

From: Nathan Pittam
Sent: 05 October 2016 16:07
To: Planning Admin
Subject: 4010/16/OUT. EH - Land Contamination.

M3 : 184794

4010/16/OUT. EH - Land Contamination.

Kyloe, Priory Road, Palgrave, DISS, IP22 1AJ.

Application for Outline Planning Permission - Erection of 5 no. dwellings and garages and construction of new vehicular access.

Many thanks for your request for comments in relation to the above application for 5 dwellings in Palgrave. The applicant has submitted an envirocheck style report and land contamination questionnaire in support of the application which is not the accepted approach for anything other than 1-2 dwellings on previously undeveloped land. The Land Contamination Questionnaire states in itself that its use is only permitted for 1-2 dwellings. For a development of above 2 dwellings we require that the applicant submits a Phase I desk study and site walkover undertaken by a competent person in accordance with BS1017 and CLR11. As this application has failed to submit the required level of information I would be minded to recommend that the application be refused on the grounds of insufficient information. Obviously, should the applicant wish to submit the correct documentation in a reasonable timescale within the consultation period then we may be in a position to modify our recommendation.

Regards

Nathan

Nathan Pittam BSc. (Hons.) PhD
Senior Environmental Management Officer
Babergh and Mid Suffolk District Councils – Working Together
t: 01449 724715 or 01473 826637
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9-10 The Churchyard, Shire Hall
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Philip Isbell
Corporate Manager – Development Management
Planning Services
Mid Suffolk District Council
131 High Street
Needham Market
Ipswich IP6 8DL

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

Our Ref: 2016_4010
Date: 19 October 2016

For the Attention of Alex Scott

Dear Mr Isbell

**PLANNING APPLICATION 4010/16 – KYLOE, PRIORY ROAD, PALGRAVE:
ARCHAEOLOGY**

This application lies in an area of high archaeological interest recorded in the County Historic Environment Record. The development site is located on the edge of the historic settlement core of Palgrave and scatters of Saxon and medieval finds (PAL 047) have been recorded in its vicinity. As a result, there is a strong possibility that heritage assets of archaeological interest will be encountered at his location. Any groundworks causing significant ground disturbance have potential to damage any archaeological deposit that exists.

There are no grounds to consider refusal of permission in order to achieve preservation *in situ* of any important heritage assets. In accordance with paragraph 141 of the National Planning Policy Framework, any permission granted should be the subject of a planning condition to record and advance understanding of the significance of the heritage asset before it is damaged or destroyed.

The following two conditions, used together, 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 Condition 1 and the provision made for analysis, publication and dissemination of results and archive deposition.

REASON:

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

INFORMATIVE:

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

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

Please let me know if you require any clarification or further advice.

Yours sincerely

Rachael Abraham

Senior Archaeological Officer
Conservation Team

Your Ref: MS/4010/16
Our Ref: 570\CON\3353\16
Date: 24/10/2016
Highways Enquiries to: kyle.porter@suffolk.gov.uk



All planning enquiries should be sent to the Local Planning Authority.
Email: planningadmin@babberghmidsuffolk.gov.uk

The Planning Officer
Mid Suffolk District Council
Council Offices
131 High Street
Needham Market
Ipswich
Suffolk
IP6 8DL

For the Attention of: Alex Scott

Dear Alex

**TOWN AND COUNTRY PLANNING ACT 1990
CONSULTATION RETURN MS/4010/16**

PROPOSAL: Application for Outline Planning Permission - Erection of 5 no. dwellings and garages and construction of new vehicular access

LOCATION: Kyloe, Priory Road, Palgrave, Suffolk

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

There isn't any provision for pedestrians to access the site, National Planning Policy Framework para.32 states that safe and suitable access should be achieved by all. This could be executed via S278 agreement.

Additionally, no plans for parking vehicles or cycle storage have been detailed, please be advised that the aforementioned needs to meet Suffolk Guidance for Parking 2015's technical guidance.

Furthermore, the access needs to be in accordance with DM01 and have an entrance width of 4.5m to allow two vehicles to safely pass one another.

Yours sincerely,

Mr Kyle Porter
Development Management Technician
Strategic Development – Resource Management



31 January 2017

Alex Scott
Mid Suffolk District Council
Council Offices
131 High Street
Needham Market
Ipswich
IP6 8DL

By email only

Dear Alex

Application: 4010/16

Location: Kyloe, Priory Road, Palgrave, IP22 1AJ

Proposal: Application for Outline Planning Permission - Erection of 5 no. dwellings and garages and construction of new vehicular access

Thank you for consulting Place Services on the above application.

I have appraised the submitted ecological information and in my professional opinion, this is adequate for determination. The development is likely to result in impacts on important ecological features including Protected and Priority species however it can be made acceptable with mitigation secured to minimise the impacts will be minimised.

No objection to this development, subject to conditions to secure ecological mitigation and reasonable biodiversity enhancements.

The suggested conditions are based on BS42020:2013 and in terms of biodiversity net gain, the enhancements proposed will contribute to this aim.

Recommended conditions

I. PRIOR TO COMMENCEMENT: COMPLIANCE WITH ECOLOGICAL REPORTS RECOMMENDATIONS

"All ecological mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Practical Ecology Dec 2016), as submitted with the planning application and agreed with the local planning authority prior to determination".

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



II. PRIOR TO OCCUPATION: LIGHTING DESIGN SCHEME

"Prior to occupation, a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

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

Reason: To conserve and enhance bats and allow the LPA to discharge its duties under the UK Habitats Regulations and s17 Crime & Disorder Act.

Informative on breeding birds

"The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.

Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present."

Conclusion

I have made these recommendations in order to minimise the impact of the proposal on ecology and having due regard for the NPPF and Policy CS5, as well as the statutory obligations of the Local Planning Authority.

Please contact me with any queries.

Best wishes

Sue Hooton CEnv MCIEEM BSc (Hons)
Principal Ecological Consultant
Place Services at Essex County Council
sue.hooton@essex.gov.uk

Place Services provide ecological 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.

Your Ref: MS/4010/16
Our Ref: 570\CON\0169\17
Date: 02/02/2017
Highways Enquiries to: kyle.porter@suffolk.gov.uk



All planning enquiries should be sent to the Local Planning Authority.
Email: planningadmin@babberghmidsuffolk.gov.uk

The Planning Officer
Mid Suffolk District Council
Council Offices
131 High Street
Needham Market
Ipswich
Suffolk
IP6 8DL

For the Attention of: Alex Scott

Dear Alex

**TOWN AND COUNTRY PLANNING ACT 1990
CONSULTATION RETURN MS/4010/16**

PROPOSAL: Application for Outline Planning Permission - Erection of 5 no. dwellings and garages and construction of new vehicular access.
LOCATION: Kyloe, Priory Road, Palgrave, Suffolk

Notice is hereby given that the County Council as Highway Authority recommend the application be refused for the following reasons:

- Safe and suitable access cannot be achieved by all contrary to National Planning Policy Framework (para.32) and to Local Plan policy XXX.

The proposed visibility splay is not shown to be sufficient for safe vehicular access. It is not considered acceptable for the development to not be linked to the village with a footway for safety and sustainable development.

The access should be in accordance with Suffolk County Councils standard construction drawing DM01 with an entrance width of 4.5m for a minimum 10m from the edge of carriageway to allow two vehicles to safely pass one another.

Drawing Number 918-01/a shows that DM01 cannot be implemented sufficiently due to inadequate visibility. Drawing Number 918-01/a shows x=2.4m by y=75m to the North, this is below the requirement for this location and contravenes standards in the Design Manual for Roads and Bridges because it is likely that vehicles will be accelerating as they approach the change in speed limit to National Speed Limit. Conversely, the speed of vehicles northbound may exceed 30mph.

Furthermore, the 'Y' distance is lower than that shown on the drawing to the north and it encroaches 3rd party land not in the applicant's ownership, therefore cannot be secured.

The available visibility splays must be commensurate with the 85th percentile wet weather speeds. A 7-day automatic speed survey is required to demonstrate that a relaxation in the y-distance should be acceptable. It is suggested that this should be measured 45m south of the access.

Yours sincerely,

Mr Christopher Fish
Senior Development Management Engineer
Strategic Development – Resource Management

From: Nathan Pittam
Sent: 06 March 2017 15:02
To: Planning Admin
Subject: 4010/16/OUT. EH - Land Contamination.

M3 : 190821
4010/16/OUT. EH - Land Contamination.
Kyloe, Priory Road, Palgrave, DISS, IP22 1AJ.
Application for Outline Planning Permission - Erection of 5 no. dwellings and garages and construction of new vehicular access.

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Regards

Nathan

Nathan Pittam BSc. (Hons.) PhD
Senior Environmental Management Officer
Babergh and Mid Suffolk District Councils – Working Together
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Philip Isbell
Corporate Manager – Development Management
Planning Services
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131 High Street
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Enquiries to: Rachael Abraham
Direct Line: 01284 741232
Email: Rachael.abraham@suffolk.gov.uk
Web: <http://www.suffolk.gov.uk>

Our Ref: 2016_4010
Date: 19 October 2016

For the Attention of Alex Scott

Dear Mr Isbell

**PLANNING APPLICATION 4010/16 – KYLOE, PRIORY ROAD, PALGRAVE:
ARCHAEOLOGY**

This application lies in an area of high archaeological interest recorded in the County Historic Environment Record. The development site is located on the edge of the historic settlement core of Palgrave and scatters of Saxon and medieval finds (PAL 047) have been recorded in its vicinity. As a result, there is a strong possibility that heritage assets of archaeological interest will be encountered at his location. Any groundworks causing significant ground disturbance have potential to damage any archaeological deposit that exists.

There are no grounds to consider refusal of permission in order to achieve preservation *in situ* of any important heritage assets. In accordance with paragraph 141 of the National Planning Policy Framework, any permission granted should be the subject of a planning condition to record and advance understanding of the significance of the heritage asset before it is damaged or destroyed.

The following two conditions, used together, would be appropriate:

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- 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.
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INFORMATIVE:

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

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

Please let me know if you require any clarification or further advice.

Yours sincerely

Rachael Abraham

Senior Archaeological Officer
Conservation Team



Consultation Response Pro forma

1	Application Number	4010/16 r/o Kyloe, Palgrave	
2	Date of Response	10.11.16	
3	Responding Officer	Name:	Paul Harrison
		Job Title:	Heritage and Design Officer
		Responding on behalf of...	Heritage
4	Summary and Recommendation (please delete those N/A) Note: This section must be completed before the response is sent. The recommendation should be based on the information submitted with the application.	1. The Heritage Team considers that the proposal would cause <ul style="list-style-type: none"> • less than substantial harm to a designated heritage asset because it would erode the rural character of the setting of the adjacent listed building. 2. Since any built development would have similar impact at this site, the Heritage Team can only recommend refusal.	
5	Discussion Please outline the reasons/rationale behind how you have formed the recommendation. Please refer to any guidance, policy or material considerations that have informed your recommendation.	<p>Kyloe stands to the south-west of Pell Howell, listed as Fairways, which is a late medieval house with the usual adaptations. By the late 1700s Pell Howell was flanked by buildings in a broadly linear pattern along Priory Road, and this is still the situation. Across the road the former grounds of The Priory have been built over.</p> <p>The setting of the listed building is a group of buildings in broadly linear pattern with open countryside to the rear. It is likely that Pell Howell was originally a farmhouse, and its relationship with surrounding countryside is therefore an important part. Instead of appearing as part of a typical historic group, the listed building would be experienced as being embedded in housing development on the majority of its sides. The arc of open countryside would be reduced to half its present scope. The setting of the listed building would be predominantly built-up and the sense of its rural origin would be seriously eroded. It is also of concern that if this application were successful, then further proposals to develop behind these buildings would be difficult to resist, resulting in the listed building's setting becoming entirely suburban.</p> <p>Under the provisions of the PLBCAA 1990 special regard must be given to the desirability of preserving harm to the setting of listed buildings. The courts have recently confirmed that this should be regarded as a strong presumption against harm. The NPPF expects great weight to be given to preserving designated assets from</p>	

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

		harm, and expects clear and convincing justification to be demonstrated, whether by public benefits which outweigh the harm or otherwise.
6	Amendments, Clarification or Additional Information Required (if holding objection) If concerns are raised, can they be overcome with changes? Please ensure any requests are proportionate	
7	Recommended conditions	

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Consultation Response Pro forma

1	Application Number	4010/16 as amended Kyløe, Palgrave	
2	Date of Response	22.3.17	
3	Responding Officer	Name:	Paul Harrison
		Job Title:	Heritage and Design Officer
		Responding on behalf of...	Heritage
4	Summary and Recommendation (please delete those N/A) Note: This section must be completed before the response is sent. The recommendation should be based on the information submitted with the application.	<ol style="list-style-type: none"> 1. The Heritage Team considers that the proposal would cause <ul style="list-style-type: none"> • less than substantial harm to a designated heritage asset because the amendment does not appear to address the heritage issues raised. 2. Since any built development would have similar impact at this site, the Heritage Team can only recommend refusal. 	
5	Discussion Please outline the reasons/rationale behind how you have formed the recommendation. Please refer to any guidance, policy or material considerations that have informed your recommendation.	<p>The proposal has been amended by submission of a revised site location plan. Since the site is unchanged, there is no reason to change our previous comment:</p> <p>Kyløe stands to the south-west of Pell Howell, listed as Fairways, which is a late medieval house with the usual adaptations. By the late 1700s Pell Howell was flanked by buildings in a broadly linear pattern along Priors Road, and this is still the situation. Across the road the former grounds of The Priory have been built over.</p> <p>The setting of the listed building is a group of buildings in broadly linear pattern with open countryside to the rear. It is likely that Pell Howell was originally a farmhouse, and its relationship with surrounding countryside is therefore an important part. Instead of appearing as part of a typical historic group, the listed building would be experienced as being embedded in housing development on the majority of its sides. The arc of open countryside would be reduced to half its present scope. The setting of the listed building would be predominantly built-up and the sense of its rural origin would be seriously eroded. It is also of concern that if this application were successful, then further proposals to develop behind these buildings would be difficult to resist, resulting in the listed building's setting becoming entirely suburban.</p> <p>Under the provisions of the PLBCAA 1990 special regard must be given to the desirability of preserving harm to the</p>	

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		setting of listed buildings. The courts have recently confirmed that this should be regarded as a strong presumption against harm. The NPPF expects great weight to be given to preserving designated assets from harm, and expects clear and convincing justification to be demonstrated, whether by public benefits which outweigh the harm or otherwise.
6	Amendments, Clarification or Additional Information Required (if holding objection) If concerns are raised, can they be overcome with changes? Please ensure any requests are proportionate	
7	Recommended conditions	

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

4010/16 - Kyoel, Lion Road - Application for Outline Planning Permission - Erection of five dwellings and garages and construction of new vehicular access.

Response from Palgrave Parish Council

The Parish Council considered this application at the October Meeting. It was unanimously agreed to RECOMMEND REFUSAL of the application and to submit the following comments.

Referring to the Planning Statement:

Flooding - mapping shows a large pond within the site, not shown on the site location plan. Most ponds in Palgrave are spring-fed and there are various wells. That brings into question the operation of any SUDS and, presumably, an on-site sewage treatment facility with outfall.

MSDC Core Strategy and Focused Review -

Para. 12 - see attached Sustainability Statement, especially re lack of school places.

Para. 13 - Palgrave was originally scheduled for 0 houses but the various developments since the 1998 have definitely been larger than 'small scale'.

Para. 15 - Location out on a limb down a single track road at the furthest point from the village and Diss, the nearest service centre, renders it the most unsuitable location in Palgrave.

National Planning Policy Framework - see attached Sustainability Statement ref. para 7 of NPPF.

Para. 17 - It will impose additional pressure on existing over-stressed services such as the school, health services in Diss and the local road network.

Para. 18 - The identified need is for smaller low-cost dwellings, see Parish Profile.

Para. 19 - stretching a point to it's limits. The entrance would be on a single track road subject to the national speed limit, having a blind bend at each end with no footways, and used as a 'rat-run' to the A143. The remainder of Priory Road leading into the village is not to a much better standard.

Main Planning Considerations -

Para. 25 - As described above the adjoining highway is single track with passing places, subject to the national speed limit of 60 miles/hr, has a blind bend at each end and raised verges with no footways.

Para. 26 - Should be evidenced; archaeological finds have been made all around the locality.

Other Material Planning Considerations -

Para. 28. - Not comparable. The site at Lion Road is inset within the projected line of the settlement boundary and is surrounded on 3 sides by it; this site extends substantially beyond it.

Paras. 29 & 30 - Services and infrastructure in Diss are already under strain from development with Diss itself and with more housing allocated. See attached Sustainability Statement for further details.

PALGRAVE PARISH COUNCIL - STATEMENT RE SUSTAINABILITY AND DEVELOPMENT IN PALGRAVE

A summary of the history, present position and future actions being taken to address the above.

1. Material Consideration - Lack of School Places

Key extracts from submission by Suffolk County Council dated 22nd February 2016 re:

Planning Application 4195/15 for 21 Dwellings on Lion Road, Palgrave

by Neil McManus BSc (Hons) MRICS, Development Contributions Manager, Strategic Development

'Palgrave CEVP is the catchment primary school. It is a popular school and, in order to minimise the need to travel and to encourage travel by healthy and sustainable modes, it is hoped that the children from this development (if permitted) would attend Palgrave School.

'School forecasts produced by the County Council indicate that the school will not have spare capacity to accept these pupils. Furthermore, the school is on a constrained site, unable to expand.

'Initial advice, prior to submission of this application was to suggest that it might not be advisable to grant planning permission on grounds of a lack of school places. Given that the County Council recognises the need for new homes, different options have been explored for mitigating the impact of this development on the Primary School. With the agreement of the school, a project has been identified which will enable the school to manage the additional demand created by this development.'

These proposals included an s106 contribution of £85,267 for 7 places to:

- Refurbish an area of the nearby Community Centre so that school could extend the use of this with Y6 pupils, teaching them off-site to create more space in the school. [It was confirmed that it is not possible to extend the school, which is sited within a registered Village Green with public highways on 2 sides and the Church to the south];
- Contribute towards a Multi-Use Games Area (MUGA) to provide enhanced outdoor facilities;
- Help fund provision of a minibus to make sharing facilities with other schools in the Tilian Partnership easier.

The County Council was of the view that an increase in planned admissions was possible if funding is secured for these projects - funding has not been secured, as explained below.

The timing of the determination of application 4195/15 was such that the implementation of the Community Infrastructure Levy (CIL) was imminent and so alternative methods were put forward for securing contributions. It is understood the Developer declined the proposed s106 contributions towards measures to increase school places and further sums to enhance play and accommodation facilities at the Community Centre and Playing Field by opting to pay CIL contributions instead.

Furthermore the Tilian Partnership and the schools within it were granted Academy status effective from the 2016-17 school year, taking them out of Local Education Authority (LEA) control. This alone would result in any s106 contributions to the LEA being refunded to the Developer and hence no longer available to the Academy to deliver any of the mitigation proposals listed above.

The school was already hiring a room at the Community Centre during the previous school year and is extending the hire period for 2016-17, since the school remains at capacity. This introduces issues regarding safeguarding and potential conflicts with other users of the Community Centre.

An option to site two Portakabins adjacent to the Community Centre was examined but discounted on grounds of disproportionate cost. In any event it could have led to challenges about changing the use of land held in a charitable trust for the residents of Palgrave for recreational purposes.

The availability of places for children of families moving into existing housing in Palgrave is uncertain and would be increasingly compromised by any further new housing developments.

It must be also be taken into consideration that the outline planning permission for 5 dwellings on the former Pat Lewis garage site (2659/15), although approved earlier than the development at Lion Road, being for less than 10 dwellings was excluded from LEA assessment and any potential pupils arising from it would be in addition to the above, adding yet more demand in excess of supply.

The submission by Suffolk County Council concluded (underlining added for emphasis):

'The Parish Council's concerns around the capacity and siting of the school are understood, but given funding constraints, it is not possible to commit to relocating the school. Longer term issues around the future growth of Palgrave, and how school places will be provided if further houses are to be allocated, need to be determined through the Mid Suffolk Local Plan and its assessment of a suitable level of growth for Palgrave. The County Council is already working with Mid Suffolk District Council on infrastructure considerations, to help the District arrive at 'preferred options' for growth.'

The Pat Lewis garage site is an ideal location for a school, being on the main road and adjoining the Community Centre and Playing Field. The Parish Council is greatly disappointed that elected members and officers did not respond to the pleas for it to be reserved for a replacement school.

Land Bids have recently been re-submitted in response to the District Council's call for sites of between 0.25 and 2 hectares. Since one of those includes land previously designated for a replacement school it is only right and proper that those sites be thoroughly assessed for potential Strategic Housing allocations before considering any speculative applications and so Development Control officers should clearly not be advising of their support for such speculative applications.

Palgrave Parish Council will shortly, with others, be making an application for designation as a Neighbourhood Area preparatory to producing a Neighbourhood Plan that will take account of all of these and other factors adversely impacting on the sustainability of local infrastructure.

On the basis of the above, each planning application for new housing, whether in outline or for full permission, should be fully and transparently quantified for the further impact on the capacity of the village school and assessed against the sustainability requirements in para. 7 of the NPPF.

2. Material Consideration - Sub-standard Highway Network

Connectivity to the principal highway network (A143, A140 and A1066) attracts substantial through traffic of all types - including HGVs - seeking fast routes to and through Diss avoiding the congested A1066 (see 4. below). Only the north side of the east-west through route (Upper Rose Lane/Lion Road, the former A143) has a continuous footway; all other through routes are sub-standard in width, alignment and capacity and constricted between property boundaries, banks or high verges and without safe routes for pedestrians - as they lack footways - or cyclists.

Crossing Road is narrow and has a single-lane pinch point between the level crossing and the A143, most of Priory Road is single track road with passing places, whilst the 'rat run' across The Green and Denmark Hill' carries the greatest traffic flows but at least is subject to a 7.5T HGV restriction.

The volumes and speed of traffic, especially during peak periods, make it very difficult for pedestrian traffic to cross roads safely, whilst the footpath link to Diss ('The Lows') - the only 'safe' route - is narrow and would benefit from improvements to segregate pedestrians and cyclists.

3. Material Consideration - Lack of Community Outdoor Play, Activity and Exercise Facilities

The Parish Council has applied for planning permission (3409/16) to expand and enhance the existing play equipment and to add a MUGA. It was anticipated that funding for this would come from the proposed s106 agreement and a substantial sum was included for these projects but, with the Developer opting to pay CIL contributions, now the substantial funds required (c£77,000) will need to be raised locally and through grants.

Unless and until funds are raised the provision of play, activity and exercise facilities in Palgrave will remain sub-standard.

4. Material Consideration - Employment

The only employment within Palgrave, save for those working from home, at the school, self-employed or in agriculture, is at the Forge Business Centre, which in itself is also a traffic generator.

There is no relation between residence and employment and theoretically the Business Centre could be located anywhere. The long-established car sales and servicing business closed in 2015. Those in employment or further education must travel to Diss or further afield, such as Norwich, Ipswich and Bury St Edmunds; some commute to London and even abroad.

5. Material Consideration - Lack of Services and Other Infrastructure in Diss

Palgrave, with Stuston and Thrandeston, are provisionally assigned to the 'Diss Cluster' for the purposes of the Babergh/Mid Suffolk Local Plan review. Since there are no services in Palgrave or the other two Parishes this implies that residents must rely on Diss (or in some cases other service centres) for healthcare, shopping, transport connections (bus, coach and rail) and so on.

Diss is designated for a minimum of 300 homes to 2026; a planning application for 136 homes has now been approved (January 2017). Further land is designated for development to the west off Stanley Road.

Further development has taken place to the west of Diss at Tottington and Roydon.

The approved 280 dwelling development at Eye (3563/15) will also generate additional road traffic through Stuston and Palgrave to Diss for shopping trips, access to rail transport and other services.

The A1066 runs east-west through built-up southern Diss, passing supermarkets (3) and having variously a railway station, fire station, bus station, police station and numerous business and residences sited alongside it or only accessible from it. The route is congested for a substantial period each working day and carries a lot of HGV traffic connected with agriculture and farming. Businesses suffer as staff have difficulty travelling to and from work efficiently, shoppers are frustrated by the close junctions and crossings, but there is no viable alternative route save for the 'rat-runs' through Palgrave. Air pollution may also be a problem around congestion hot-spots.

There are two GP practices - Parish Fields and The Lawns - co-located at a medium-sized centre with some local Community Health services; Parish Fields is the larger of the two GP practices. The centre is not equipped to a reasonable present-day standard in that it has no facilities for x-rays, local surgery and suchlike, all patients being referred normally to the Norfolk and Norwich University Hospital, 20 miles away, while the out-of-hours medical service is now located 10 miles away in Long Stratton. A planned extension to the Centre and its facilities has not yet been approved for construction; the roadblock has been securing funding for it from the NHS.

Recently those GP practices were reported to be at the point of closing their lists to new patients and a copy of the relevant press report was submitted to Development Control for reference.

Diss Town Council has responded to several Mid Suffolk planning consultations, due to the negative impact of likely increases in demand for services and the increase in traffic, adding to the congestion.

However Diss TC is still not yet consulted on planning applications that might impact the town, although it is understood that the Infrastructure Team is more active in cross-border consultation.

6. Neighbourhood Plan

For all of the above reasons and because of the geography and socio-economic dependence of the surrounding Parishes on Diss, discussions have been held with a view to developing a concerted and co-ordinated approach to dealing with them.

Applications will shortly be made to South Norfolk and Mid Suffolk planning authorities to designate a Neighbourhood Area comprising Diss and surrounding Parishes on both sides of the county boundary. Final confirmation is awaited of participation by Thrandeston and Stuston and possibly Brome. On the Norfolk side the Area would extend from Scole in the east to Roydon in the west.

On designation of the Area, work will commence to develop the Draft Neighbourhood Plan for consultation and both South Norfolk and Mid Suffolk District Councils will be actively participating.

With the Babergh/Mid Suffolk Local Plan still under development and with other housing development taking place within the locality - especially in Diss and Eye, coupled with the ongoing second stage assessment of strategic housing land including the smaller sites, surely it is exactly the wrong time to increase pressure on services, one of which - Palgrave school - is clearly unable to accommodate even the present demand?

PALGRAVE PARISH COUNCIL

Outline Application 4010/16: Application for Outline Planning Permission - Erection of 5 dwellings and garages and construction of new vehicular access. Kyloe, Priory Road, Palgrave, IP22 1AJ

SUPPLEMENTARY RESPONSE FOLLOWING FURTHER SUBMISSIONS REGARDING HIGHWAYS ACCESS AND OTHER RELATED MATTERS

1. Sustainability

An updated version of the Parish Council's Sustainability Statement is also submitted, to replace earlier versions since this application was first submitted in September 2016. In particular it updates data relating to the present capacity and future demand on the Primary School before construction of any of the 27 dwellings for which planning permission has been granted since January 2016.

For convenience the relevant paragraphs are repeated below:

'Land Bids have recently been re-submitted in response to the District Council's call for sites of between 0.25 and 2 hectares. Since one of those includes land previously designated for a replacement school it is only right and proper that those sites be thoroughly assessed for potential Strategic Housing allocations before considering any speculative applications and so Development Control officers should clearly not be advising of their support for such speculative applications.'

'The planning authority granted permissions for 27 new dwellings since January 2016. In February 2017 the school has 73 pupils on the roll, 3 on a waiting list and 10 siblings for admission for 2017-18 school year. On that basis, each planning application for new housing, whether in outline or for full permission, must be fully and transparently quantified for the further impact on the capacity of the village school and assessed against the sustainability requirements in para. 7 of the NPPF.'

The recently-published Housing White Paper [Fixing our broken housing market, Cm 9352] signals Government's intentions in this regard:

'This will put communities back in charge of getting the attractive homes they want and need – for young professionals, older people, growing families, people on low incomes, people with disabilities and more. It will reduce speculative development, and support our villages, towns and cities to develop in a way that preserves the unique character of their communities, and protects precious countryside.'

2. Heritage and Landscape

The concerns expressed by the planning authority's Heritage Officer and supported by Suffolk Preservation Society regarding the impact on the neighbouring historic farmstead Pell Howell cannot be dismissed or trivialised. The only proper method of confirming that the impact will be negligible, as the Applicant's Agent suggests in response by showing only a view from the opposite side to the proposed development, is by requiring a detailed planning application. Only by this means can the real visual impact on the setting of Pell Howell and surrounding open land be assessed.

3. Highways Matters

The Applicant's Agent has submitted a further plan for accommodating Highways requirements for visibility splays (sight lines) relating to a proposed new access to the site, to which Highways has responded by restating the requirements including the provision of a footway.

The plan view submitted takes no account of the topography of the adjoining land. A site survey was carried out on 13th February when the following critical measurements were obtained.

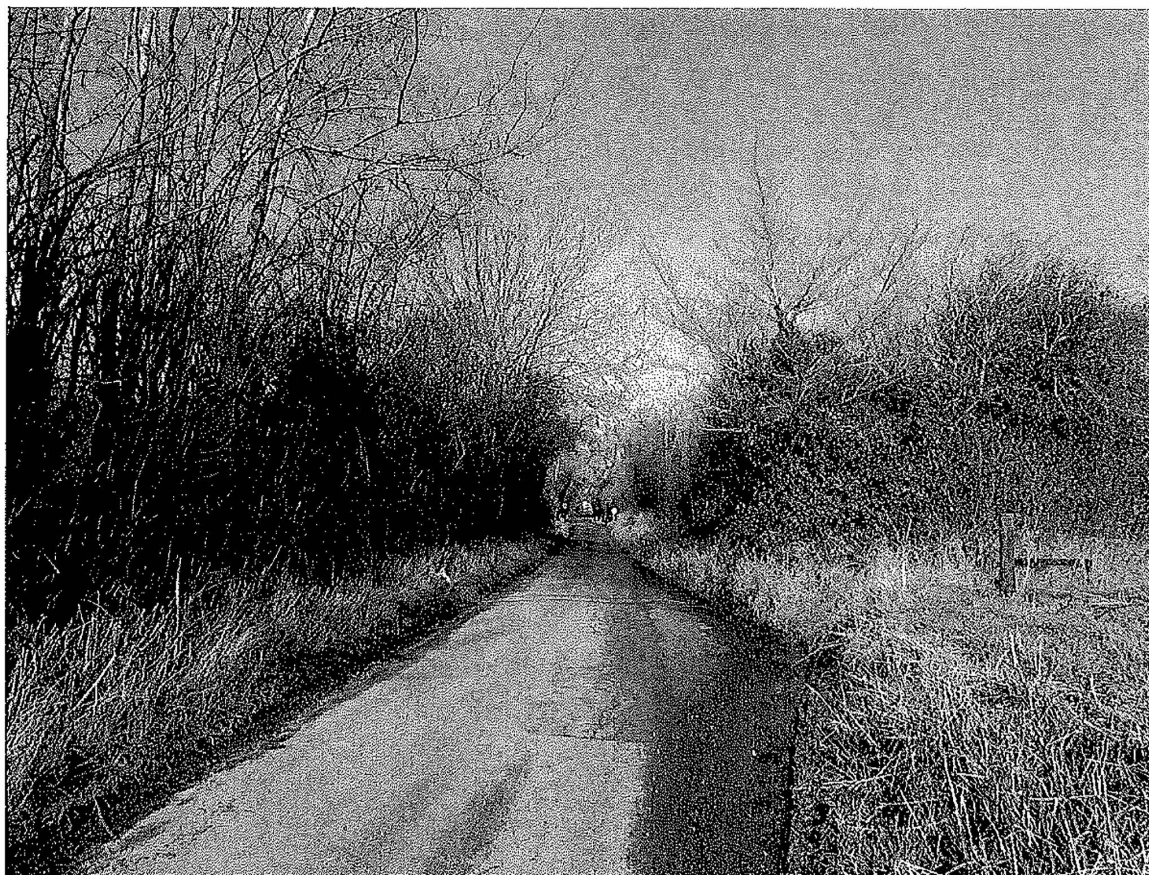
Distance from carriageway edge to centre of hedge (i.e. main trunks, not allowing for any spread of branches) was 2.15m at the northern end of the site by the '30' speed limit sign reducing to 1.45m at the southern end of the site. Therefore there is not at any point the required 2.4m clearance from the edge of carriageway.

Height from carriageway edge to top of bank on which the hedge is sited was 1.45m at the northern end of the site by the '30' speed limit sign reducing to 1.2m at the southern end of the site with the bank continuing at the road edge southwards. Therefore there is also not at any point the required height clearance of minimum of 1.05m required above the carriageway.

The carriageway width is also sub-standard, varying between 3.65m by the speed limit sign, 3.2m near the location of the proposed access and 4.1m at the southern end of the site, with some very short local widening where passing places have been forced by traffic. The only paved passing place on this length of Priory Road is immediately south of the site.

As to the footway and visibility splay, the concrete block wall that bounds the property 'Kyloe' is within 0.5m of the carriageway edge at the southern end, adjacent to the present field access, and there is no possibility whatsoever of further reducing the already substandard carriageway to provide for a footway. Furthermore there is a substantial hedge behind and overhanging it.

Below is a general view northwards along Priory Road with the site on the right. The new fence post in the adjoining field has a visible height of 1.2m whilst the height from carriageway to the underside of the '30' roundel in the distance is 1.45m. The sharp blind bend at the top is also visible.



As can also be seen the boundary hedge between the site and the adjoining farmland, in different ownership and subject to a life tenancy, reaches almost to the carriageway edge. If that hedge were not in the ownership of the applicant then it would be difficult to achieve the requisite visibility. Note that the netting fence is laid inside the field margin to protect the crop (herbs) from rabbits, etc.

The following photographs illustrate first the height of the bank adjacent to the '30' speed limit sign, the underside of the sign roundel being 1.45m above the carriageway, and second the proximity of the concrete block wall to the carriageway, confirming that it is not possible to construct a footway without the owner of 'Kyloe' giving the requisite land, If that were to be considered then it would be appropriate to examine the need for creating an adequate visibility splay inside of the blind bend.



The normal expectation would be that Highways would seek to reserve land under the appropriate powers for potential future widening and in any case to ensure by a condition that any area within 2.4m of the edge of the carriageway is kept clear of any obstructions, both horizontally and vertically. Achieving the latter is impossible without total removal of the existing hedge and bank and also by re-grading the land beyond, which is of course substantially higher than the carriageway.

The substandard width of the carriageway in the vicinity of the proposed point of access should require local widening to accommodate the turning circles of larger vehicles, up to 7.5T, which are used for domestic deliveries of certain goods.

Properly constructed and adequate passing places should in any event be required either side of the proposed access to provide for a vehicle leaving the site at about the same time as another vehicle emerges around either bend to north or south. This is especially important to the north as it would compromise road safety if a vehicle were to be forced to reverse towards the blind bend.

All of which of course would require the total removal of the existing field hedge, for which further specific permission would be required and the additional impact on the local ecology to be assessed.

Traffic Counts - it is noted that traffic counters have been placed at either end of the site. School half-term commenced with the end of the school day on Friday 10th February for the ensuing week and so the data obtained during that period will not be representative of traffic patterns during school time.

4. Third Party Rights

There is a suggestion that a legal right of access may have been granted the owner of Pell Howell to access a similar area of land to the rear by crossing the site. If this proves to be the case then the accommodation of such rights needs to be clearly shown in detail, another substantiation of the need for a detailed application.

5. SUMMARY

Planning permissions for 27 new dwellings in the village have already been granted since January 2016 and there are areas of land accessible from the main road already the subject of land bids.

The school is full and already future spaces are taken up. The Diss area, including Palgrave, is subject to ongoing growth that is proving unsustainable in respect of essential healthcare provision, schools and the capacity of the road network.

Speculative developments on the edge of villages will be discouraged. Palgrave needs more rental and low-cost housing close to village amenities, accessible by footways and serviced by all utilities.

The Lion Road/Priory Road crossroads, close to the school, is already over-used by rat-running traffic. Highways (Central Area) accept that pedestrian safety is compromised and is examining ways to address it. Consequently any additional traffic from side roads, especially HGVs, is to be discouraged.

The only way to assess impact on the landscape and especially on Pell Howell is by way of a detailed layout of the development including house designs and their juxtaposition. It is essential that proper provision can be shown to be made for vehicles, including larger delivery vehicles, with adequate space provided to turn around so that they can emerge in forward gear. Sufficient additional parking provision would be required as parking on the highway clearly could not be allowed.

Highways visibility requirements, regardless of the actual dimensions, cannot possibly be achieved without destruction of the entire length of hedging and removal of the banking. Further works and provision for future widening and in the interim more passing place would be required. There is no spare width to accommodate a pedestrian footway around the boundary of Kylee itself.

Granting outline permission and then finding that the development cannot satisfy all necessary conditions or mitigations is not the proper way to proceed.

For all of the above reasons Palgrave Parish Council strongly OBJECTS to the application.

Your Ref: MS/4010/16
Our Ref: 570\CON\1295\17
Date: 27/04/2017
Highways Enquiries to: kyle.porter@suffolk.gov.uk



All planning enquiries should be sent to the Local Planning Authority.
Email: planningadmin@babberghmidsuffolk.gov.uk

The Planning Officer
Mid Suffolk District Council
Council Offices
131 High Street
Ipswich
Suffolk
IP6 8DL

For the Attention of: Alex Scott

Dear Alex

TOWN AND COUNTRY PLANNING ACT 1990 - CONSULTATION RETURN MS/4010/16

PROPOSAL: Application for Outline Planning Permission - Erection of 5 no. dwellings and garages and construction of new vehicular access.

LOCATION: Kyloe, Priory Road, Palgrave, Suffolk

Suffolk County Council's previous response, recommending refusal, is now no longer valid due to the additional information provided by the applicant in the form of 85thile speeds in conjunction with visibility splay submissions. The proposed visibility splays on Drawing No. 918-C correlate with the 85thile speeds in each direction therefore, the intensification of use that the development would create can be facilitated without a detrimental impact on highway safety.

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

1 V 1

Condition: Before the access is first used visibility splays shall be provided as shown on Drawing No. Drg 918-C and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and

re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

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

2 AL 3

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

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

3 P 2

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

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

4 D 2

Condition: Before the development is commenced details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.

Reason: To prevent hazards caused by flowing water or ice on the highway.

5 B2

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

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

6 NOTE 02

It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority.

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

The County Council's Central Area Manager must be contacted on Telephone: 01473 341414. Further information go to: <https://www.suffolk.gov.uk/roads-and-transport/parking/apply-for-a-dropped-kerb/> A fee is payable to the Highway Authority for the assessment and inspection of both new vehicular crossing access works and improvements deemed necessary to existing vehicular crossings due to proposed development.

Yours sincerely,

Mr Kyle Porter
Development Management Technician
Strategic Development – Resource Management