up to 190 dwellings, vehicular access to Old Norwich Road, public open space, and associated landscaping, engineering and infrastructure works at land west of Old Norwich Road, Ipswich IP1 6LH in accordance with the terms of the application (as amended) Ref: 1832/17, dated 10 May 2017, and subject to the conditions set out in the schedule at the end of this decision.

Main Issues

8. The main residual issues⁴ in the appeal are:
 - (a) The impact of the proposed development on the local highway network;
 - (b) The impact of the proposals on the character and appearance of the surrounding landscape;

² *People over Wind, Peter Sweetman v Coillte Teoranta*

³ APP/W3520/W/18/3194926 dated 28 September 2018

⁴ Following the addressing of some of the reasons for refusal of planning permission prior to the inquiry

- (c) The impact of the proposals on the living conditions of future residents and nearby residents;
- (d) The impact of the proposals on heritage assets;
- (e) The benefits of the proposals and the overall planning balance.

Development Plan Policy Background

9. The development plan in this case includes the saved policies of the Mid Suffolk Local Plan (LP) and the Local Plan First Alteration (LP1), the Mid Suffolk Core Strategy (CS) and the Core Strategy Focused Review (CSR). Although a great many policies in the development plan are agreed in the Statement of Common Ground as being relevant, there is a more limited reliance on a small number of policies which have particular importance to this case.
10. CS Policies CS1 and CS2, together with LP Policy H7, set out a settlement hierarchy and seek to restrict development in the open countryside (this site being in open countryside). It is agreed that these policies are out of date because the Council cannot demonstrate a 5 year housing land supply and the Council does not seek to rely on them. Nevertheless the proposal is in conflict with these policies and they must be considered in the planning balance. However the weight to be attached to conflict with these policies is limited⁵.
11. The CSR includes Policies FC1 and FC1.1 which are of relevance. FC1 follows the guidance of the 2012 National Planning Policy Framework (NPPF) in that it supports sustainable development. The policy recognises that there may be situations when policies are out of date, and in those circumstances it seeks to facilitate the granting of planning permission unless material considerations indicate otherwise. The policy makes specific reference to the then NPPF paragraph 14 assessment and restrictive policies in the NPPF. I note here, though, that there is no equivalent limitation in Policy FC1 to that included in paragraph 177 of the 2018 NPPF⁶ and which was also contained in paragraph 119 of the 2012 NPPF. It is axiomatic that regard must have been had to the 2012 NPPF when drawing up Policy FC1, and paragraph 14 of that NPPF cross refers at footnote 9 to paragraph 119 of the document. Hence, although there is no specific reference in FC1 to the presumption in favour of sustainable development being 'removed' if appropriate assessment is needed, it seems to me to be at least implied.
12. In any event, even if there was a deliberate decision to seek to exclude the limitation of paragraph 119 it would have led to some inconsistency with the NPPF at that time. That inconsistency was carried forward following the publication of the 2018 NPPF. In the end, though, this is not a matter on which this case turns because of the revision in the NPPF issued in February 2019. As set out there, if an appropriate assessment is carried out and concludes that the scheme will not adversely affect the integrity of the European sites then the presumption in favour of sustainable development can apply. Policy FC1.1 essentially explains how Policy FC1 is to be implemented. It sets a number of general criteria.

⁵ The Inspector at the appeal cited earlier (3194926) attaches moderate weight, so the lack of full weight is agreed, and the differing gradation of weight makes no material difference in this case

⁶ That the presumption in favour of sustainable development did not apply where development requires appropriate assessment

13. Core Strategy Policy CS5 seeks to ensure that the landscape of the district and the historic environment are protected in an appropriate manner, and that development is of high quality design. However, it goes further than the statutory duty to have regard to the desirability of preserving or enhancing heritage assets, and the advice in the 2019 NPPF. For that reason its weight is limited.
14. Other policies of importance include LP1 Policy H4 in that it deals with affordable housing. It seeks up to 35% provision. It is agreed that this proposal accords with that policy. Similarly there is no dispute that the proposal is in accordance with, or can be designed to be in accordance with, those policies dealing with safe access, planning obligations and the design of development.
15. The Council, in conjunction with the neighbouring authority, has embarked on the preparation of a joint Local Plan. It is agreed that the early stage of this plan means that it carries little weight in this case.

Reasons

Highway Impact

16. It is not disputed that a suitable access point or points could be taken from Old Norwich Road. This would lead to traffic entering the wider network from Old Norwich Road principally at the 'Bury Road'⁷ junction to the south. The highway authority in this case has no objection to the proposals subject to the payment of contributions towards the improvement of local network junctions, or the improvement of the junctions themselves.
17. Traffic from the development (or the smaller development in the event of a split decision) would also impact upon the Whitton Church Lane junction. This gives priority to traffic on Old Norwich Road, but is at present mainly used by traffic flowing into and out of Whitton Church Lane. It is acknowledged that the configuration of the junction would require changes (at present it is unusual in having some block paving on the priority road) but a scheme has been drawn up to cater for that. This is not a matter of significant dispute between the main parties and I agree that as a technical exercise the junction can be altered to function satisfactorily.
18. The Bury Road junction situation is of greater dispute. There is a current scheme designed to address increases in traffic from the appeal proposals (the Figure 8.1b design). The highway authority is content with the scheme, but in light of other expected developments nearby it has indicated that an alternative and more comprehensive scheme would be preferred. However no such scheme has been designed as yet. Taking account of these other potential developments it is the highway authority's view that contributions to a more comprehensive scheme are preferable to the Figure 8.1b scheme being implemented, even if this would mean the final improvements took longer to bring about. In short, it favours the possibility of short-term pain for longer-term gain on the network.
19. To that end it is suggested that a financial contribution alone would be the appropriate course of action, which could be added to other contributions to fund an anticipated and more comprehensive junction scheme. However, I do

⁷ The term for the junction used by all parties at the inquiry

not accept that that would be a wise course of action in relation to the scheme as a whole because I have no information at all on when or whether a more comprehensive scheme for the junction might be brought about. In addition there is limited information on the timing of any of the other anticipated developments. Hence there is much uncertainty surrounding the comprehensive scheme favoured by the Highway Authority.

20. Nor am I persuaded that a 'Grampian' condition would be appropriate here. Planning Practice Guidance (PPG) makes it clear that such conditions should not be used where there is no prospect of the action in question being performed within the time limit imposed by the permission. As noted I have no evidence at all that any comprehensive scheme for the Bury Road junction would be provided by the Highway Authority within the time limit of the permission. Similarly I have no evidence that there would be a willingness on behalf of the landowner (the County Council) to allow the Figure 8.1b scheme, to address this proposal alone, to proceed. This is especially so given its stated preference for a more comprehensive alteration to the junction.
21. Taken in the round it is my view that until more work is carried out on the more comprehensive junction improvements preferred by the Highway Authority it is impossible to conclude that either that, or the Figure 8.1b scheme to mitigate the development on its own, is likely to be provided within a reasonable timescale. Allowing the proposed development in its entirety with unknown prospects for either of the junction improvements being implemented would not be a rational course of action as it would leave the potential for adverse highway conditions with no certainty of alleviation.
22. Turning to the actual impact of traffic, it is pertinent to note that the Bury Road junction already operates beyond capacity at certain times. It would still do so, but to a lesser extent, in the Figure 8.1b design. So if that scheme were to be implemented it would make the situation better if the appeal scheme were to be implemented alone. However, if it proved necessary to further revise the junction to cater for other future developments (the scenario the Highway Authority wishes to avoid) there would be clear potential for the network to suffer from delay and disruption for a prolonged period. It is impossible to quantify what the delay and disruption would be like in the absence of further information. But it is my judgement that the residual cumulative impact on the highway network has the potential to be severe.
23. However, the implications of development of the southern parcel alone are different. Traffic from the site would be significantly reduced. Any impact on the network even without a Bury Road junction improvement would also be reduced. Whilst it would be expected that the junction would be improved in one way or another in due course, the relatively short term potential for disruption here would be much lower. In my judgement any such reduction would be tolerable and would not result in a severe residual cumulative impact. I therefore take the view that development of the southern parcel only could be considered acceptable with a financial contribution being made towards a more comprehensive junction scheme.
24. There is some dispute about the actual design of the junction improvement so far brought forward (the Figure 8.1b design). Criticism is made of the configuration of the bus lane, left turn lane and cycle lane. Although not common (and not part of the experience of the Council's witness) I do not find

the junction design to be unacceptable or likely to present unacceptable safety implications. I am aware of similar configurations elsewhere, and in this case it seems to me that the design follows on from the first safety audit. The small loss of land in the lay by to the east of the junction is unlikely to make any practical difference to its use. My concerns about the junction therefore stem not from the technical possibility of mitigation, but from the likelihood of the junction being improved in a timely manner if the entire development were to be implemented.

25. The site is not far from the built up area of Ipswich. There are local facilities in the form of a nearby retail park, but it seems unlikely that most people would walk there. However, local schools are within walking distance, and I observed students walking and cycling during my site visits. I am also aware that Old Norwich Road is a designated cycleway, carries little through traffic because of the existing bus gate, and is a bus route. There are certainly alternatives to the private car available, notably cycling and buses. The bus service would be relatively close to the development (indeed in the larger scheme it is possible that the bus route would divert through the development). I am satisfied that the location of the site provides suitable alternatives to the use of the private car.
26. Pedestrian access along Old Norwich Road has been criticised because of the width of footways and the discontinuation of footways in places. I walked the length of Old Norwich Road from the likely access point to Bury Road on more than one occasion. It seems to me that the footway to the north of Whitton Church Lane has the potential to be improved by cutting back the overgrowth which has encroached. Although the junction with Whitton Church Lane has to be crossed if using the east side Old Norwich Road, it is possible to do so safely as a pedestrian. Thereafter the footway is sufficiently wide to the junction with Bury Road. On balance I consider that pedestrian access from the site to Bury Road can be made acceptable.
27. Taking this issue in the round it is my judgement that implementation of the entire scheme would have the potential to bring about a severe impact on the highway network, as set out above. That being the case there would be conflict with the NPPF.
28. In contrast the development of the southern parcel alone would be unlikely to have a severe impact and there would therefore be no conflict with the NPPF.

Character and Appearance

29. The appeal site is made up of 2 distinct areas. These can be described as the northern and southern parcels of land. They are divided by a substantial tree belt which crosses the land from east to west. The northern parcel includes the southern slope of a shallow valley and runs into that valley (as part of the identified area of Rolling Estate Farmlands (REA) in the Suffolk Landscape Character Study). The southern parcel is on the plateau land to the south of the valley where the valley side levels out (and is within the area known as the Plateau Estate Farmlands (PEA) in the same study). Additionally the Settlement Sensitivity Assessment (SSA) of July 2018 deals with the landscape fringes of Ipswich. The appeals site falls within the area designated IP1, and this includes parts of both the REA and PEA.

30. The SSA seems to me to include pragmatic assessments of the urban fringe around the appeal site, and in some ways this is more useful than the landscape character study. In particular I note that the sensitivity of IP1 is described as being associated with the small scale stream valley character and the dispersed pattern of built heritage. There is also recognition that the urban area of Ipswich occupies the plateau and is set back from the edge of the valley. In this context the SSA indicates that the landscape is highly sensitive to the visual intrusion of new development which has an urbanising influence on the character of the valley. These observations go to the heart of the case here.
31. In relation to the northern parcel the Council contends that it lies within a 'valued landscape'. The area identified for the purposes of evidence in this appeal centres on the valley and its slopes. However there is no statutory or other designation of the land which seeks to identify it as being valued. The main parties agree that it is helpful to consider value in relation to the Box 5.1 criteria set out in Guidelines for Landscape and Visual Impact Assessment, Third Edition. It is not necessary here to rehearse exhaustively all of the matters contained within Box 5.1. However I make the following observations based on the evidence I heard and my site visits:
- Landscape quality is variable and the effects of the A14, large pylons crossing the area, and visible structures on the edge of Ipswich are detractors from character. Quality, as would be expected, improves with distance from these influences.
 - Scenic quality and perceptual aspects are also heavily influenced by the above factors. Tranquillity is much reduced by the presence of the A14 in the vicinity of the site.
 - I do not accept that the landscape is rare. It seems to me to exhibit features which are commonplace throughout much of Suffolk and lowland Britain generally. There is nothing about the landscape which is particularly representative of any specific of its type.
 - No evidence has been adduced which indicates that this landscape has any unusual conservation interests, and there are no such designations.
 - The landscape is used by local people for recreation, and its proximity to residential areas in Ipswich gives it attraction in that respect.
 - There are no cultural associations or historical events which contribute to perceptions of this area.

Taking these matters together I have no doubt that it wrong to consider any of the appeal site to be a valued landscape in itself, or within a wider area which can be so regarded. It does not possess any qualities which take it beyond the ordinary. Even so I acknowledge that it is necessary to recognise the intrinsic character and beauty of the countryside in considering this issue.

32. Self-evidently, and as identified in landscape studies, the valley to the north (which includes the northern parcel) is different in character to the plateau to the south. The valley landscape is a pleasant and typical rolling English landscape with medium sized fields separated by hedgerows and tree belts. There is scattered settlement and a mixture of intimate and long range views.

- Valley sides are generally free from development. Although noisy the A14 is relatively inconspicuous and has spatially limited impact on the landscape.
33. Development of the northern parcel would have a significant impact on the landscape. It would introduce development on the valley side and lower slopes together with a road linking the 2 parts of the scheme. These would add an urbanising character which is absent from the valley generally. I agree that the valley sides are sensitive to development. The introduction of housing on the northern parcel would seriously and detrimentally impact on landscape character. This impact would be major to moderate.
 34. The southern parcel has a different character. It is relatively flat and close to the urban limits of Ipswich. Indeed I understand that the southern site boundary abuts land allocated for development. The land is perceived more as urban fringe than open countryside, and this is emphasised by the 2 lines of pylons and cables which cross it. In my judgement it has a moderate to low sensitivity to development, and the scheme would at worst have a moderate magnitude of impact on the character of the area.
 35. In visual terms the development would introduce an incongruous element into the landscape of the northern parcel. Even allowing for fleeting glimpses of the A14, and the nearby pylons, views towards the site from the north and east enable the viewer to perceive the attractive valley landscape, which hereabouts is relatively unspoiled. A large block of housing, with associated infrastructure, would be wholly at odds with the existing visual experience. I agree with the Settlement Sensitivity Study, which indicates that the landscape is sensitive to development which would urbanise the valley and lead to Ipswich spilling into the valley. The development would have a major and intrusive adverse visual impact notwithstanding that much of it would be on the lower slopes of the valley sides and within the valley bottom itself.
 36. The southern parcel is relatively enclosed in visual terms. It is bounded by development (or land allocated for development) to the south, and there are a number of dwellings to the east along Old Norwich Road. When added to the enclosure provided by the tree belt to the north and the A14 to the west the sense of visual enclosure is significant. In this respect it is correct to describe the land as being of limited sensitivity to development. Views into the southern parcel are heavily restricted, though I acknowledge that it would not be possible to hide the proposal entirely. Some perception of houses would be possible above trees and between landscaping. Nonetheless the visual impact of development would be minor.
 37. I address here the gap between Ipswich and Claydon. The gap is substantial and is not wholly undeveloped. However, that part of the gap beyond the southern lip of the valley to the north has a distinctly rural feel. The visibility of the northern part of the entire development would be seen as an urban outlier within the gap, and would diminish its effectiveness in separating the settlements. This adds to my concerns in relation to the impact on character and appearance.
 38. To some degree the noise barriers which would be inevitable in the event of development proceeding would be visible. But these would be internal to the site and would be unlikely to have any material impact on either the character or appearance of the land.

39. Taking all these matters into account the effect of the proposal can be summarised thus:

- For the entire scheme there would be a major to moderate adverse impact on landscape character and the appearance of the area. Although landscaping could be introduced to soften the impact over time this would not overcome the fundamental harm caused by the serious intrusion of development into the valley landscape;
- For the southern parcel there would be a moderate impact on character and a minor impact on the appearance of the area. Both of these impacts would be reduced over time if a suitable landscaping scheme were to be introduced at reserved matters stage.

40. In relation to the whole scheme as proposed there would be conflict with the provisions of Core Strategy Policy CS5, though as set out above that conflict is moderated by the fact that the policy is not wholly in accord with the NPPF. The conflict with this policy would be much reduced if the development were to be restricted to the southern parcel of land.

Living Conditions

41. The appeal site is close to the busy A14 dual carriageway. The traffic noise from that highway is evident at the site, with the highest perceived noise levels, unsurprisingly, being close to the road. I heard much evidence at the inquiry in relation to the potential impact of mitigation in the form of acoustic barriers between the site and the A14. The evidence shows that significant reductions in noise could be achieved with the introduction of barriers of appropriate construction and height. There is agreement that it is technically possible to achieve an acceptable noise climate both within and outside new dwellings on the site and that this can be controlled at reserved matters stage.

42. The Appellant has indicated that in any future reserved matters application it will not seek to take forward the provision of sports pitches close to the existing dwellings along Old Norwich Road. I therefore have no doubt that it would be possible to design a residential and open space layout which would have limited impact on existing residents. The noise climate would change for local residents, but not to the extent that it would be unacceptably harmful to their living conditions. As a result I find no conflict with the development plan or the objectives of the NPPF in this regard.

43. Residual noise concerns are maintained by the Council in relation to the impact of the change in the noise climate on the character of the nearby Whitton Conservation Area (CA). I turn to that matter next.

Heritage

44. My duty under S.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to have special regard to the desirability of preserving or enhancing the character or appearance of a conservation area. The significance of the Whitton CA stems largely from remaining elements of the relationship between buildings, street pattern, open spaces and the rural hinterland to the north, which demonstrates its history as a small rural settlement sitting astride the main road north from Ipswich. It contains some historic buildings and a simple street layout. The removal of traffic when the A14 by-passed the area provided the impetus for designation so that the

village street scene could be protected. There is no disagreement between the main parties that the proposal would cause less than substantial harm to the character of the CA. No harm is alleged to the appearance of the CA itself or to listed buildings or their settings within it. I have no reason to disagree with these points.

45. It is common ground that it is the character of that part of the CA to the north of the junction with Whitton Church Lane which would be affected by increased traffic and activity. The disturbance would be largely noise generated, though the passing of traffic and pedestrians would also have a visual impact and reduce the perception of tranquillity to a degree. Even so the CA as a whole would be little affected by the development. Noise increases would be at or close to the lowest observable adverse effect level, and even if slightly greater would be unlikely to significantly affect the appreciation of the significance of the CA. The less than substantial harm identified would be close to being insignificant given the level of existing traffic in the CA. As the CA is outside the boundary of Mid Suffolk development plan policy from that Authority cannot apply here.
46. However, it is still essential that great weight attaches to the identified harm as set out in the NPPF. This must be balanced against the benefits of the proposal, and I turn to that shortly.

Appropriate Assessment

47. The appeal site is just over 6km from the nearest part of the European protected sites (in this case the Stour and Orwell Estuary) noted in paragraph 3 above, well within the 13km zone of influence. The site is some 12 km from the Deben Estuary, again within the 13km zone of influence. Each of the protected sites has a number of qualifying features including waterfowl and other species.
48. Consideration of the potential effects of the recreational use of the European sites by residents of the proposed development has been carried out. This concludes that there is likely to be a significant effect on the Stour and Orwell Estuaries through increased disturbance to qualifying species both alone and in combination with other plans or projects. With regard to the Deben Estuary it is concluded that there is likely to be a significant effect only in combination with other plans or projects in light of the distance of the appeal site from the estuary.
49. In order to mitigate any adverse effects on the European sites it is proposed to provide greenspace within the proposed development, and to promote the local footpath network, in order to reduce any recreational pressure on the Stour and Orwell Estuaries from the development. In relation to both European sites it is also proposed to make proportionate contributions to fund offsite visitor management measures in line with the emerging Suffolk Recreational Disturbance Avoidance and Mitigation Strategy (RAMS). These matters are contained in the Report to Inform a Habitats Regulations Assessment (RIHRA)⁸.
50. Natural England has responded⁹ to the effect that it has no objection to the proposed development subject to appropriate mitigation being secured in line with the proposals in the RIHRA made by the Appellant.

⁸ Core Document 8.2

⁹ By correspondence dated 12 February 2019

51. The Planning Obligation pursuant to S106 of the 1990 Act (see above) deals with the provision of open space and contributions towards RAMS. The public open space is to be provided in accordance with a scheme to be agreed, which is to include specifications, plans and drawings, together with timings and triggers. As this is an outline application, the Council also retains further control over the layout of the open space. The RAMS contribution would be paid prior to development commencing. Taken together these mechanisms are sufficient to ensure that the mitigation necessary to avoid harmful effects on the European sites can be avoided.

Benefits of the Proposed Development and Planning Balance

Benefits

52. Benefits of the development principally extend from the provision of market and affordable housing in a location where there is an acknowledged shortfall of supply. The exact number of dwellings likely to be completed on this site in the 5 year period is unknown. Unsurprisingly the Appellant takes an optimistic view of delivery, whilst the Council is more circumspect. In reality the number is inevitably dependent to some degree on external factors which are difficult to predict. I take account of the fact that there have been expressions of interest from 3 independent parties who would wish to investigate the possibility of acquiring the land. This is an important factor, though it does not establish that the land would be sold, or when. In order for this site to be considered deliverable in the event of outline permission being granted there would need to be clear evidence that housing completions will begin on site within 5 years (as set out in the NPPF).
53. I do not doubt the intention to dispose of the land to a developer, but beyond that timing is uncertain. Any developer would need to submit a reserved matters application and discharge any necessary conditions prior to work commencing. I share the Council's view that the Appellant is being optimistic in lead-in times and annual delivery rates given the delivery achieved on other sites. Taking a pragmatic position based on the evidence I consider that actual delivery would be likely to fall somewhere between the expectations of the main parties. Even though it is likely to be lower than suggested by the Appellant housing delivery on the site carries significant weight in favour of the proposal notwithstanding that I accept that there would be a relatively limited supply from this site in the 5 year period.
54. New housing on the site would contribute to economic benefits in the form of direct jobs during construction, additional business for suppliers, Council Tax receipts, and the stimulation of additional future expenditure in local centres. This is a matter which is of moderate weight, though I acknowledge that any job provision and spending by residents of this site are likely to contain an element of job provision and spending displaced from elsewhere.
55. Green infrastructure would be provided on site and this would provide some benefit to local people in giving access to areas currently without public access (albeit in an urban fringe setting). Similarly green space could contribute towards expressed objectives for green corridors and a green rim to the north of Ipswich. The green spaces provided would be determined at reserved matters stage, and to some extent at least would be required with the development as mitigation. Such provision is not therefore wholly a benefit. However I give it moderate weight as a benefit.

56. The benefits above are important and significant when taken as a whole, particularly the provision of market and affordable housing. These benefits are clearly sufficient to outweigh the less than substantial harm to the Whitton Conservation Area.

Whole Scheme Planning Balance

57. The 'tilted' balance flowing from paragraph 11 of the NPPF (2019) is engaged because the appropriate assessment above concludes that the project will not adversely affect the integrity of the European sites, and the most important development plan policies for determining the appeal are out of date. That said the starting point here remains that the proposed development conflicts with the development plan, as set out earlier. However, the fact that policies are out of date or inconsistent with the NPPF reduces the weight of that conflict.

58. I have found that there would be significant harm to the character and appearance of the landscape from the whole scheme. I have also found that there would be likely to be harm in relation to the impact on the highway network, and that that impact would be likely to be severe (to the extent that it is possible to make a judgement based on the evidence before me). The harm caused by the development would be offset to a degree by the benefits of the proposal; those benefits being significant. Overall, however, it is my judgement that the harm would significantly and demonstrably outweigh the benefits. Thus, even with the 'tilted' balance applied the harm is so adverse that planning permission should not be granted as the development would not be sustainable.

Partial Scheme Planning Balance

59. Turning to the possibility of development on the southern parcel only, it is clear that the benefits would be largely the same, although reduced to a degree. However, the harm associated with this scale of development would be significantly less than for the entire scheme. Harm to landscape character and appearance would be at a level which would be very much reduced and would be capable of mitigation. Additionally impact on the highway network would be likely to be of a significantly lesser magnitude even if there is a delay in providing an improved Bury Road junction arrangement. Although there is still conflict with the development plan the benefits of the smaller scheme are compelling and outweigh the limited development plan conflict. In relation to the reduced scheme on the southern parcel of land the harm would not significantly and demonstrably outweigh the benefits. The presumption in favour of sustainable development here means that planning permission should be granted for the scheme on the southern parcel of land.

60. This is therefore a case where a split decision can be issued, and part of the development can be permitted.

Conditions

61. A list of suggested conditions was handed in at the inquiry. For the most part these are uncontentious. The conditions are listed under various topic headings, which I deal with in a similar manner. Where necessary I have amended wording to improve precision and enforceability.

- The reserved matters submission timetable is agreed as necessary to encourage speedy development.

- Transport related conditions are reasonable and necessary to ensure that access is satisfactory and that proper provision is made for occupants and visitors to the development. A construction management plan condition is necessary to ensure that the development phase is carried out in an acceptable manner. It is also necessary to include conditions to ensure that surface water does not flow onto the highway and to prevent refuse bins being stored on the highway. The provision of new bus stops is necessary to encourage bus use and can reasonably be required by condition.
 - Conditions are necessary to ensure that any unexpected contamination found on the land is properly dealt with.
 - Conditions dealing with drainage of the site are necessary to ensure that details are submitted which demonstrate that the site can be adequately drained, with subsequent management of the drainage network. It is also reasonable to require details of fire hydrants to be provided.
 - For reasons supporting a sustainable development conditions seeking the best possible broadband connections, and electric vehicle charging points, are reasonable and necessary.
 - Conditions which require an environmental management plan, and a biodiversity enhancement plan, together with other details for protecting or enhancing ecological resources are reasonable and necessary.
 - It is reasonable and necessary to include conditions which seek to ensure that landscaping carried out as part of the development is provided at the appropriate time, and replaced when necessary. Management of the landscape and protection of trees should also be ensured by condition.
 - A condition requiring the recording of any archaeological finds is reasonable and necessary in order that such finds are properly catalogued.
62. In addition, in light of my conclusions on the matter of the alteration to the Bury Road junction, and the provision of the contribution in the S106 obligation, I do not consider that it is also necessary to require a condition requiring that the junction be improved. It is also unnecessary to require conditions relating to the provision of secondary or emergency access points as these are adequately covered elsewhere. This applies equally to the provision of a bus gate (if needed at all in the smaller scheme).
63. A number of other suggested conditions are not necessary, as accepted at the inquiry, and I do not address them specifically here.

Overall Conclusion

64. For the reasons given above I conclude that the appeal should be allowed in part and dismissed in part.

Philip Major

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) Details of the access, appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 2 years from the date of this permission.
- 3) The development hereby permitted shall commence not later than 1 year from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with the following drawings and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard:
Site Location Plan (Drawing No 1005);
Parameters Plan (Drawing No 3502 revA)
- 5) No part of the development shall be commenced until details of the proposed primary access to the eastern boundary of the site from Old Norwich Road (including the provision of any gates to be erected and visibility splays provided) have been submitted to and approved in writing by the Local Planning Authority. The approved access shall be laid out and constructed in its entirety prior to any other part of the development taking place. Thereafter the access shall be retained in its approved form.
- 6) Before the development is commenced, details of the estate roads and footpaths (including layout, levels, gradients, surfacing and means of surface water drainage) shall be submitted to and approved in writing by the Local Planning Authority.
- 7) Before the development 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;
 - d) storage of plant and materials;
 - e) programme of works (including measures for traffic management and operating hours);
 - f) provision of boundary hoarding and lighting;
 - g) details of the proposed means of dust suppression;
 - h) details of measures to prevent mud from vehicles leaving the site during construction;
 - i) haul routes for construction traffic on the highway network;
 - j) monitoring and review mechanisms;
 - k) details of delivery times to the site during the construction phase;
 - l) wheel washing facilities;
 - m) location and nature of compounds and storage areas (including maximum storage heights) and factors to prevent wind-whipping;
 - n) waste storage and removal;

- o) temporary buildings and boundary treatments;
- p) noise and vibration management (to include arrangements for monitoring, and specifically for any concrete breaking and any piling);
- q) litter management during the construction phases of the development;
- r) during any ground works/construction there shall be no burning of materials on the site;
- s) any external lighting associated with the development during any ground works/construction for the purposes of security and site safety shall prevent upward and outward light radiation.

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

- 8) 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.
- 9) No development shall commence until details of a construction surface water management plan detailing how surface water and storm water will be managed on the site during construction has been submitted to and agreed in writing by the local planning authority. The construction surface water management plan shall be implemented and thereafter managed and maintained in accordance with the approved plan.
- 10) No development shall commence until a scheme for the provision of fire hydrants has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented in full in accordance with the agreed details, including the timescale for provision.
- 11) A construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. The CEMP (Biodiversity) shall include details of the following:
 - a) risk assessment of potentially damaging construction activities;
 - b) practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction;
 - c) the location and timing of sensitive works to avoid harm to biodiversity features;
 - d) responsible persons and lines of communication;
 - e) use of protective fences, exclusion barriers and warning signs;
 - f) the containment, control and removal of Schedule 9 invasive species;
 - g) precautionary mitigation measures for small mammals (Priority Species).The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.
- 12) Prior to the commencement of development, a tree survey and arboricultural method statement in accordance with BS5837:2012 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with the approved statement.
- 13) Prior to the commencement of development a landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority. The content of the LEMP shall include the following:
 - a) description and evaluation of features to be managed;

- b) ecological trends and constraints on site that might influence management;
- c) aims and objectives of management;
- d) appropriate management options for achieving aims and objectives;
- e) prescriptions for management actions;
- f) preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- g) details of the body or organization responsible for implementation of the plan;
- h) ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

- 14) Before development commences a reptile method statement shall be submitted to, and approved in writing by the Local Planning authority, and shall be implemented in full accordance with the agreed details.
- 15) Before development commences a skylark mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority. The mitigation shall be implemented in accordance with the approved mitigation strategy prior to the commencement of development.
- 16) No development shall take place until a feasibility study has been undertaken and submitted to the Local Planning Authority which investigates the potential for the dwellings hereby approved to be connected to super-fast and ultra-fast broadband. Should the study determine that such connection is feasible then details of the means by which the dwellings hereby approved may be connected to the utilities to be provided on site to facilitate super-fast broadband connectivity shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 17) Concurrent with the first reserved matters application, and any subsequent reserved matters application, details of a scheme for acoustic measures to protect residential amenity shall be submitted to and approved in writing by the Local Planning Authority and implemented in full in accordance with the approved details prior to the first occupation of the dwelling to which the measures relate.
- 18) Concurrent with the first reserved matters application a surface water drainage scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be in accordance with the approved Flood Risk Assessment (FRA) by Hydrock, dated September 2017, and include:
 - a) dimensioned plans and drawings of the surface water drainage scheme;
 - b) further infiltration testing on the site in accordance with BRE 365 and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible;
 - c) if the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to Q_{bar} or 2l/s/ha for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA;

- d) modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;
- e) modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year climate change rainfall event, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
- f) topographical plans depicting all exceedance flowpaths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;
- g) when discharging into the chalk, the infiltration basin shall be no greater than 1m depth and shall be highly vegetated to protect ground water.

The scheme shall be fully implemented as approved.

- 19) Concurrent with the first reserved matters application details of the implementation, maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.
- 20) Concurrent with the submission of the first reserved matters application, a biodiversity enhancement plan shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full accordance with the enhancement plan.
- 21) Prior to the commencement of works above slab level details of the areas to be provided for storage of Refuse/Recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out for each dwellinghouse before that dwellinghouse is brought into use and shall be retained thereafter for no other purpose.
- 22) No dwelling shall be occupied until the parking areas, carriageways and footways serving that dwelling have been constructed to at least binder course level or better in accordance with the approved details except with the written agreement of the Local Planning Authority.
- 23) No dwelling shall be occupied until 2 bus stops, including raised bus stop kerbs, bus shelters and bus information screens, have been constructed and made available in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.
- 24) The development hereby permitted shall not be occupied until details of all Sustainable Urban Drainage System components and piped networks have been submitted to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.
- 25) Before the development is occupied details of the number, location and management of electric vehicle recharging points shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall be implemented prior to the occupation of any dwelling or in accordance with such phasing as may be agreed.
- 26) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written

approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

- 27) All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details shall be carried out in full during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be approved, in writing, by the Local Planning Authority up to the first use or first occupation of the development. Any trees, hedges, shrubs or turf identified within the approved landscaping details (both proposed planting and existing) which die, are removed, seriously damaged or seriously diseased, within a period of 5 years of being planted or in the case of existing planting within a period of 5 years from the commencement of development, shall be replaced in the next planting season with others of similar size and species.
- 28) The developer shall keep a written record of any archaeological heritage assets encountered during the excavation and construction phases of development in a manner proportionate to their importance and impact and keep a public record of this information.

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Mr R Taylor	Queen's Counsel
He called:	
Prof R Tregay BSc(Hons) DipLD FLI FRGS	Director, Robert Tregay Limited
Mr C F Bentley BSc(Hons) CEnv CSci MCIEH MIEEnvSc MIOA	Associate Acoustic Consultant, Sharps Redmore
Mr G Eves BSc CEng MICE MCIHT	Director, PFA Consulting
Dr J Edis BA(Hons) MA PhD MCIfA IHBC	Managing Director, Heritage Collective UK Limited
Mr G Robinson BSc(Hons) MA MRTPI	Associate Director, DLP Planning Limited

FOR THE APPELLANT:

Mr N Cameron	Queen's Counsel
He called:	
Mr R Lyons MSc MCILT	Director, Transport Planning Associates
Mr A Corkill BSc(Hons) MSc MIOA	Managing Director, Spectrum Acoustic Consultants
Mr A McQuire BA(Hons) DipLA CMLI	Associate Director, Aspect Landscape Planning
Mr M Timlin BSc(Hons) MA IHBC MRTPI	Director, Turley Heritage
Mr J Richards BA(Hons) MTP MRTPI	Director, Head of Planning South West, Turley

INTERESTED PERSONS:

Mr R Fisk	Local Resident
Mr G Bates	Local Resident

DOCUMENTS HANDED IN AT THE INQUIRY AND RECEIVED SUBSEQUENTLY

- 1 Opening submissions on behalf of the Appellant
- 2 Opening submissions on behalf of the Council
- 3 Extract from *Care Link and the Trustees of the Formby Settlement v SoS for the Environment and another*
- 4 Extract from *Kent County Council v SoS for the Environment and Another*
- 5 Addendum to the Statement of Common Ground on noise matters
- 6 Copy email to Prof Tregay from Mr R Mills of Place Services
- 7 Expression of interest in the land from Barratt Homes, dated 13 December 2018

- 8 Expression of interest in the land from Ipswich Borough Council, dated 26 October 2018
- 9 Letter from Jacksons Fencing relating to the erection of acoustic fences
- 10 Email from the Local Highway Authority expressing a preference for the option of a more comprehensive highway scheme
- 11 Bundle of correspondence between Prof Tregay, Place Services and the Council
- 12 Draft list of suggested planning conditions
- 13 Note from PFA Consulting in relation to the proposals for the Bury Road junction
- 14 Suggested condition relating to the provision of bus stops
- 15 Response from Natural England to the Appellant in relation to the Shadow Habitats Regulations Assessment Report
- 16 Statement from Mr Bates
- 17 Draft S106 Agreement
- 18 *R (Laura C and Others) v LB Camden, SoS for the Environment Transport and the Regions, and Barratt Homes Ltd*
- 19 Closing Submissions on behalf of the Council
- 20 Closing submissions on behalf of the Appellant
- 21 Signed and dated S106 Agreement
- 22 Response from Natural England dated 12 February 2019
- 23 Comments received relating to the revised NPPF February 2019

PLANS

- A Drawing No 1005 – site plan of the southern parcel
- B Drawing No 3502 revA – development parameters of the southern parcel
- C Drawing No 3202 revA – illustrative concept masterplan of the southern parcel (not an application plan)