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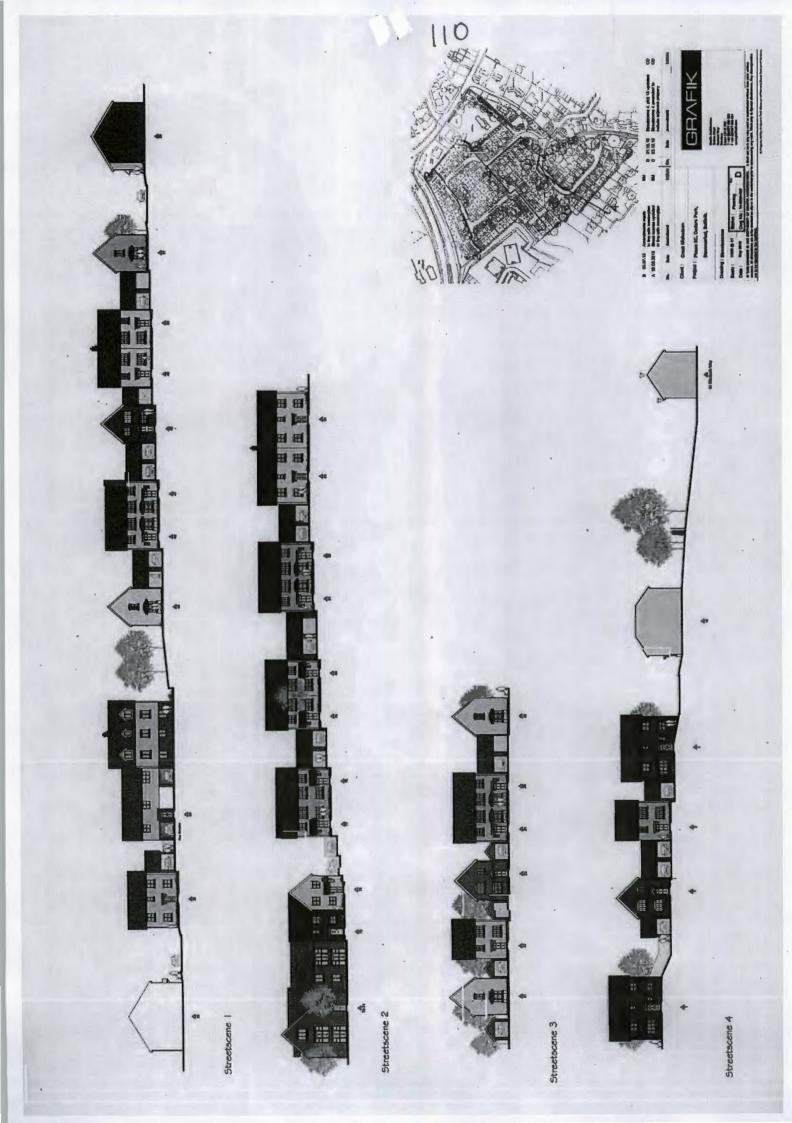
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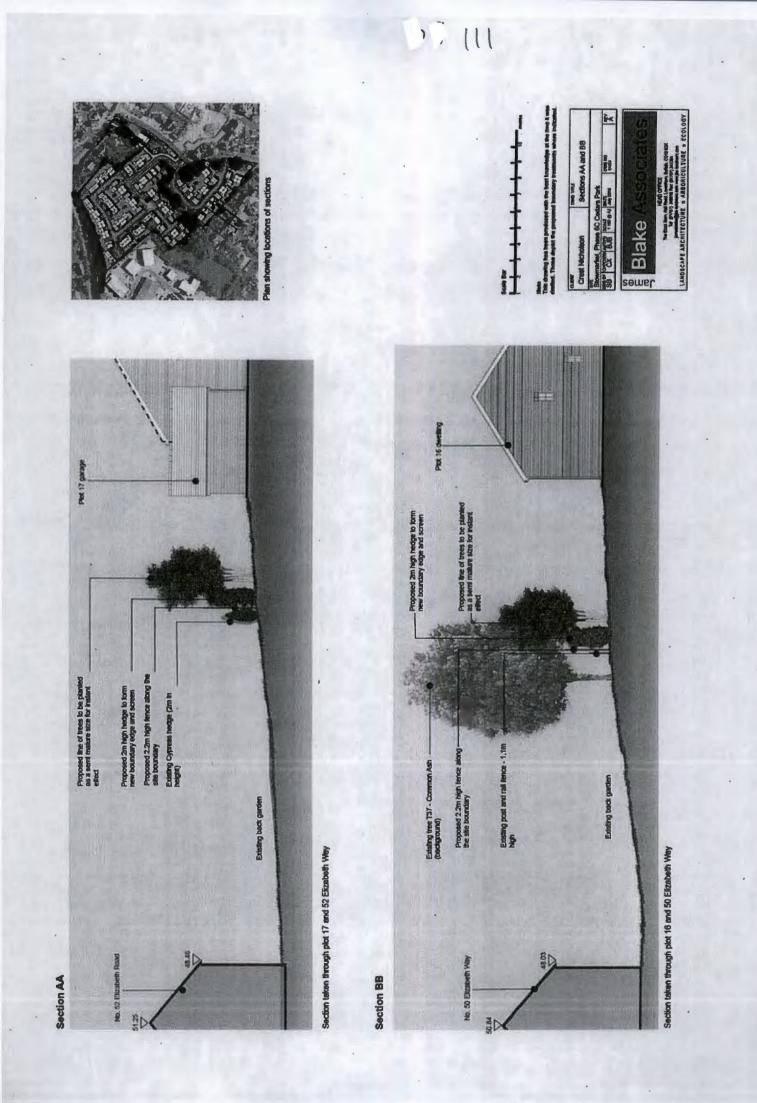


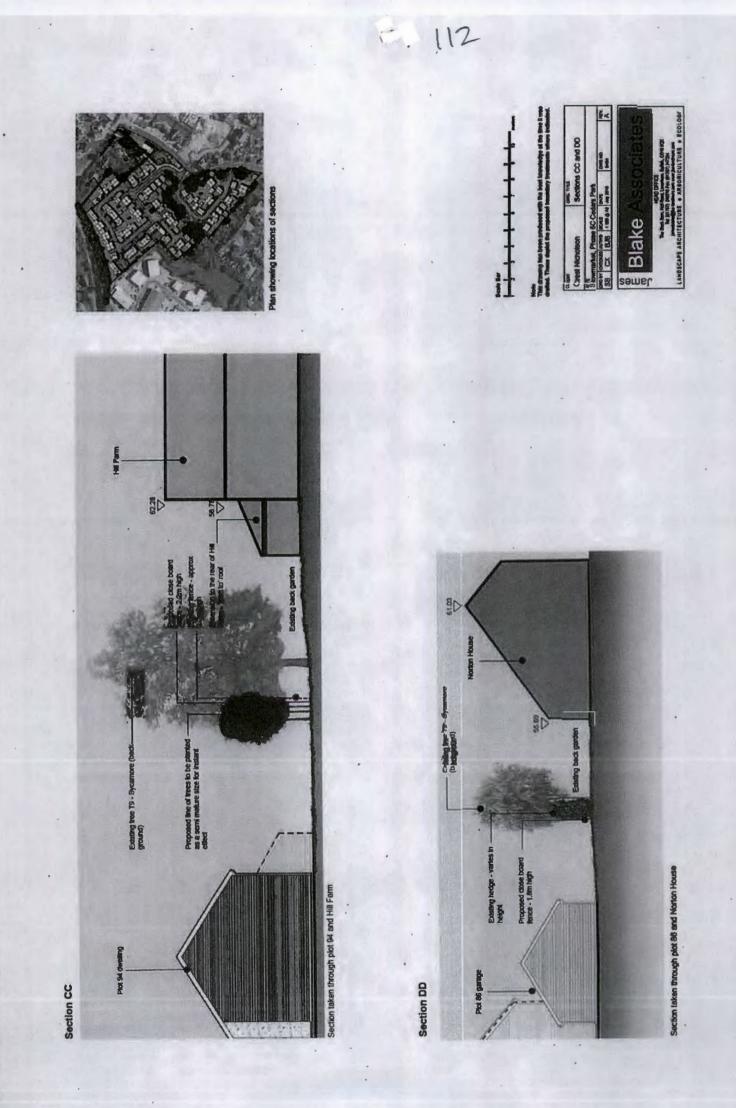


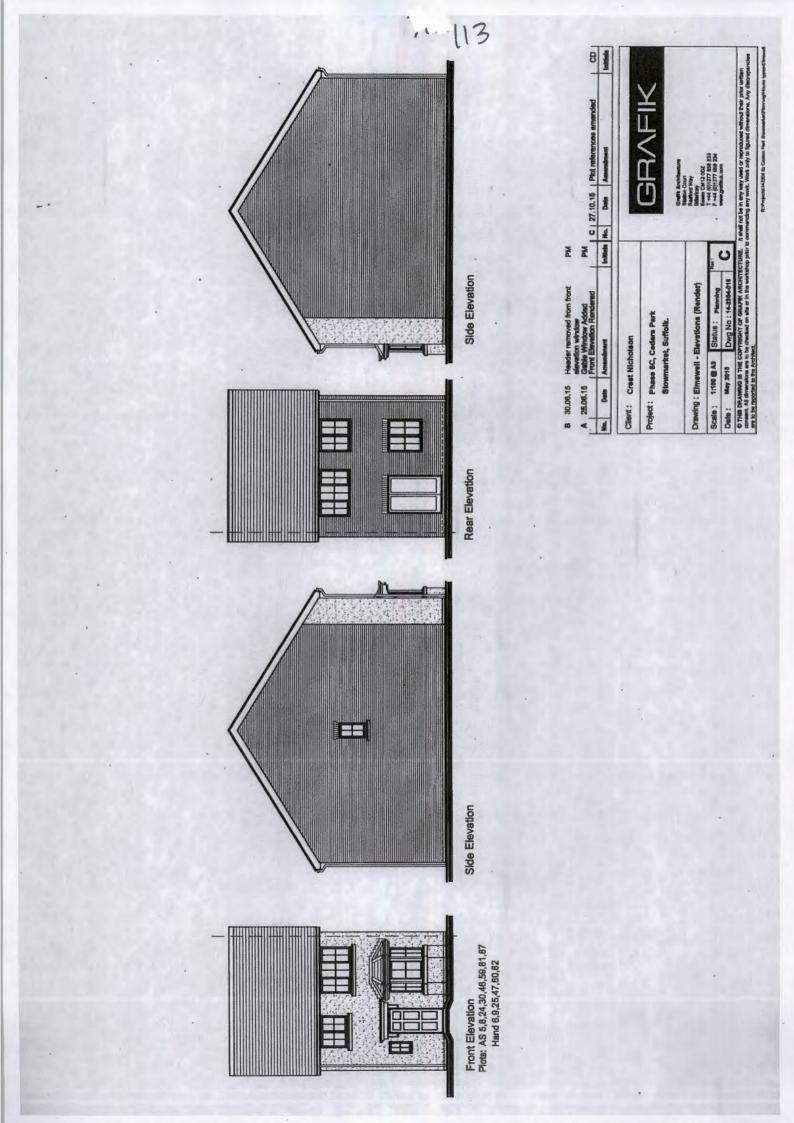


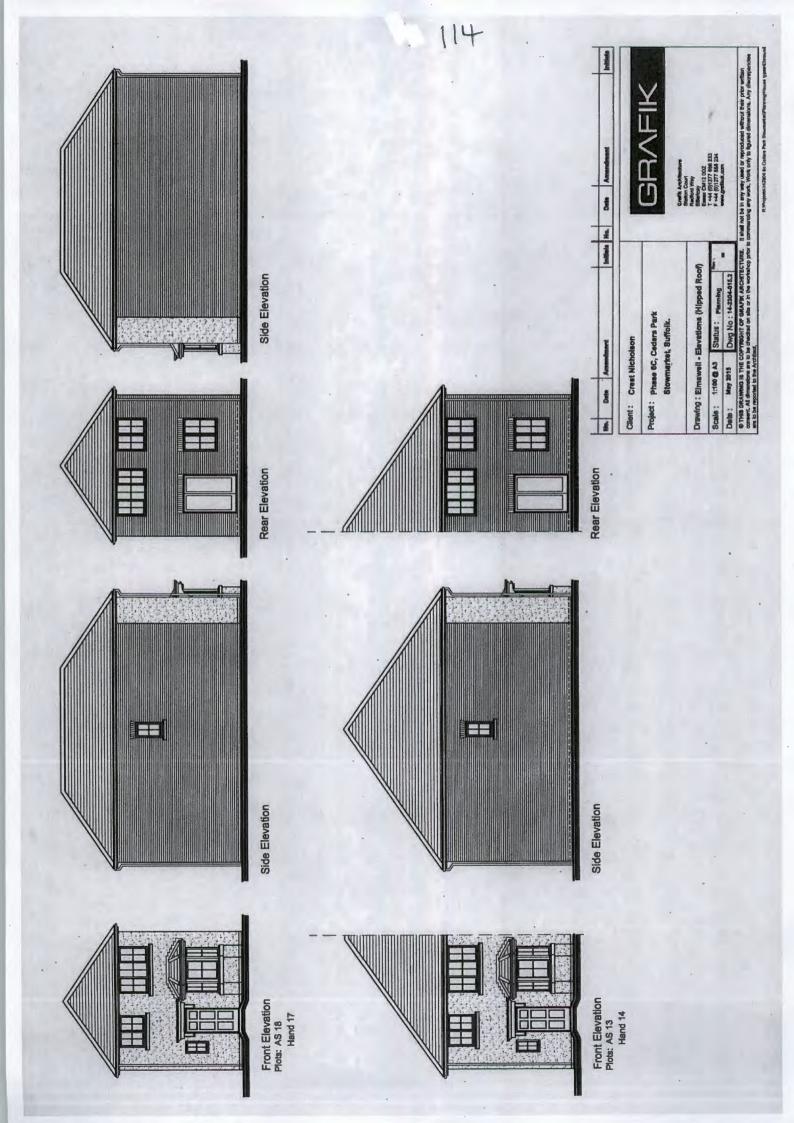


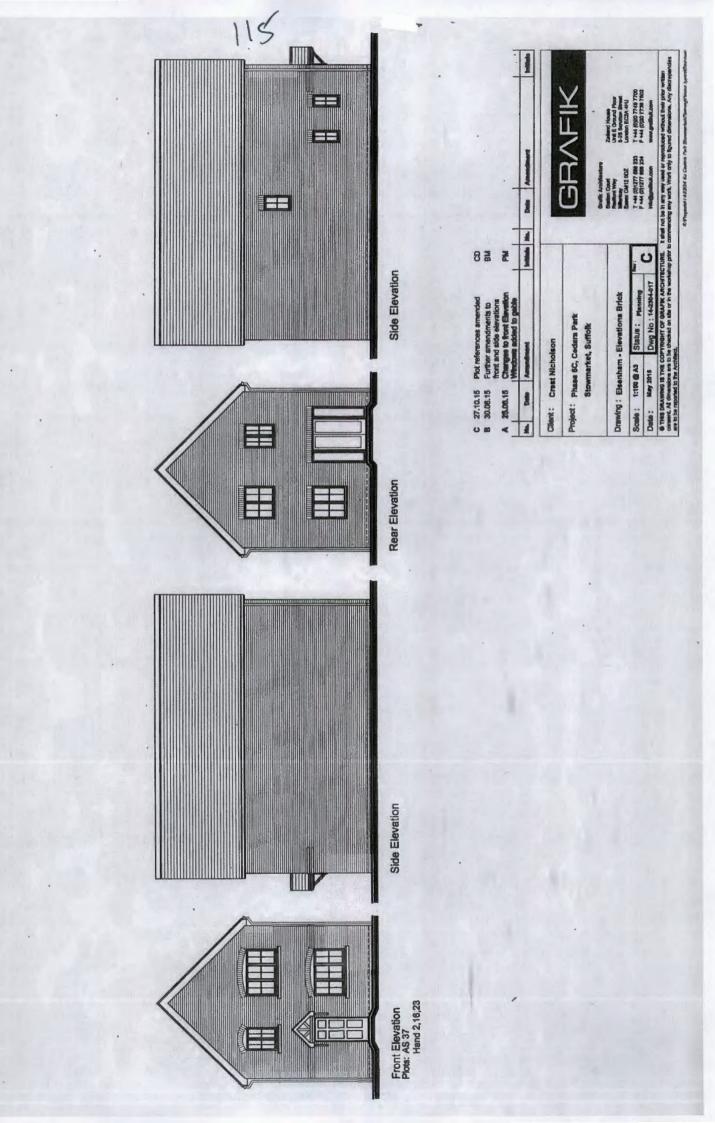


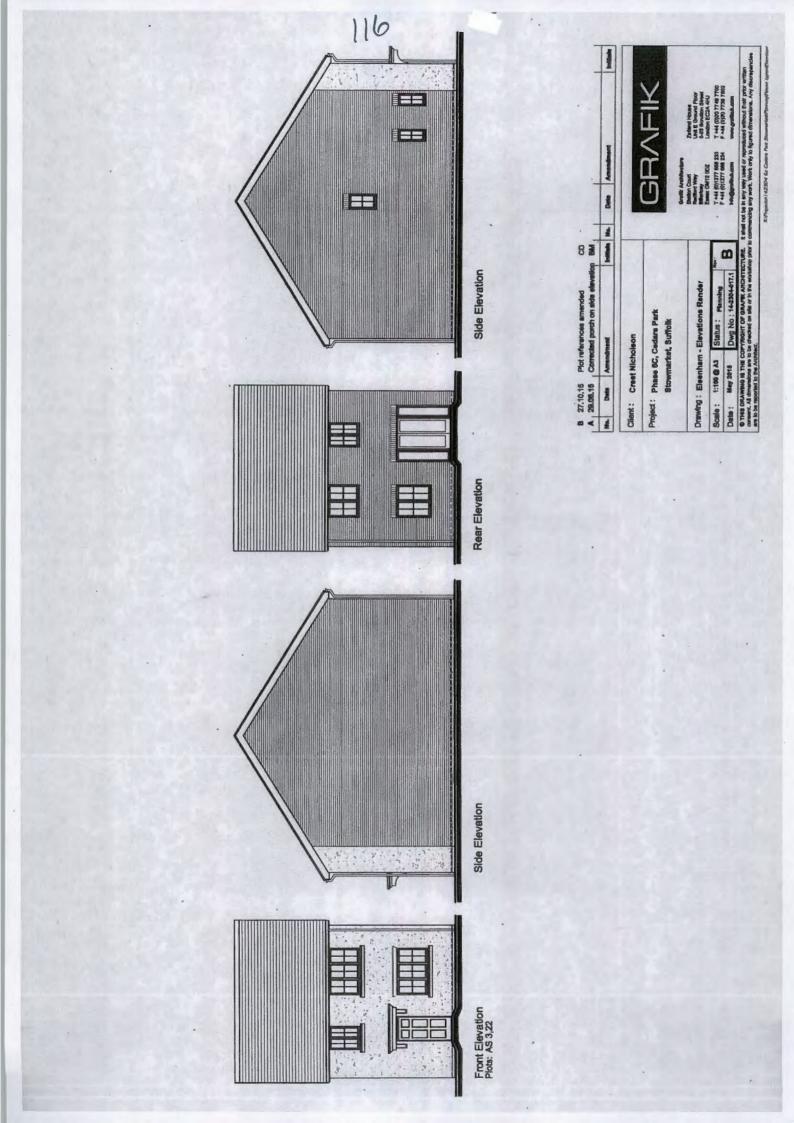


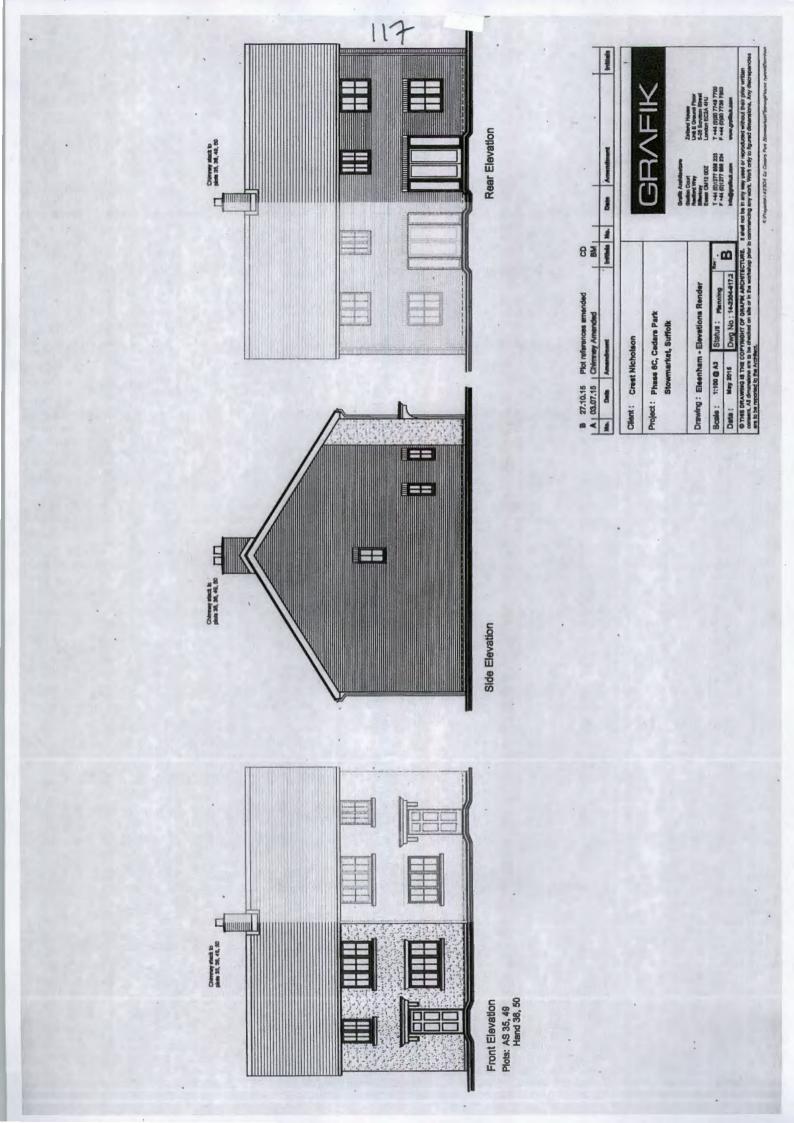




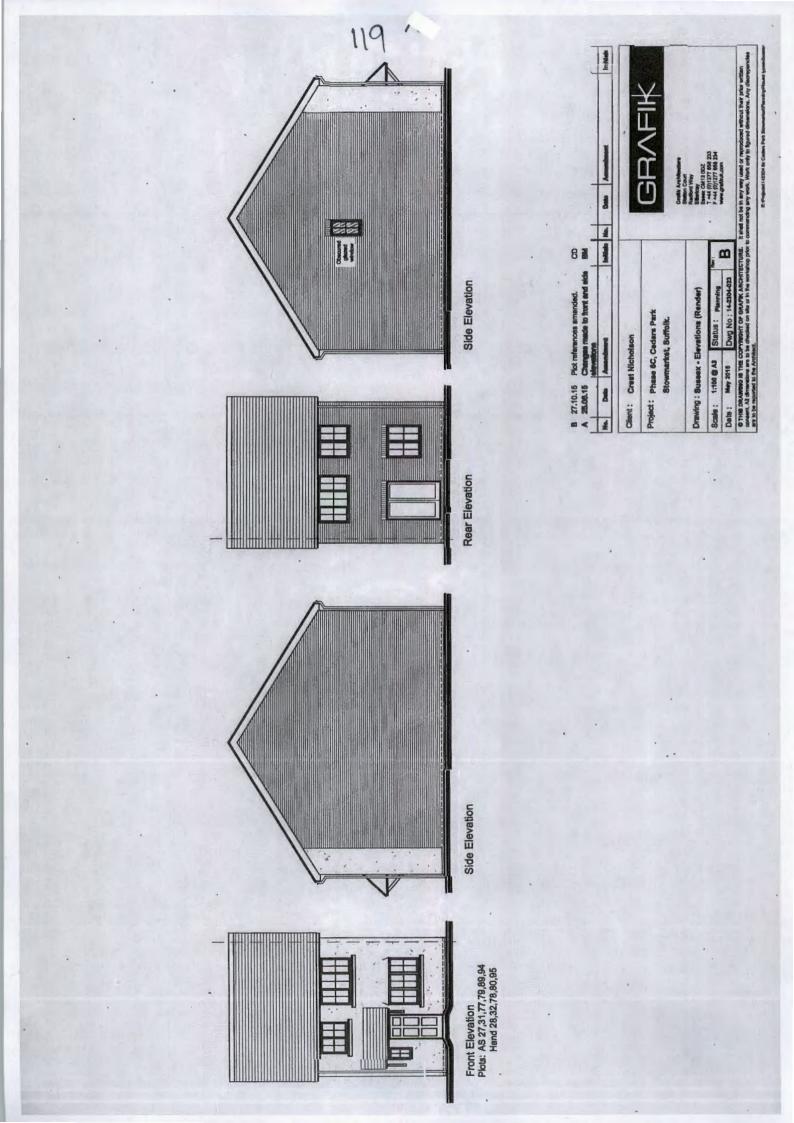


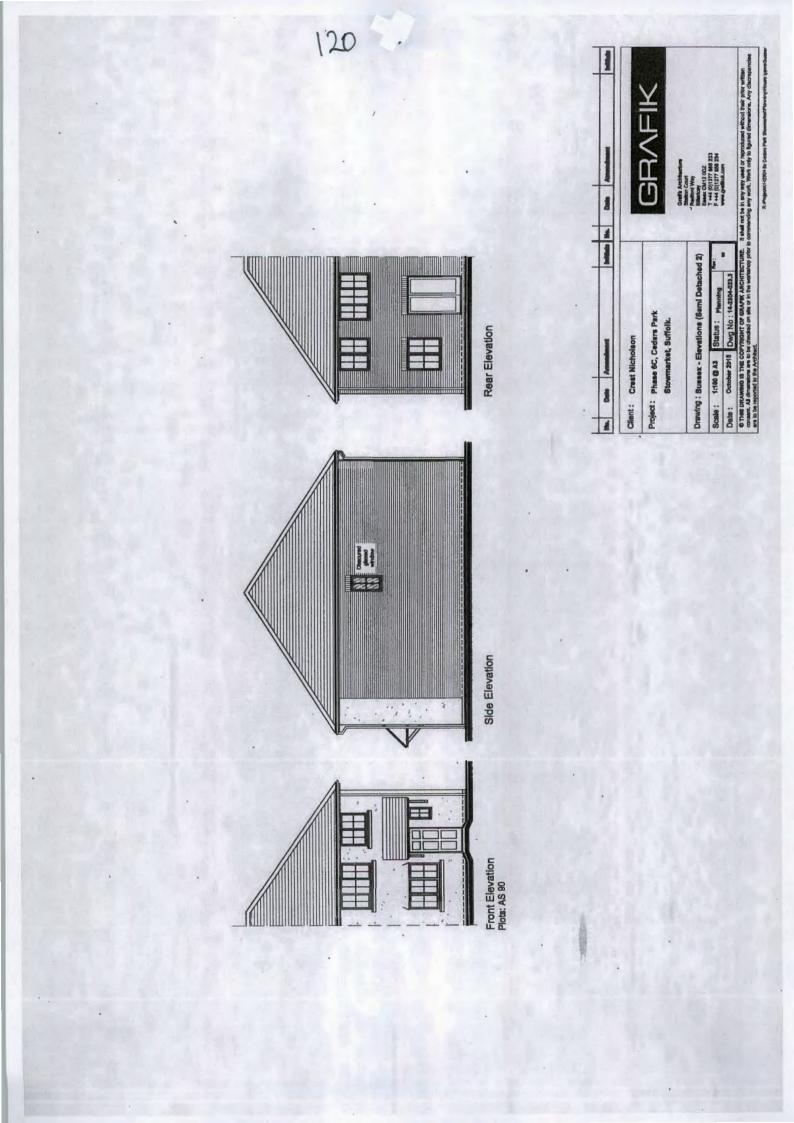


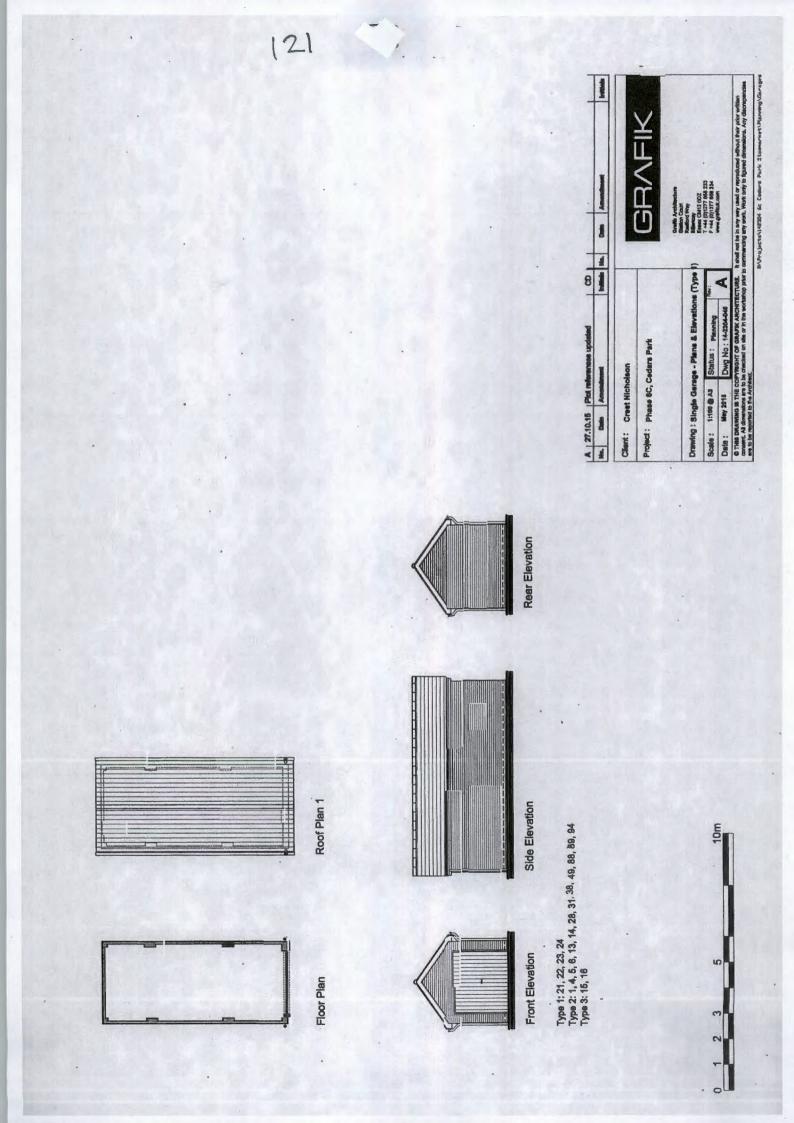


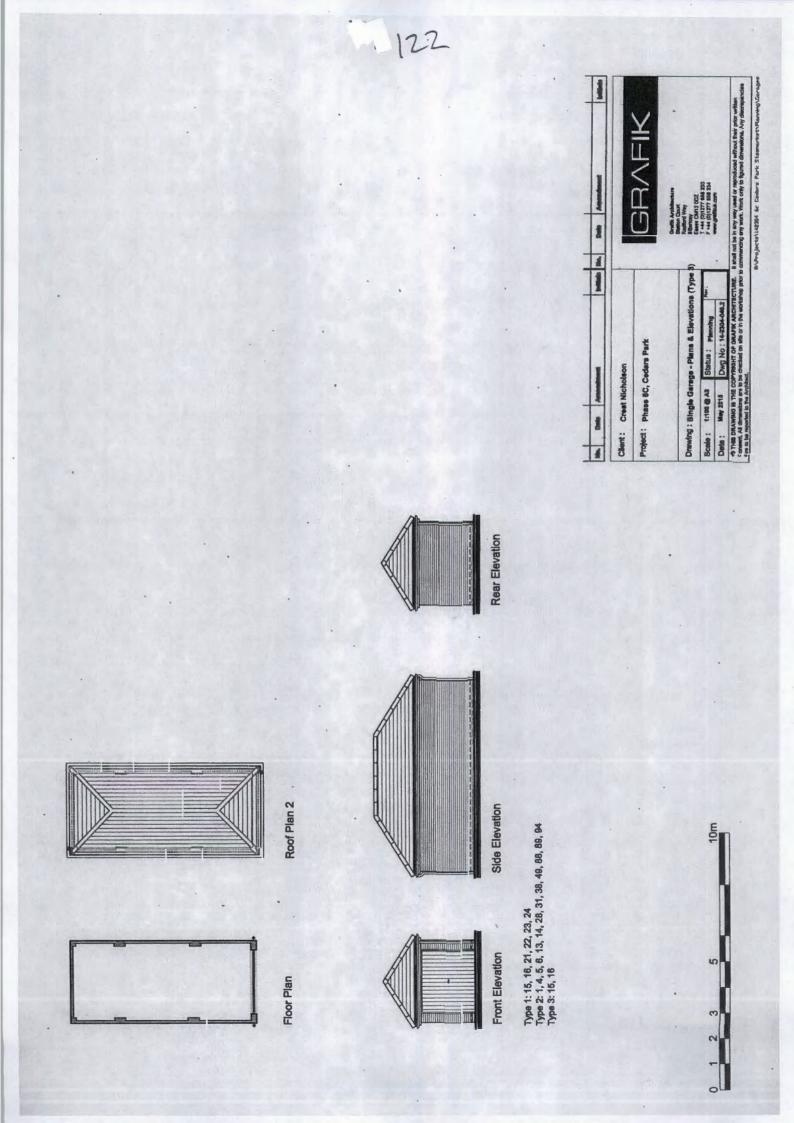


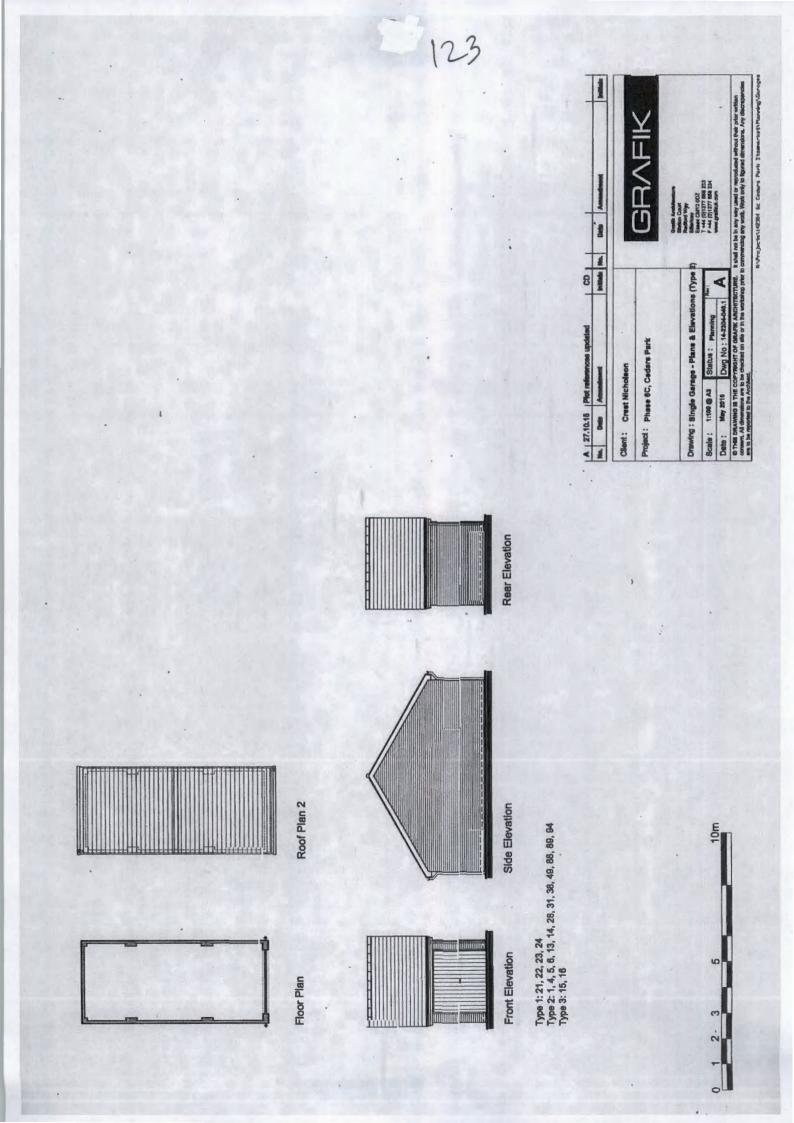


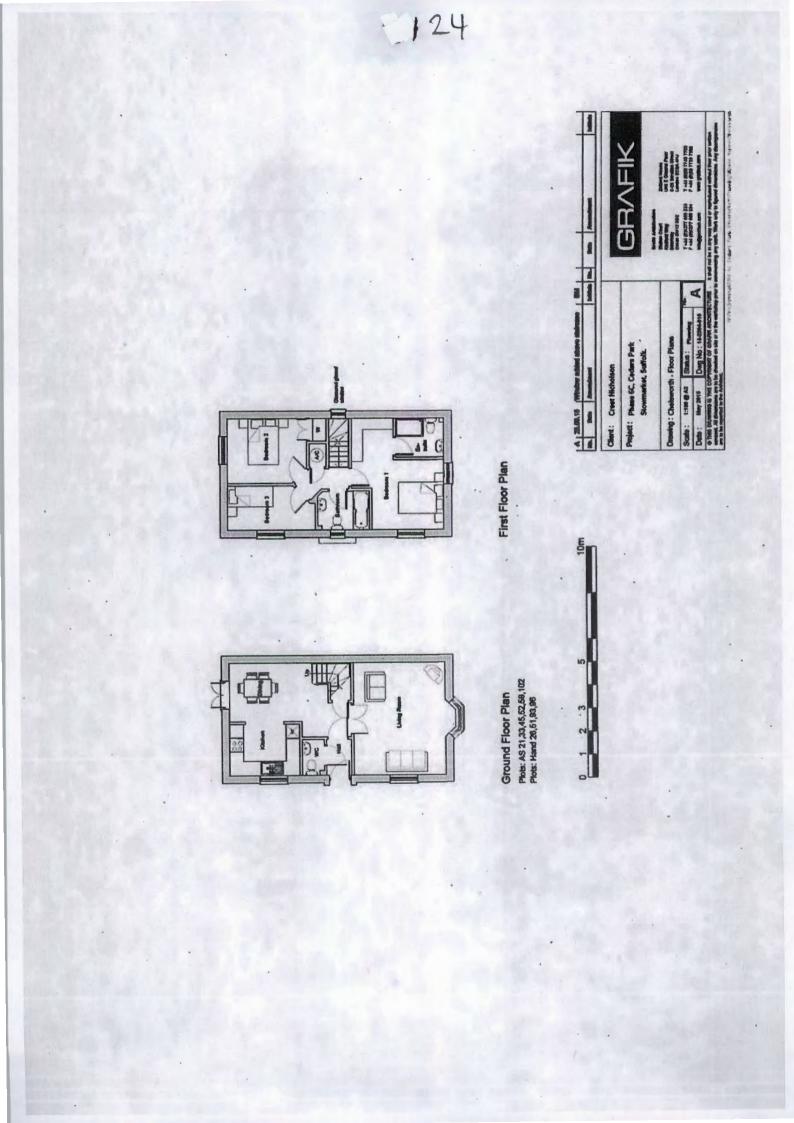




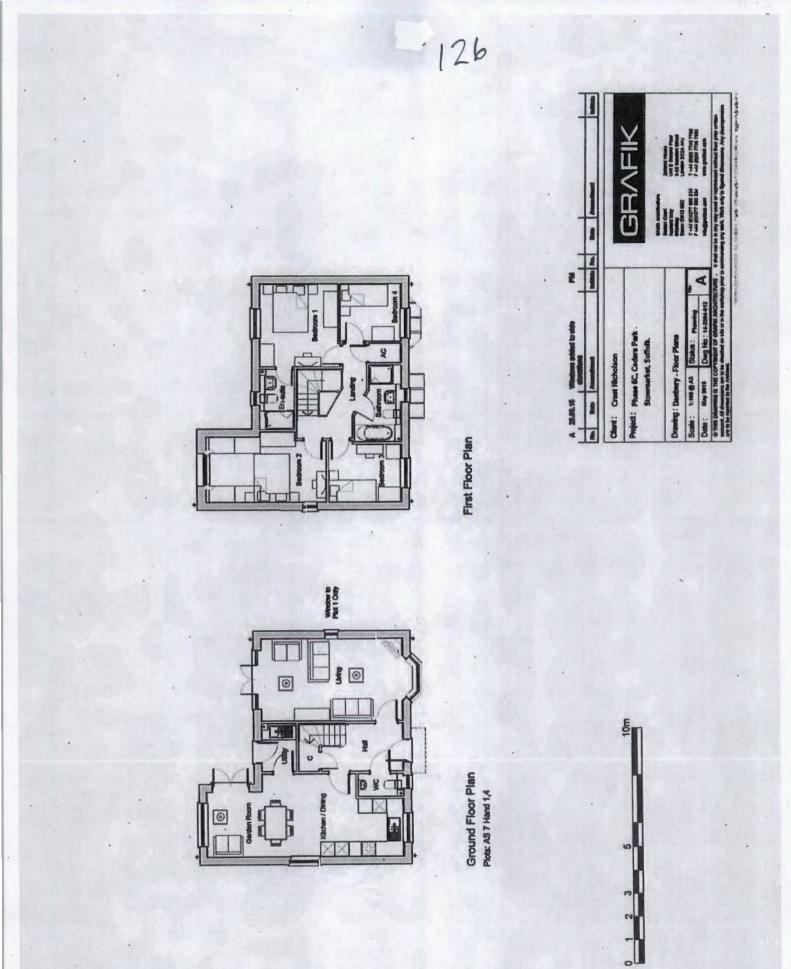


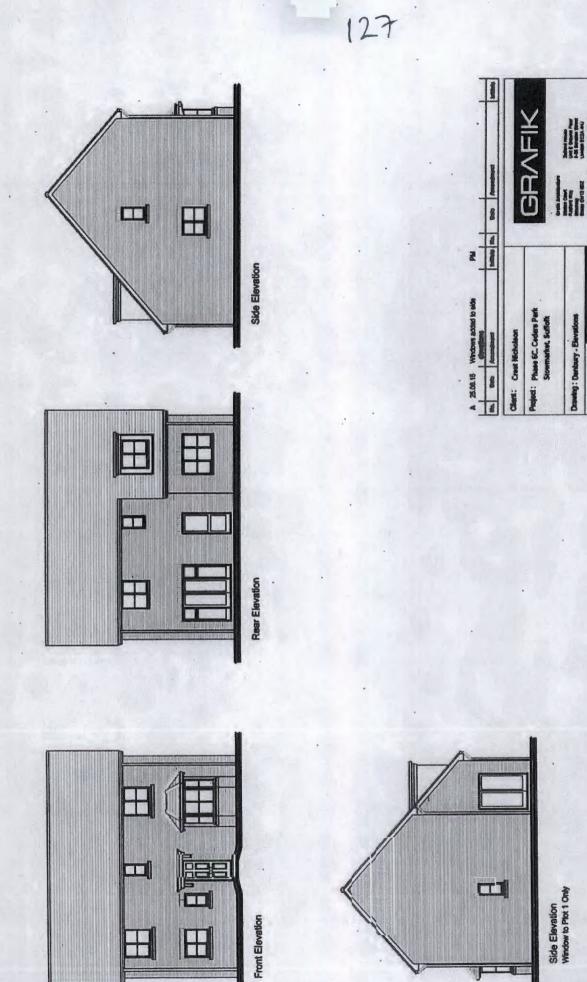


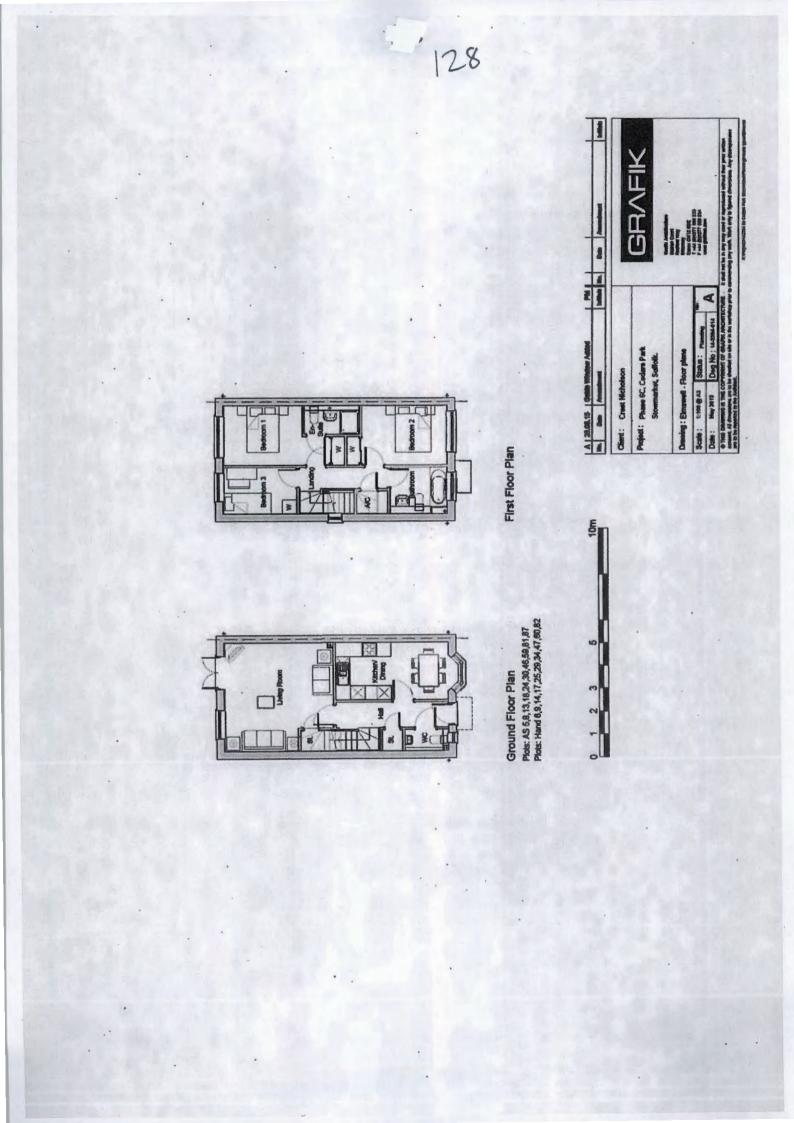


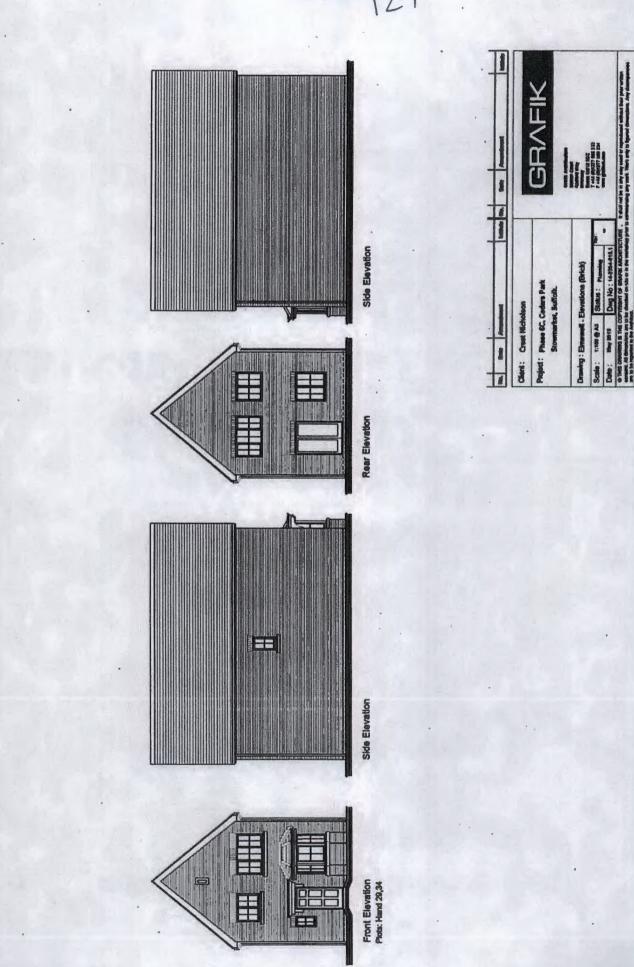


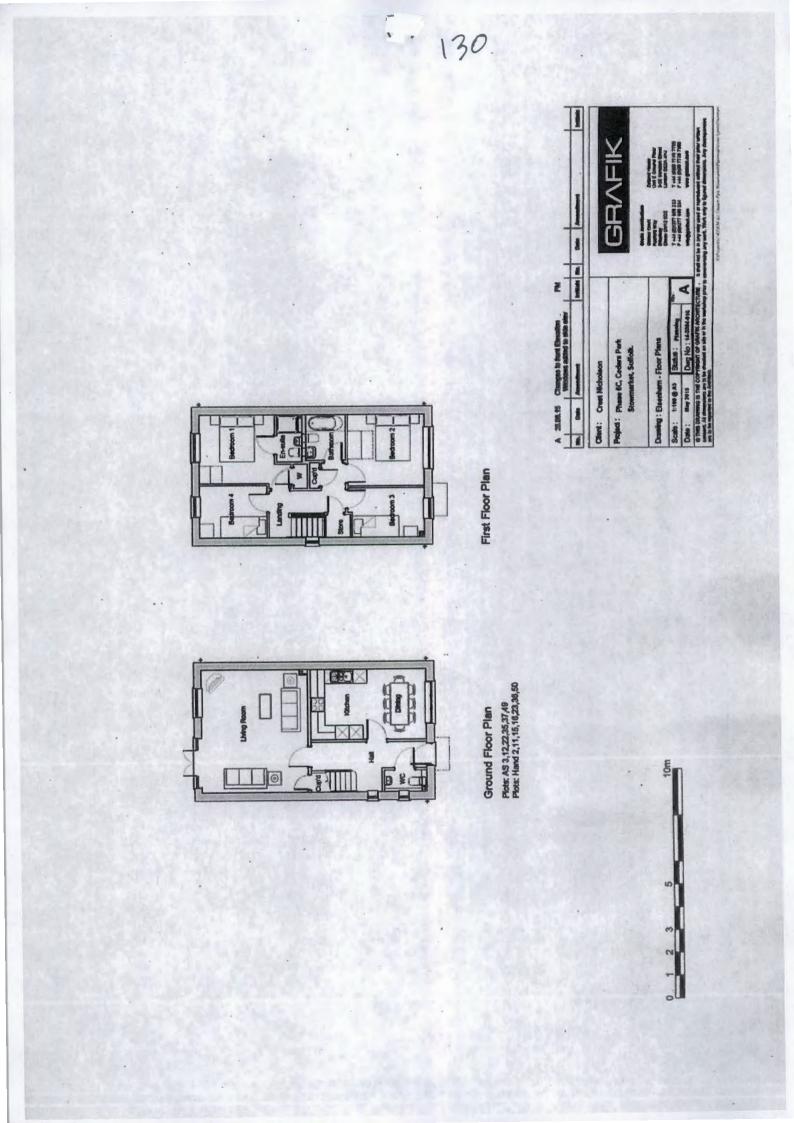


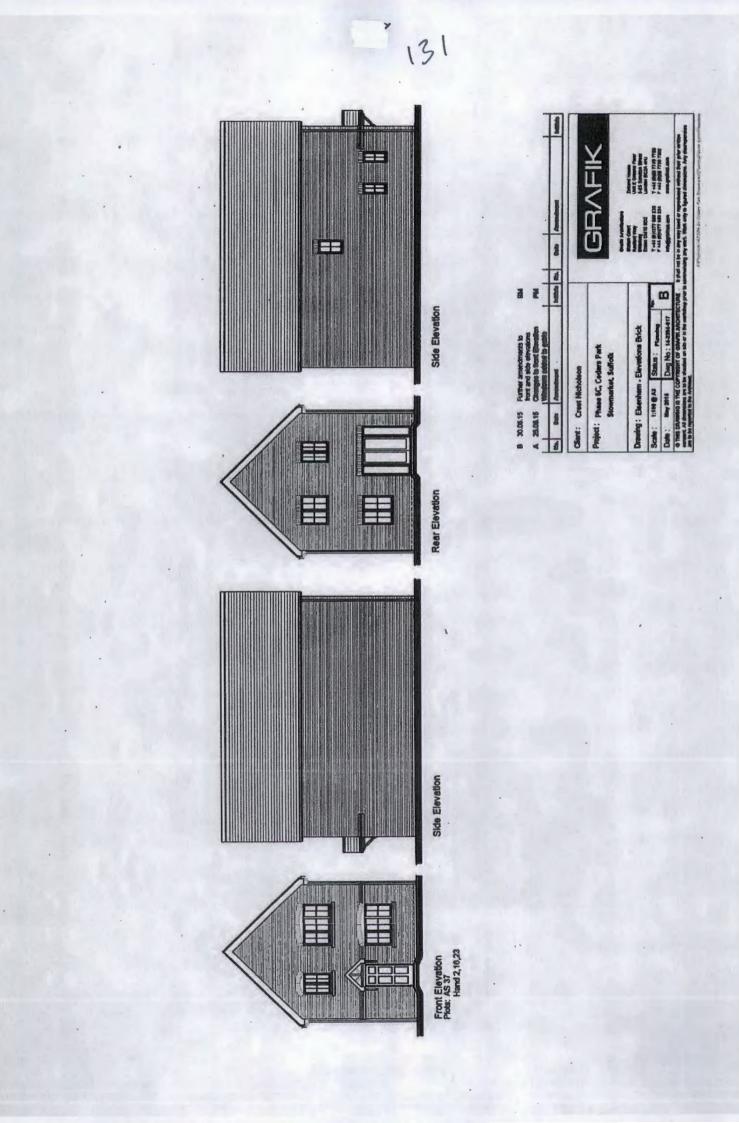


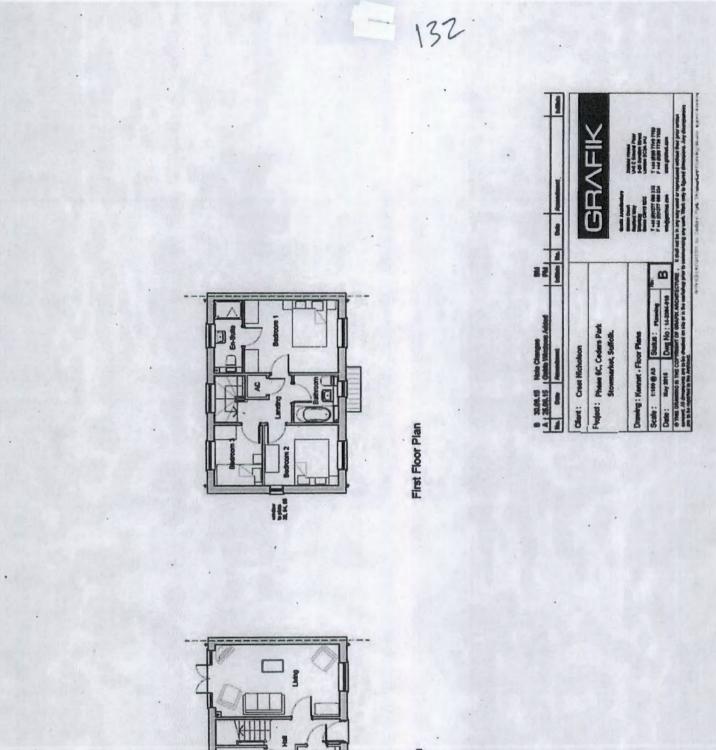










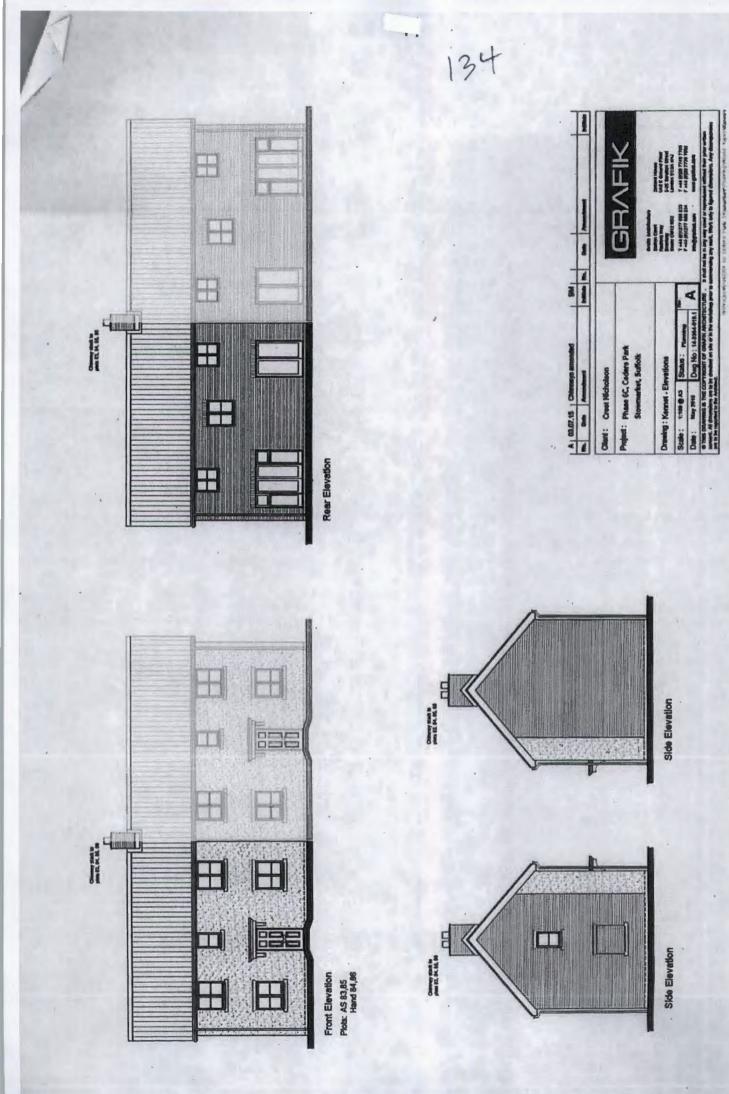


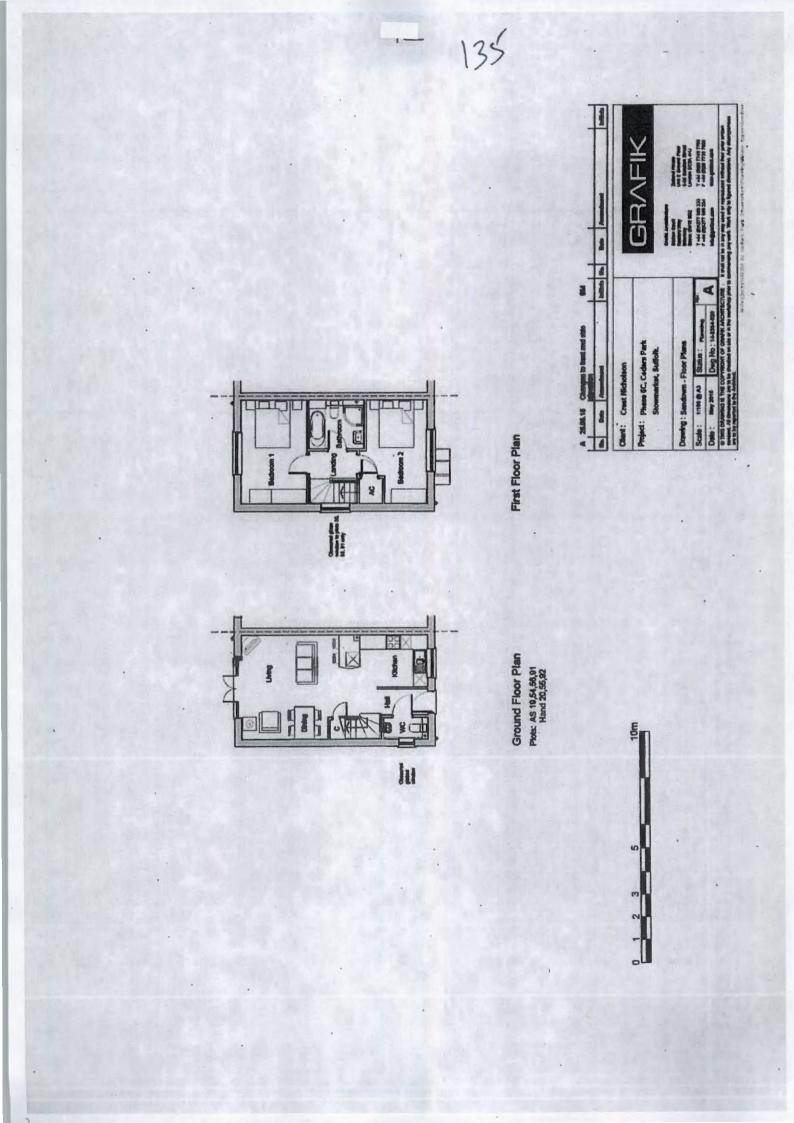


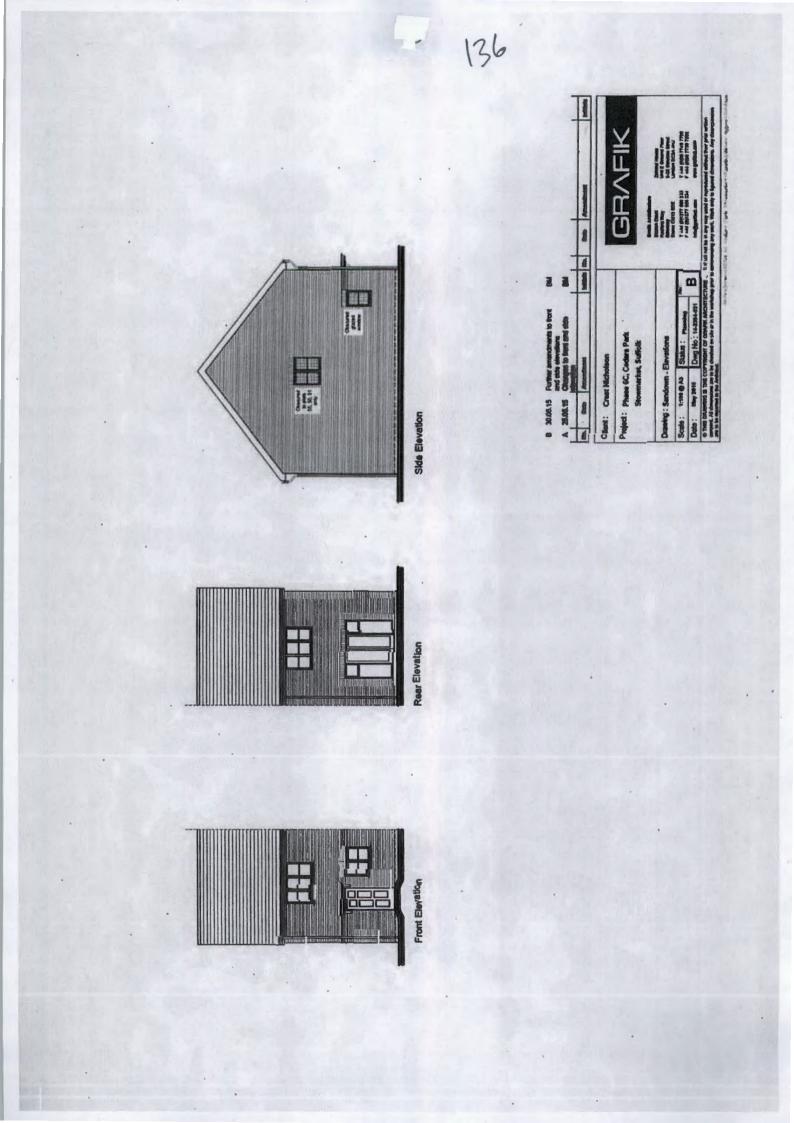
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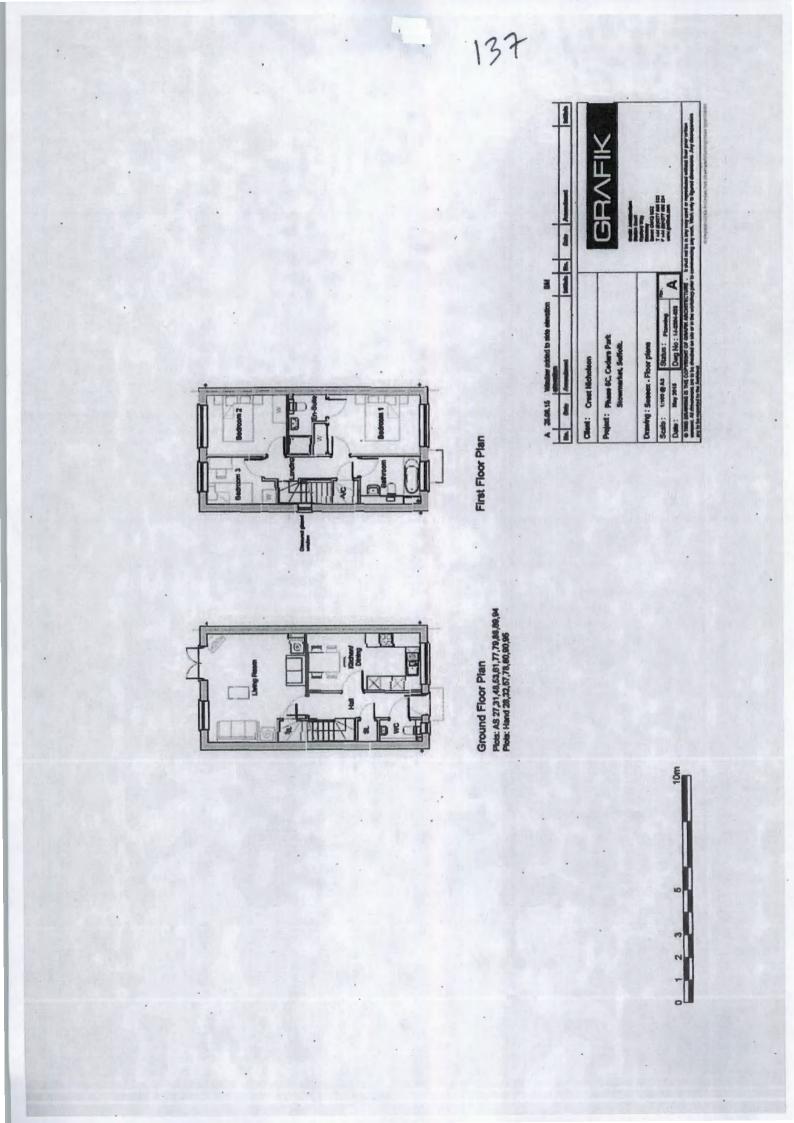
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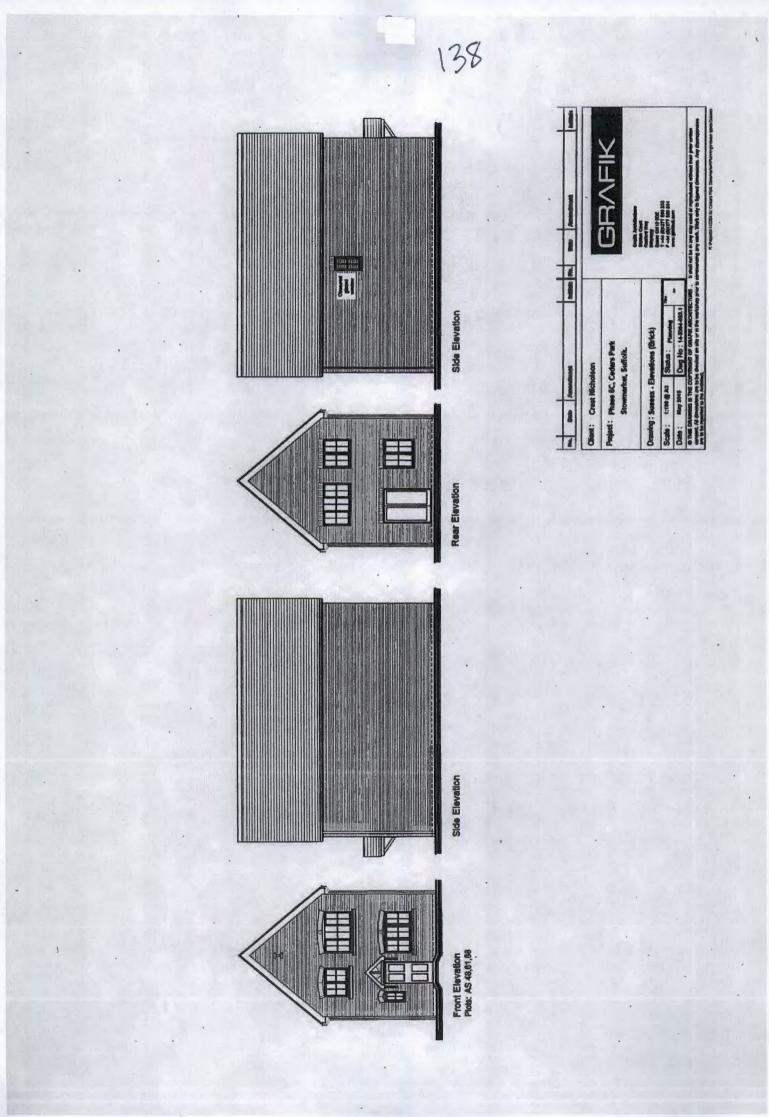


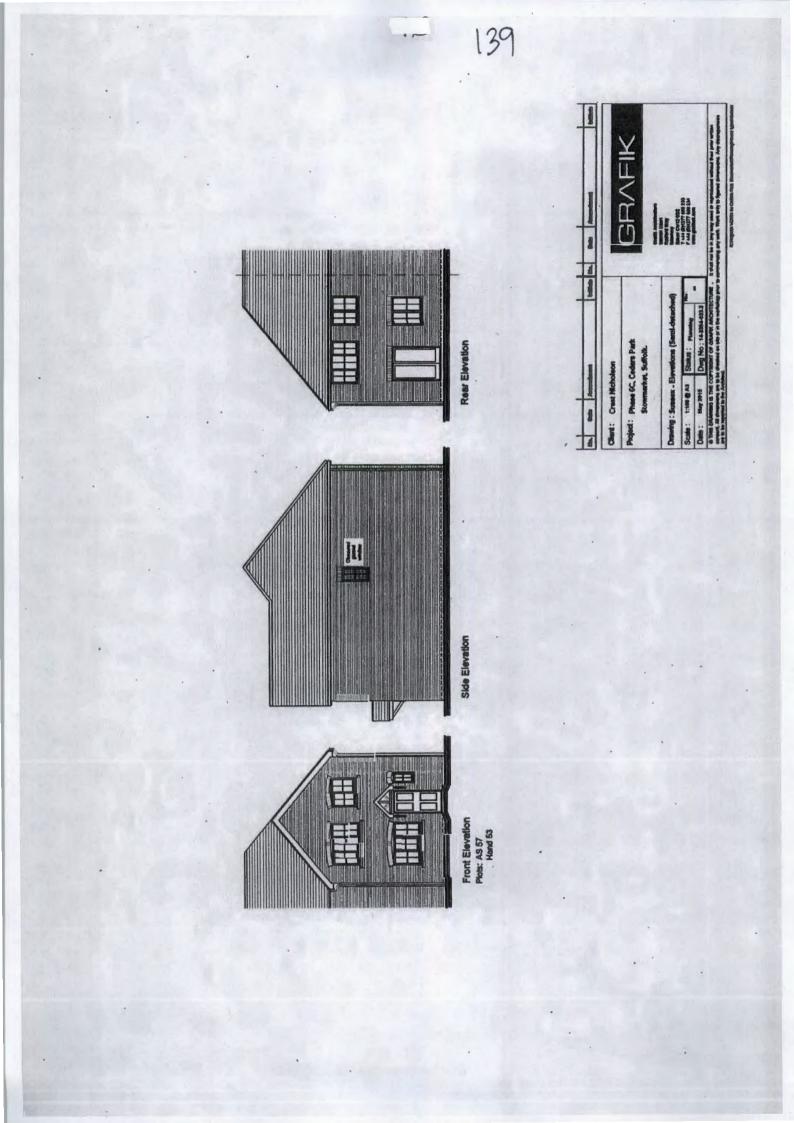


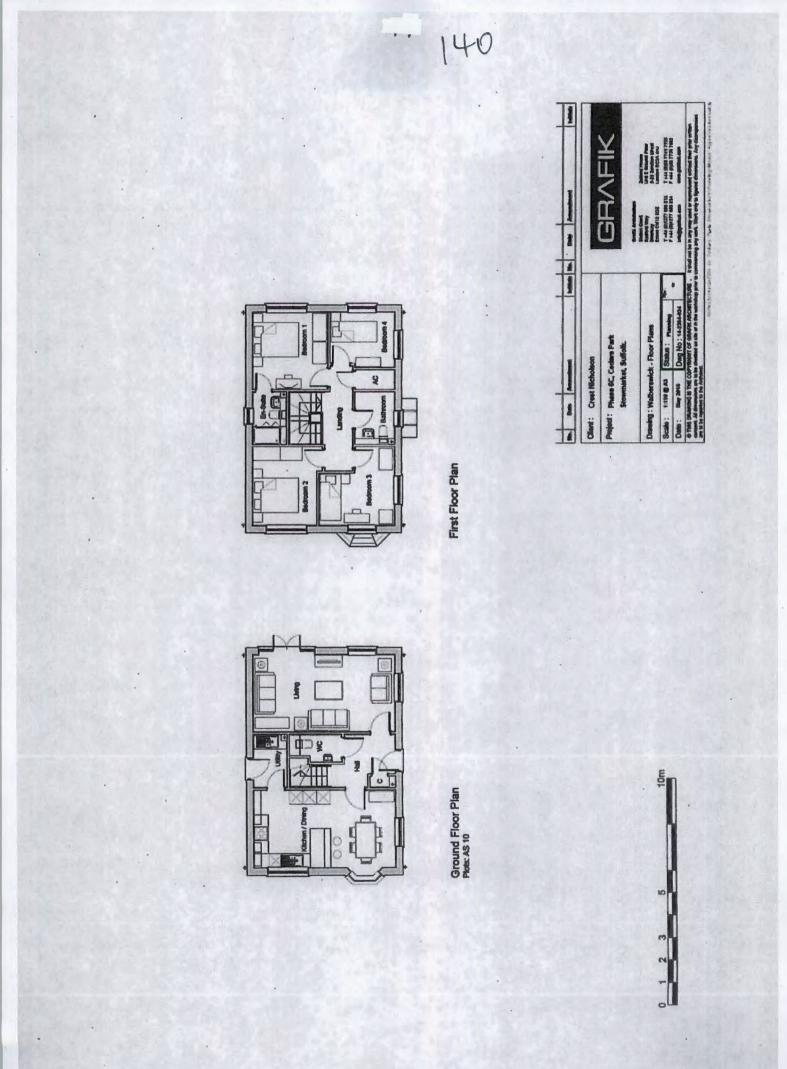




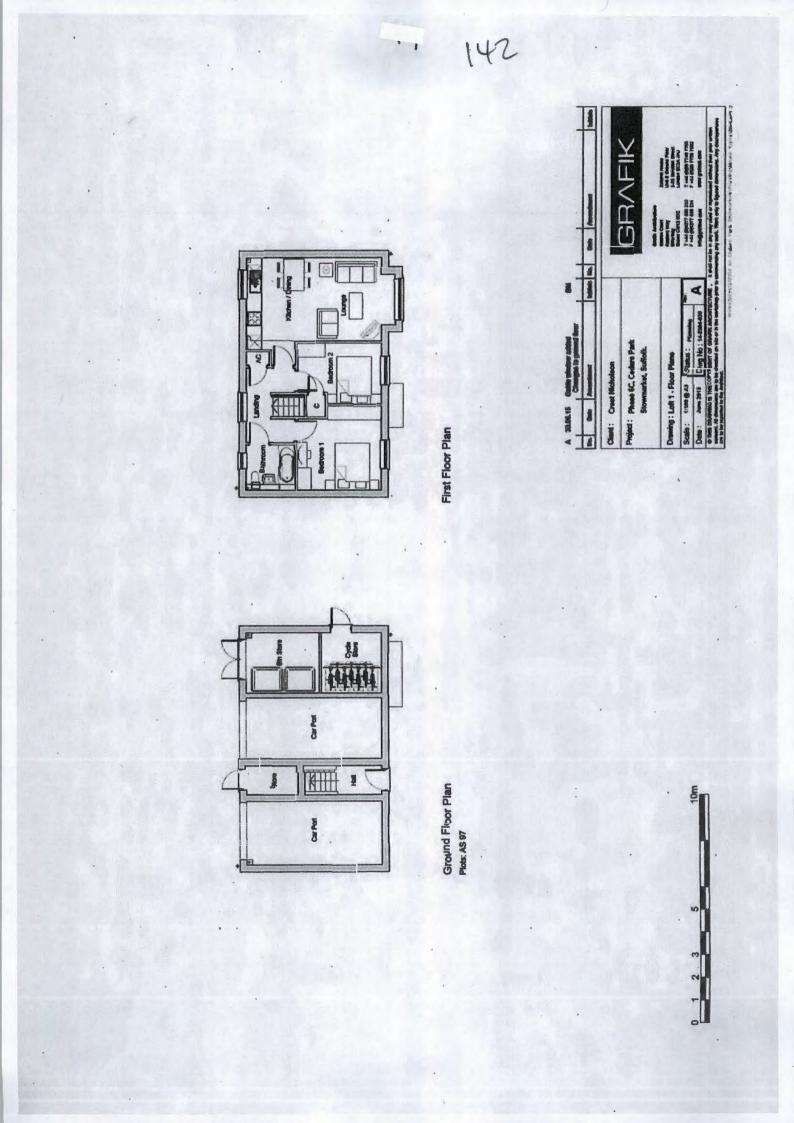


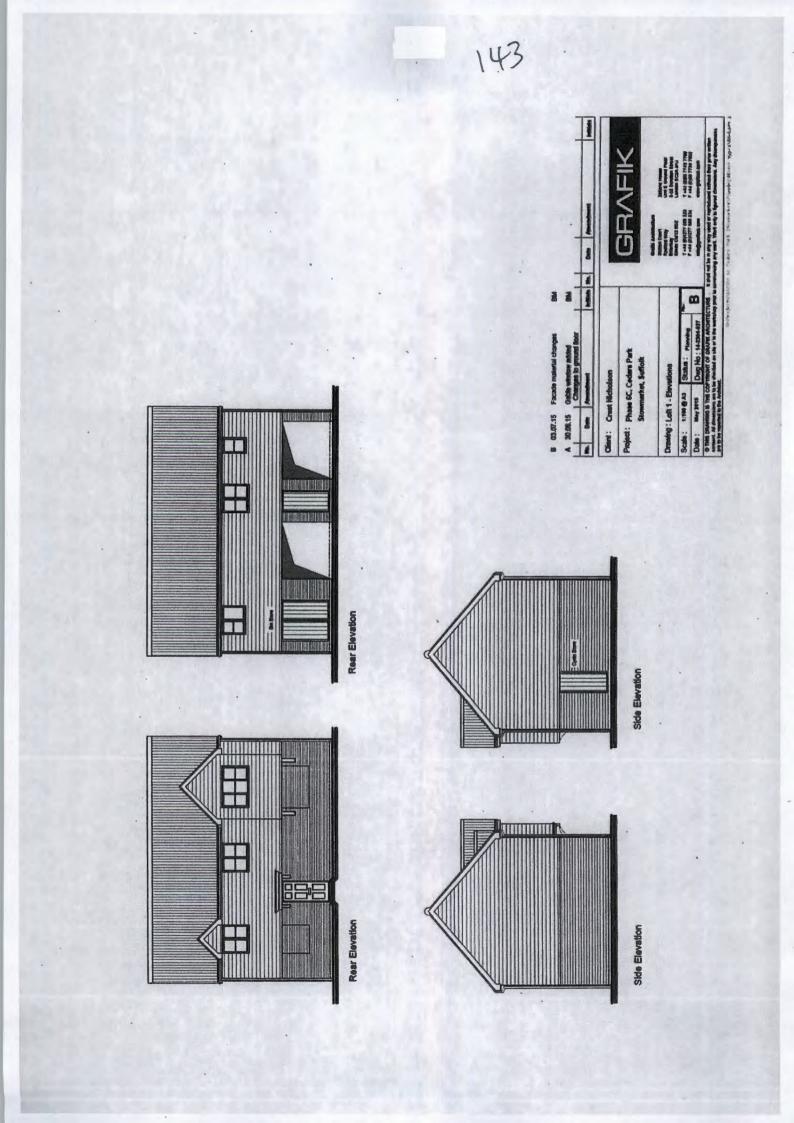


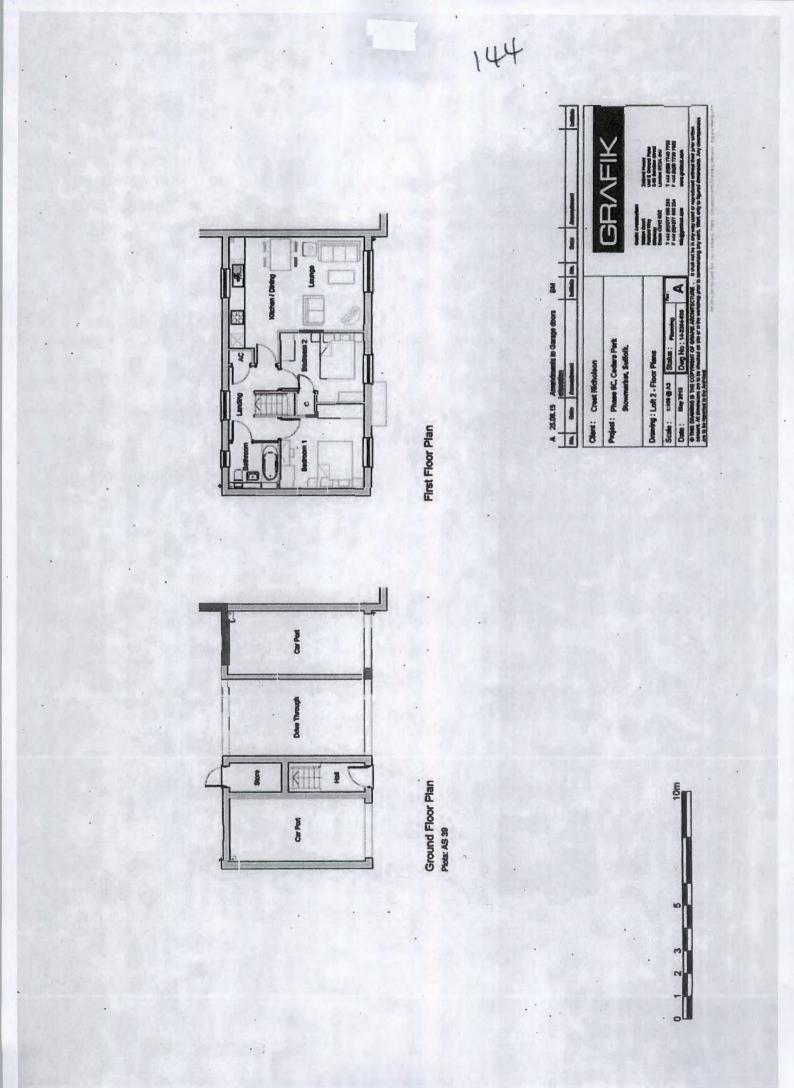


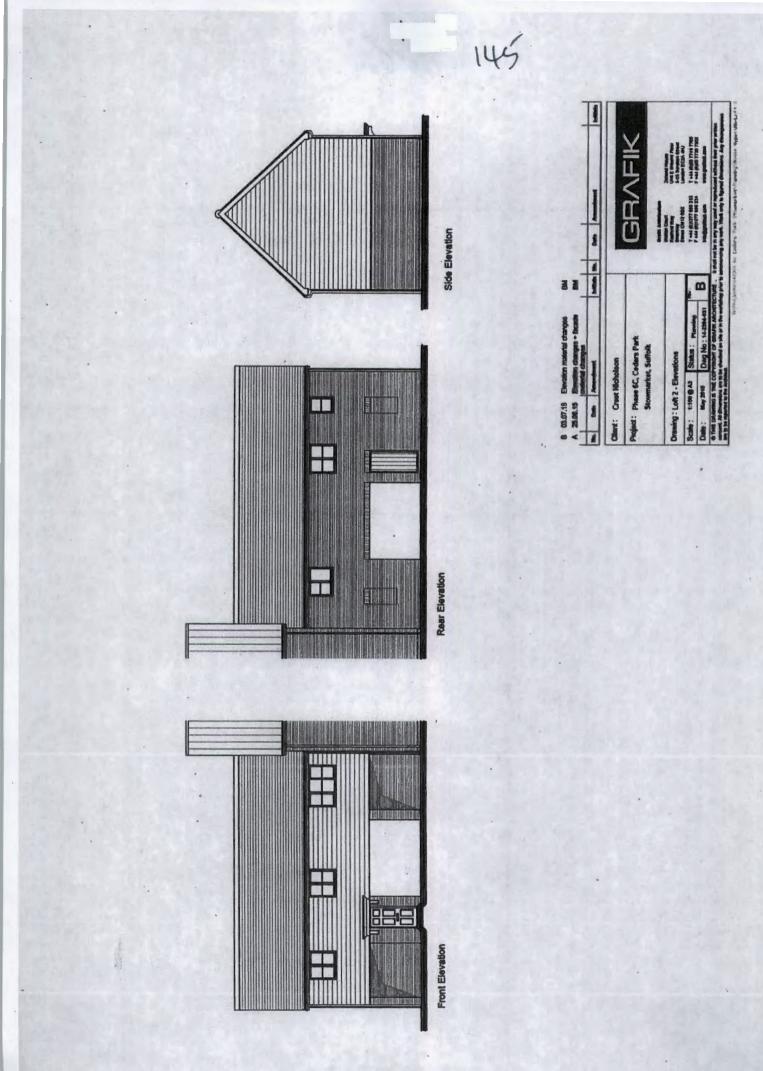


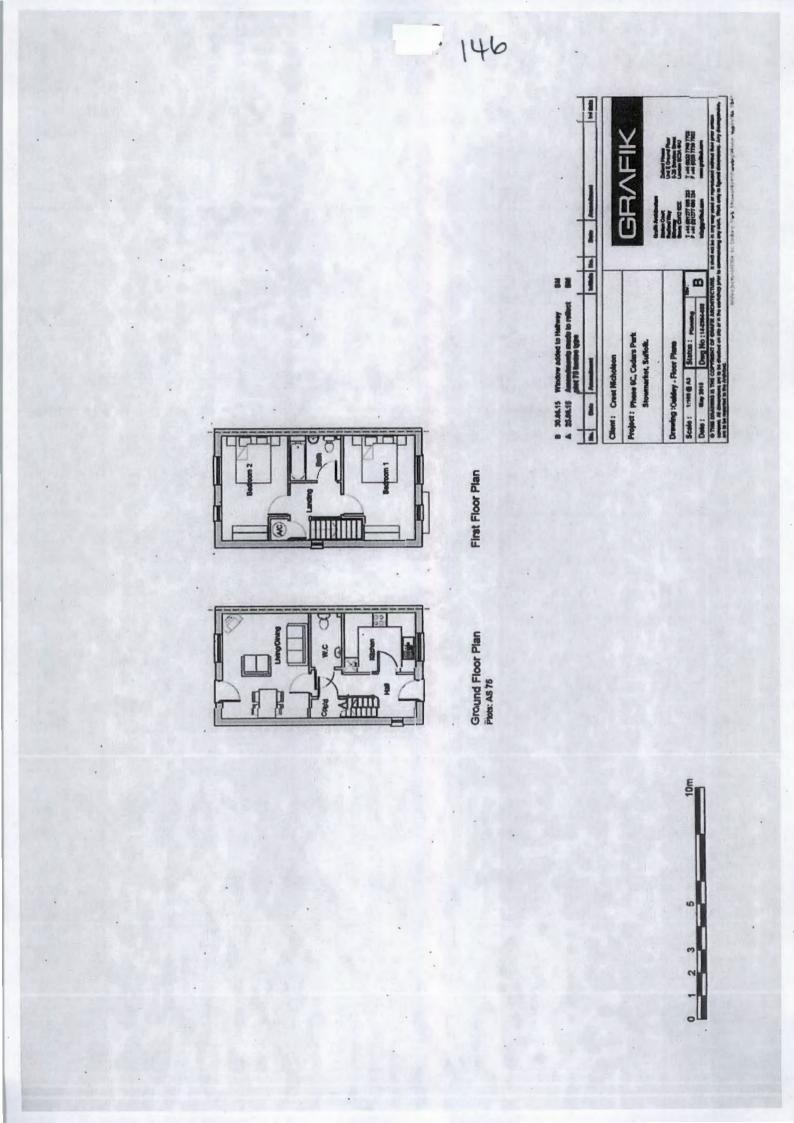


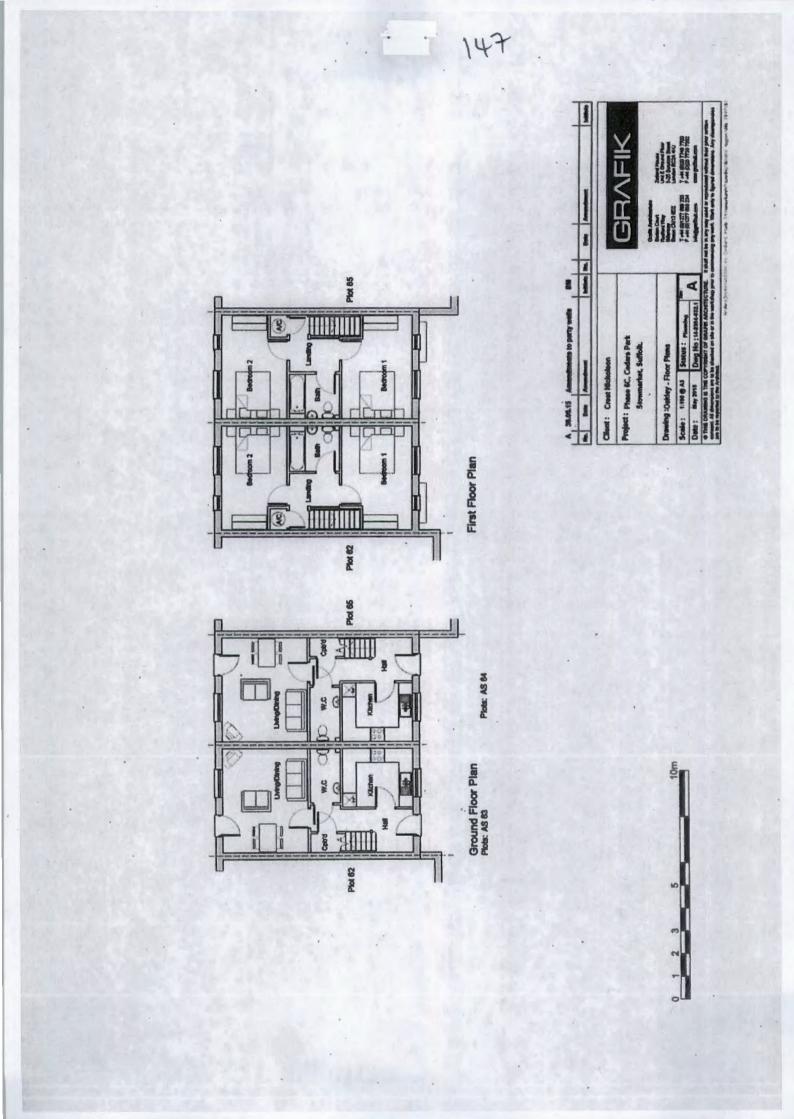


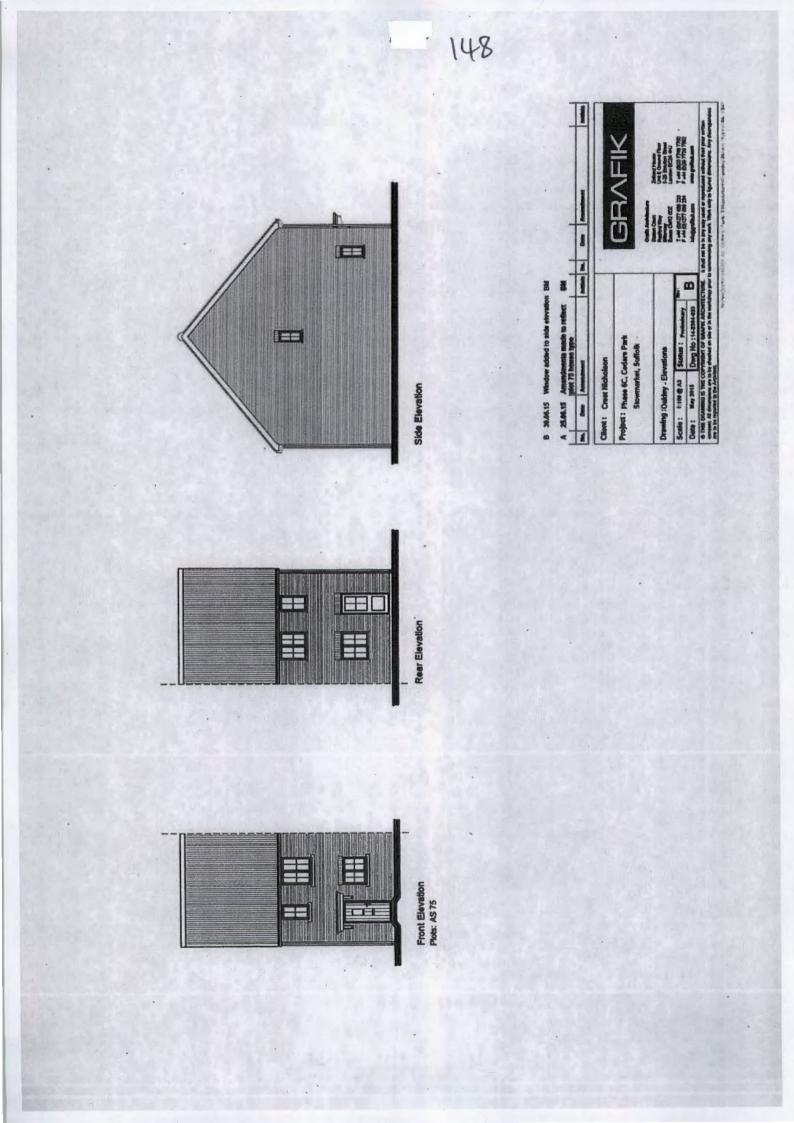


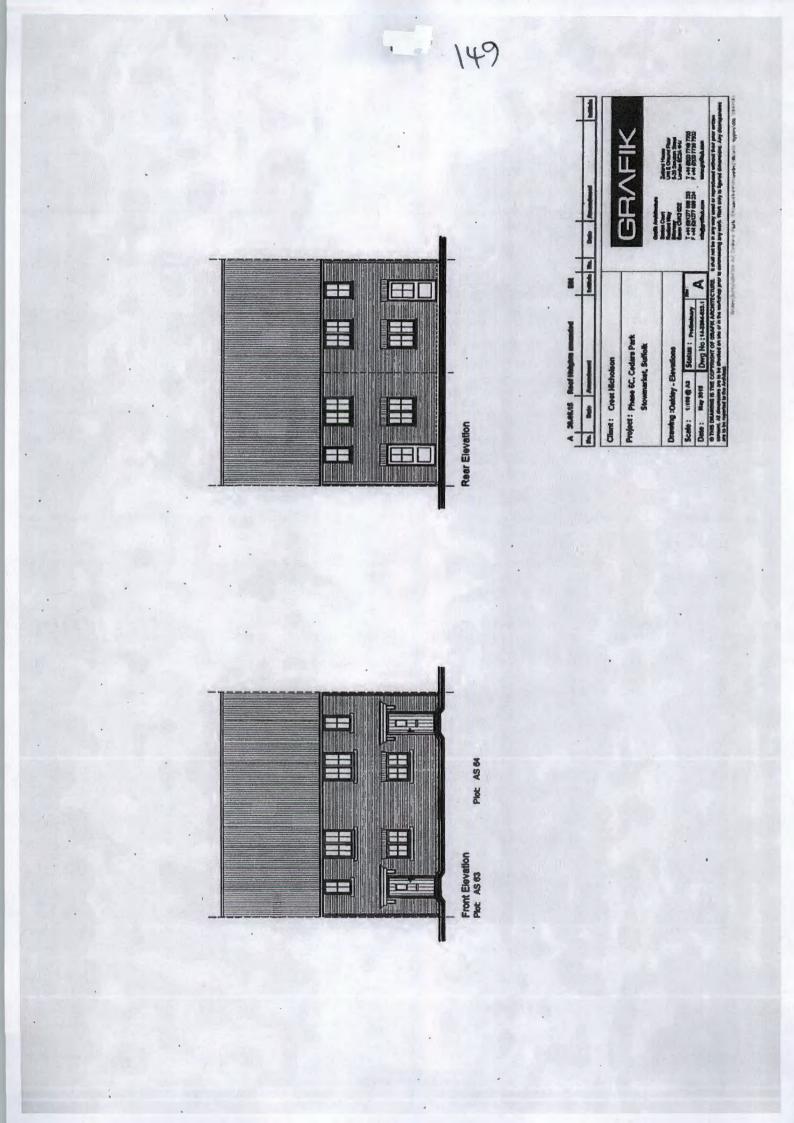


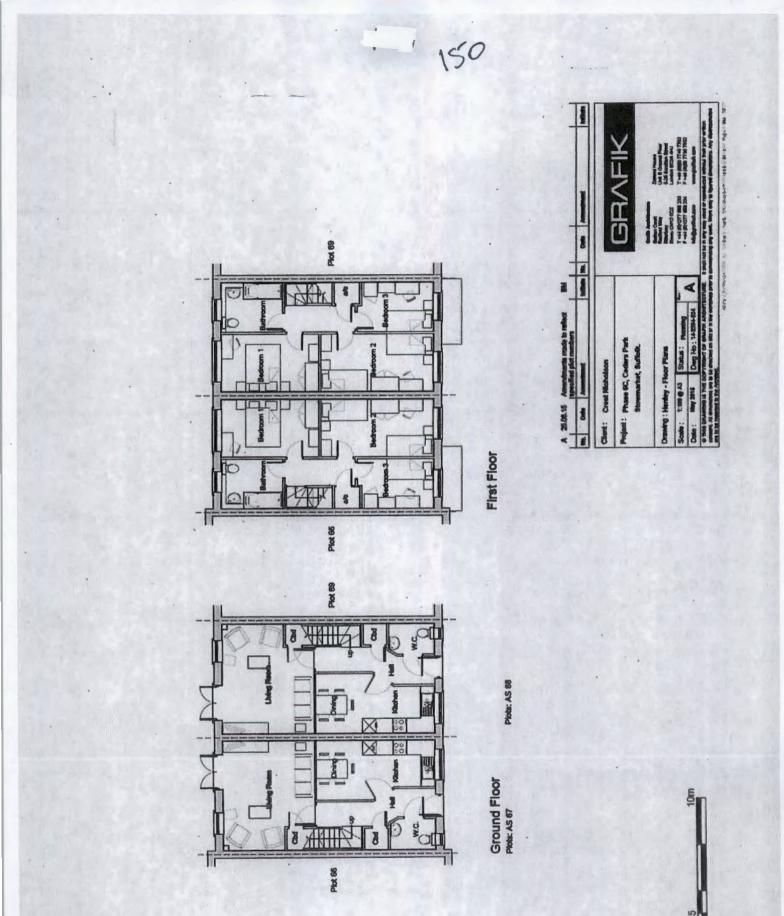






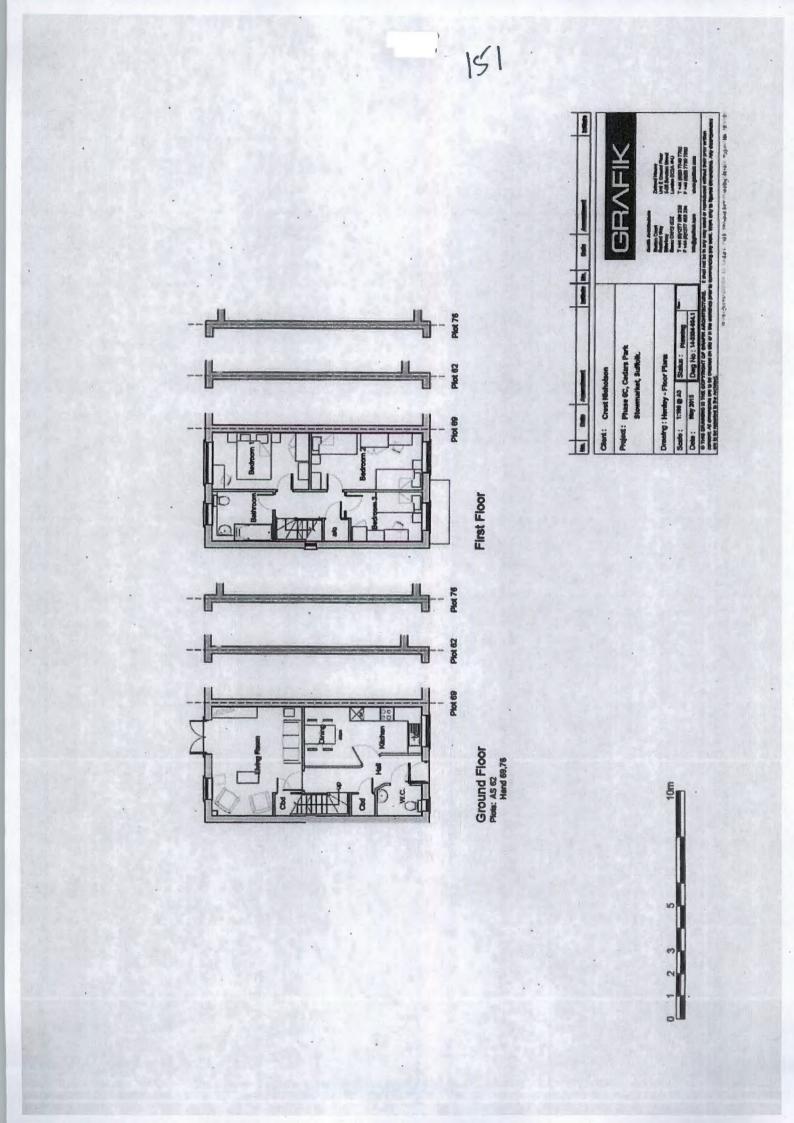


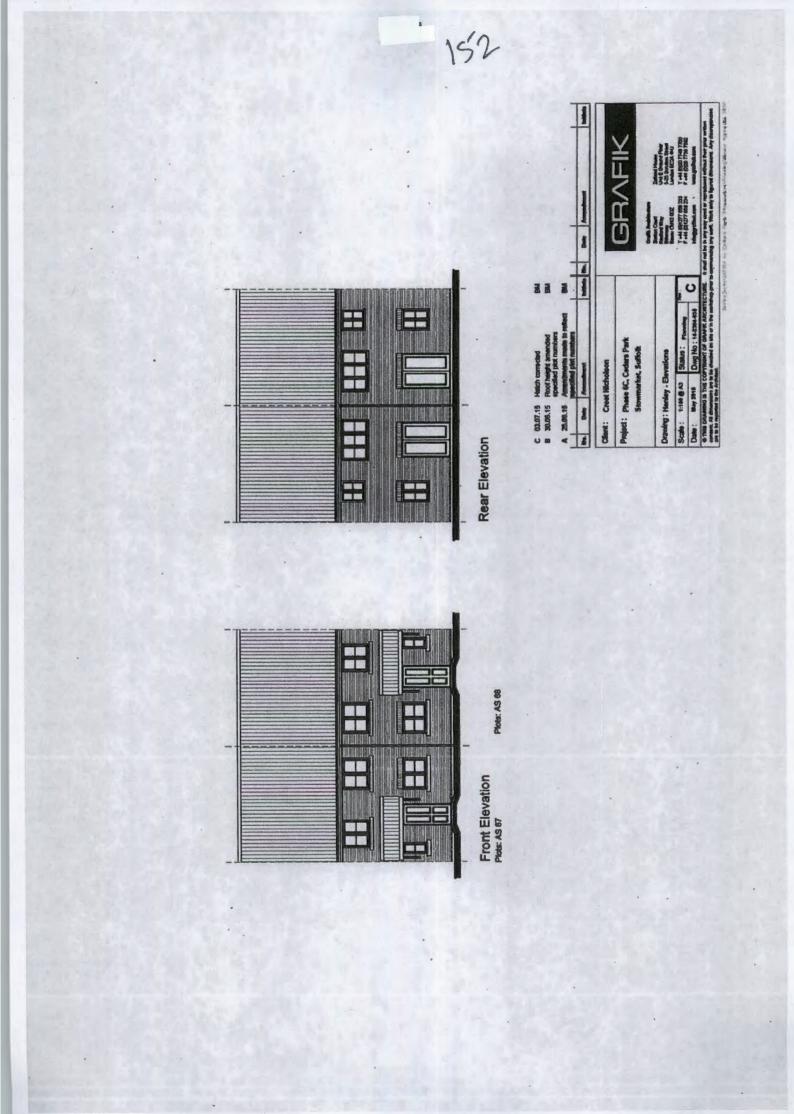


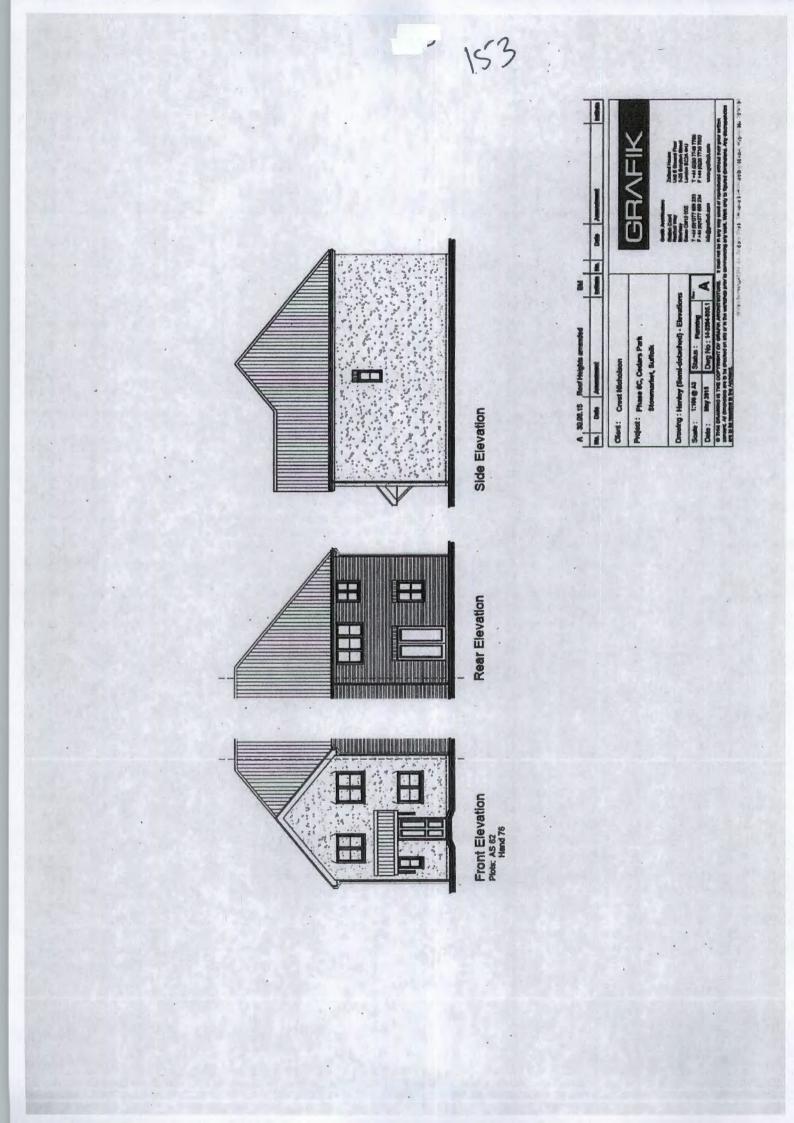


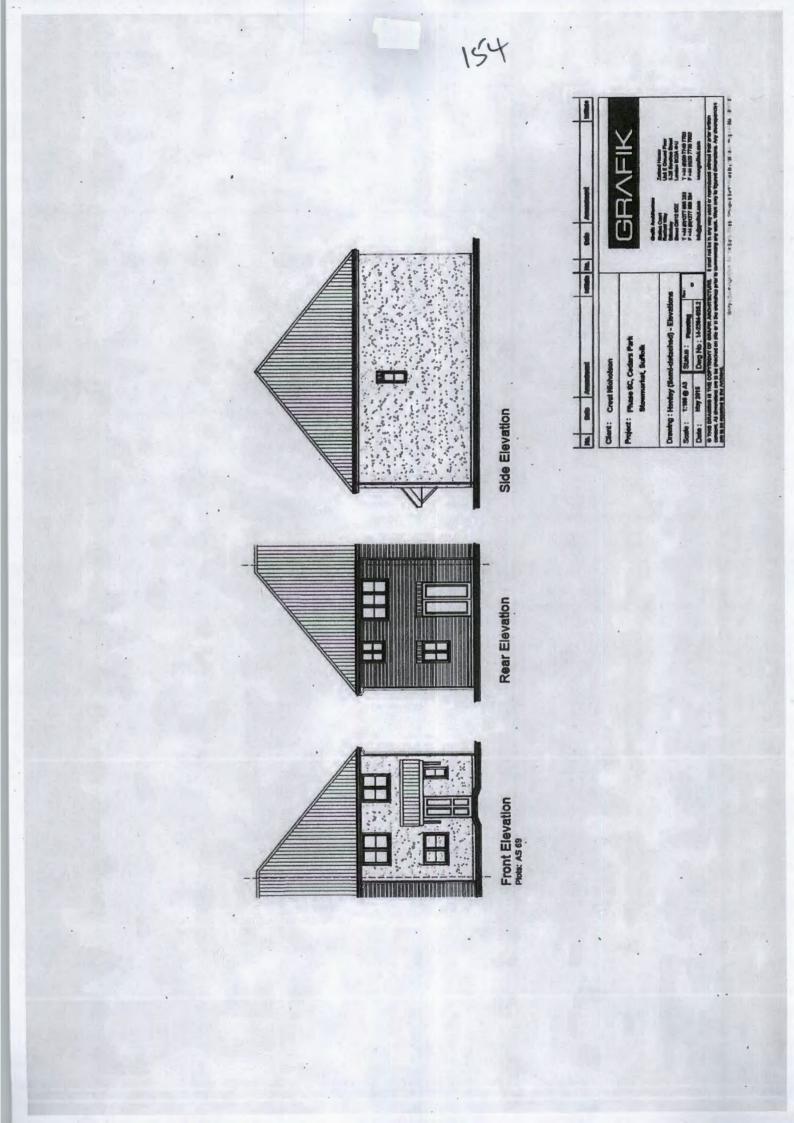
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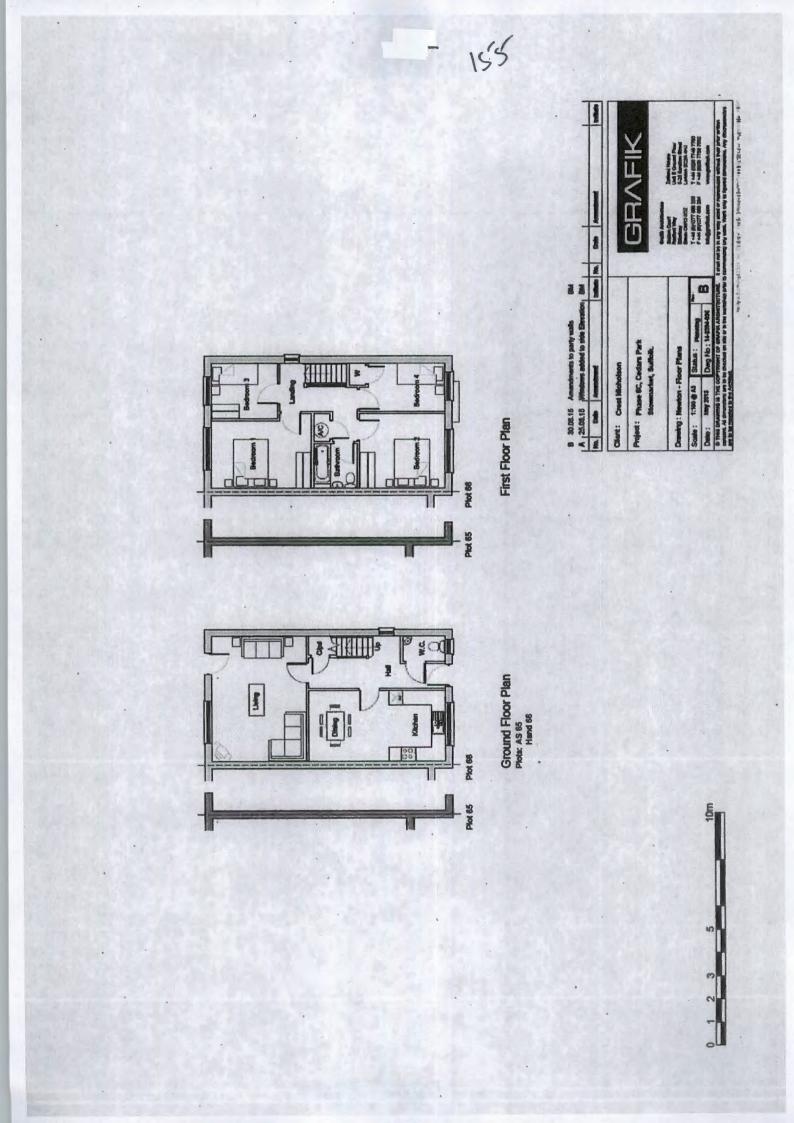
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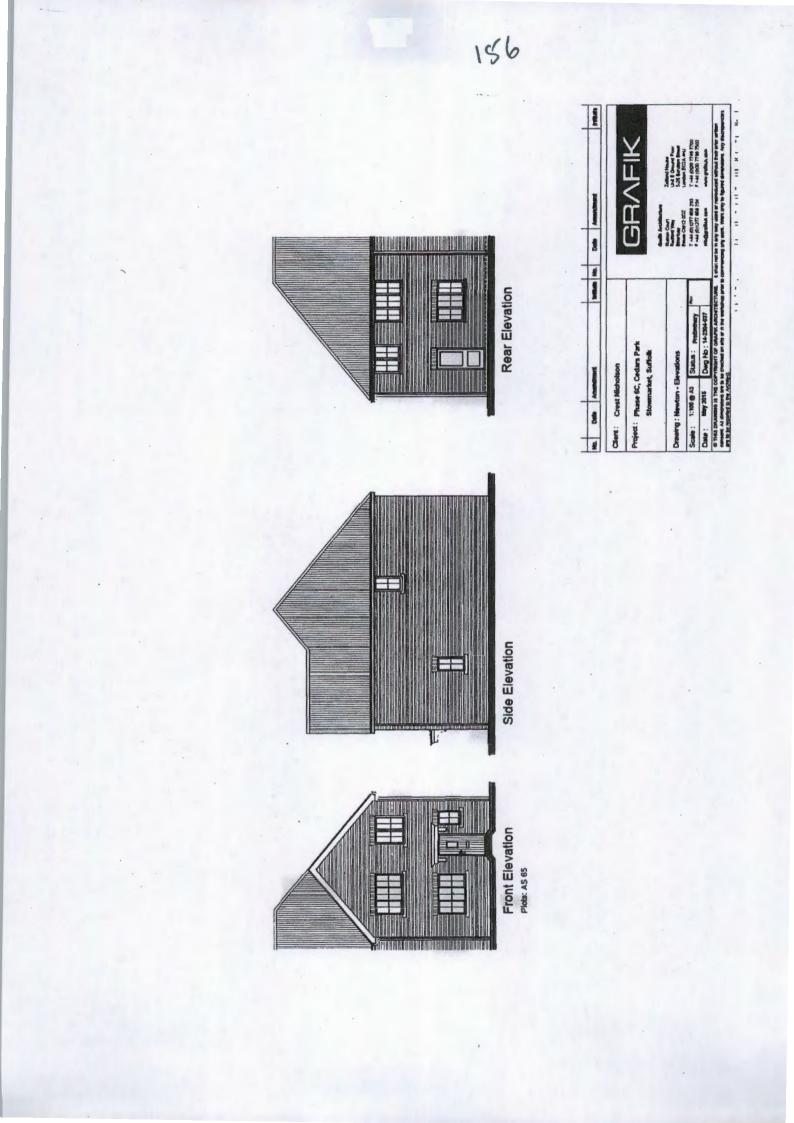


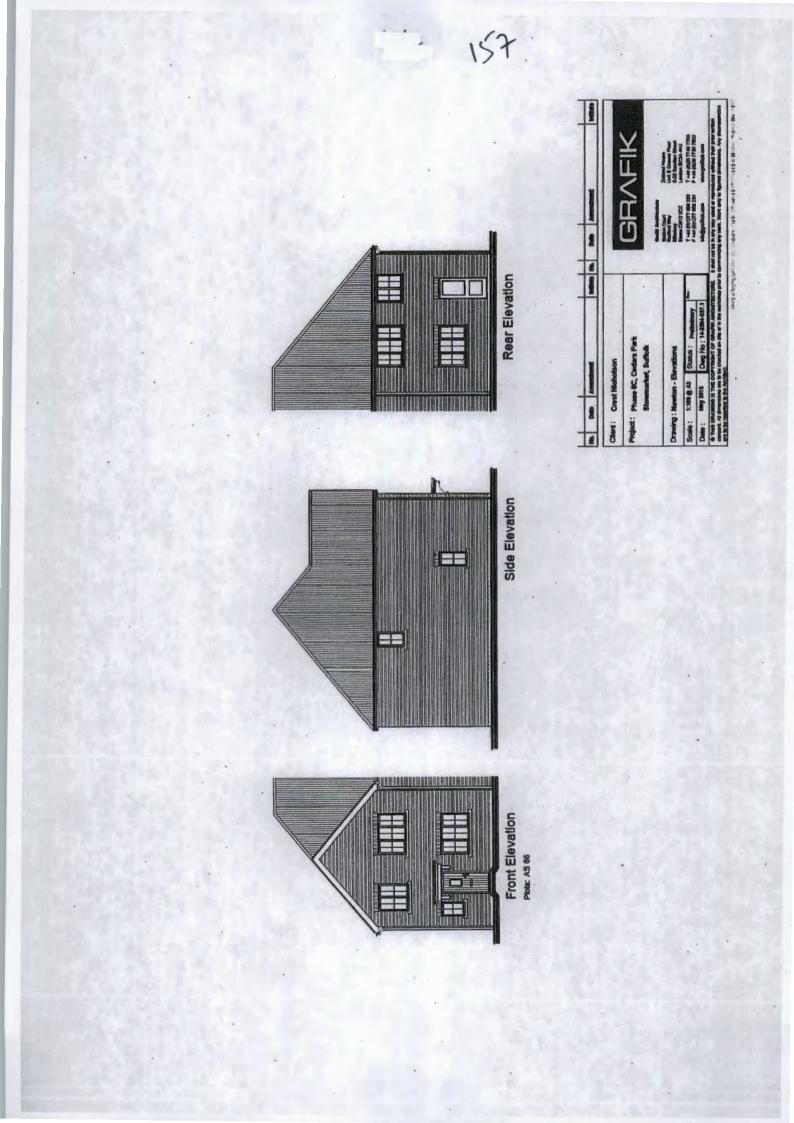


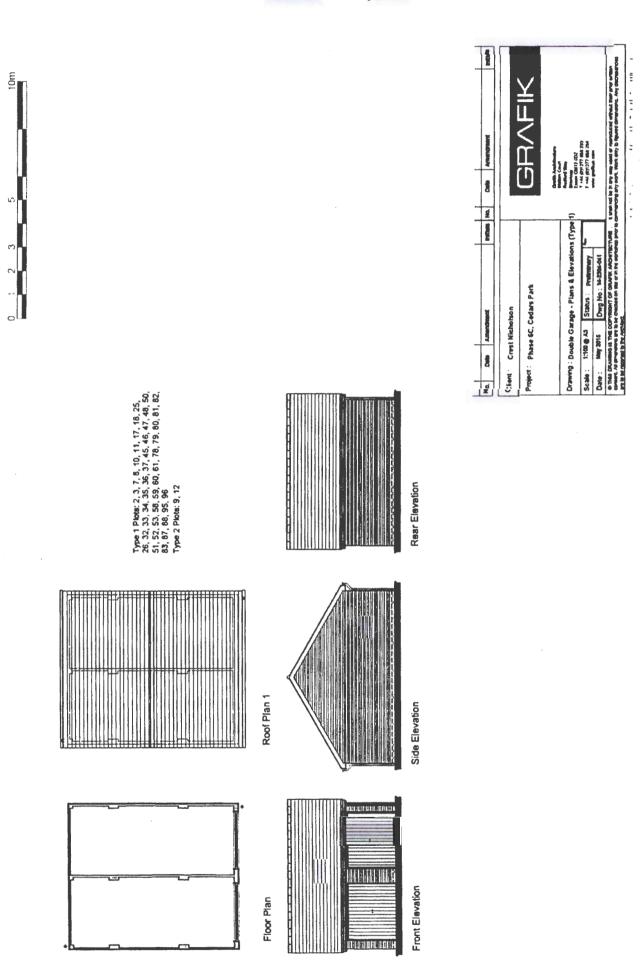


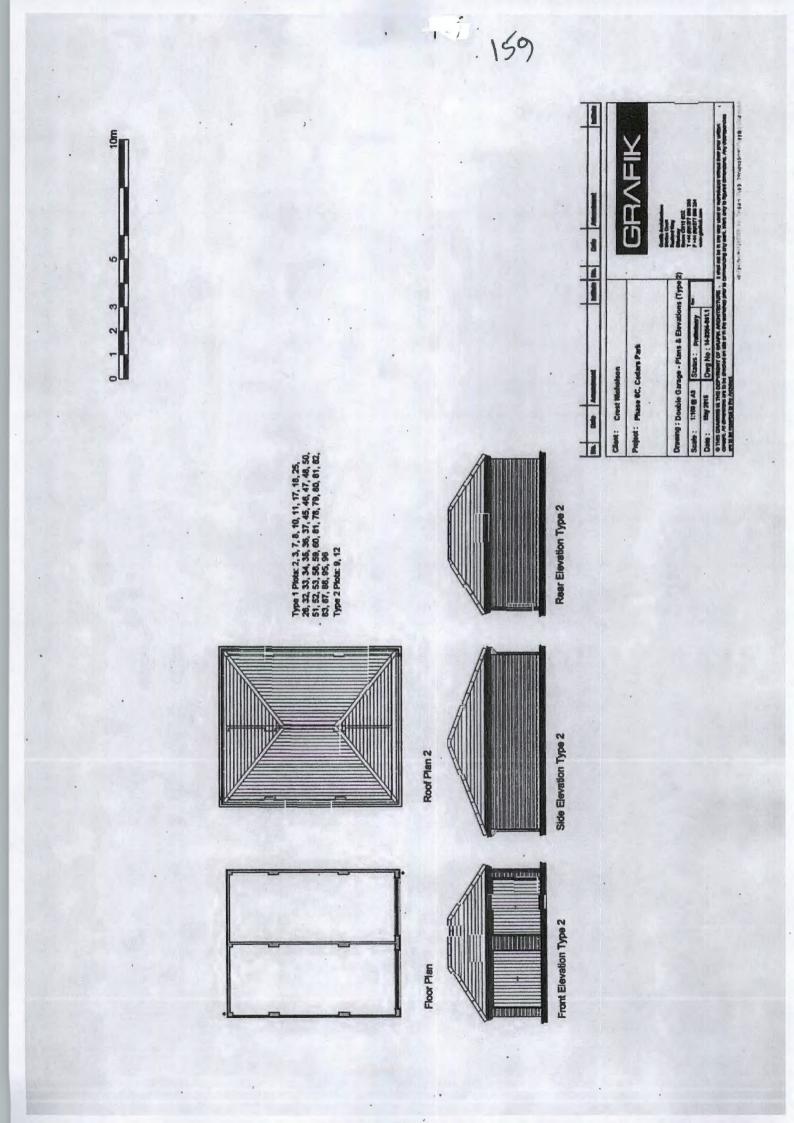


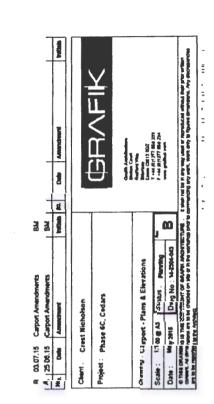




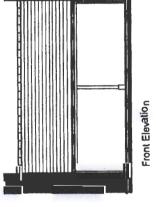














Roof Plan 2

Roof Plan 1

Floor Plan

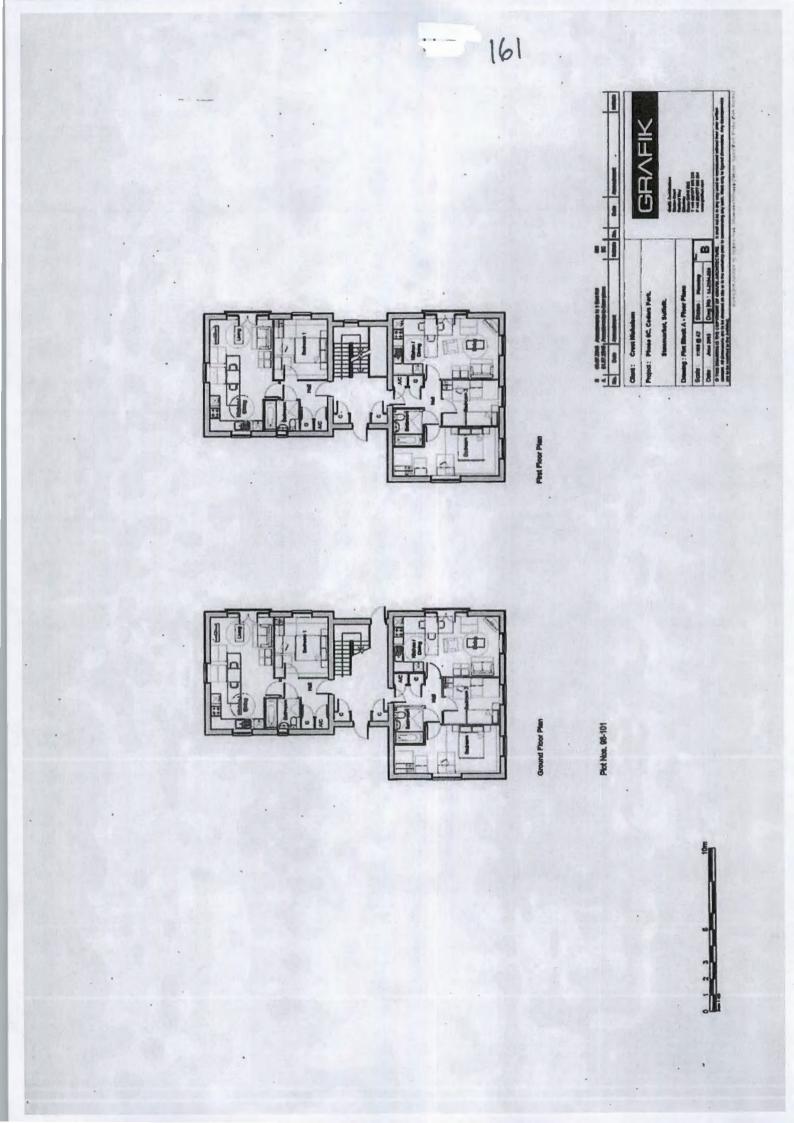
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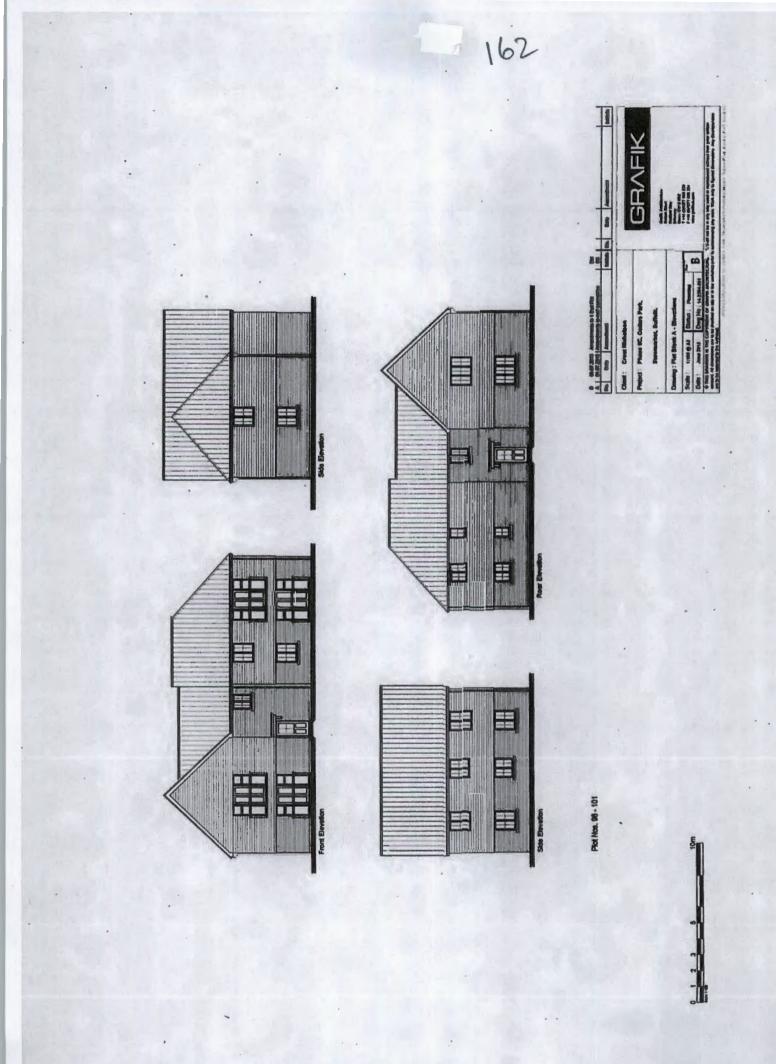
Type 1 Piots: 102 Type 2: 29, 30

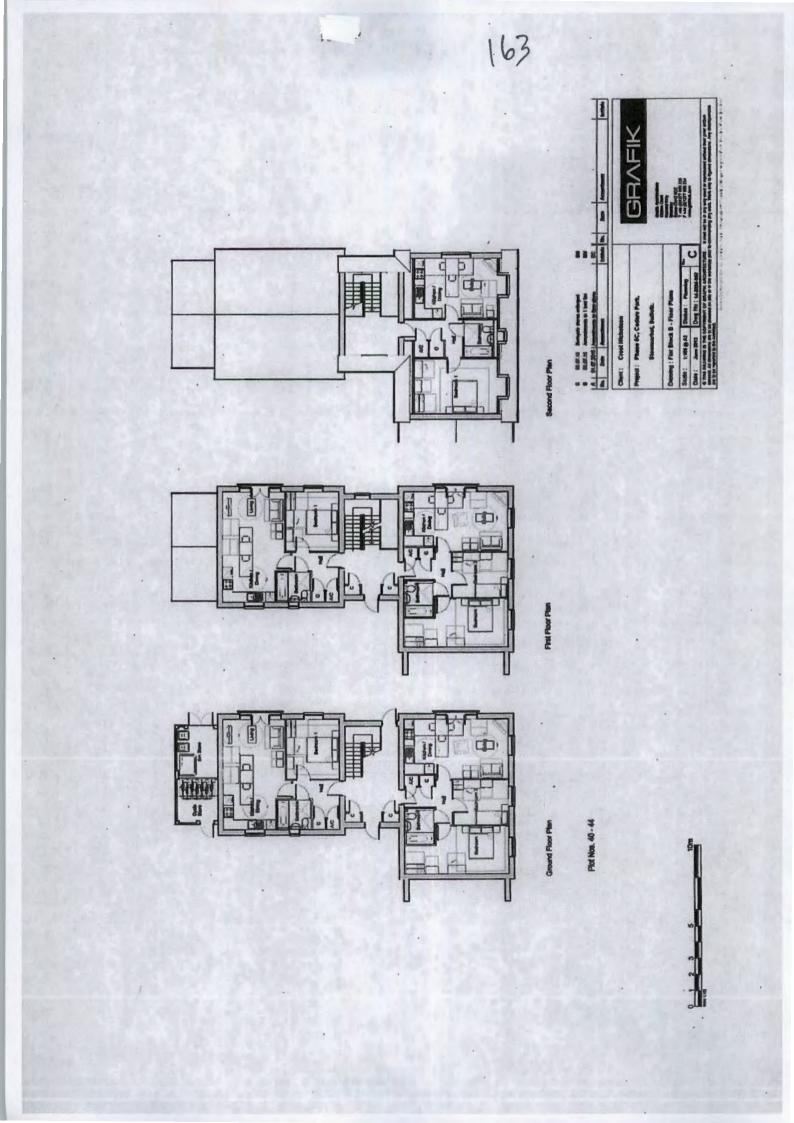
Front Elevation



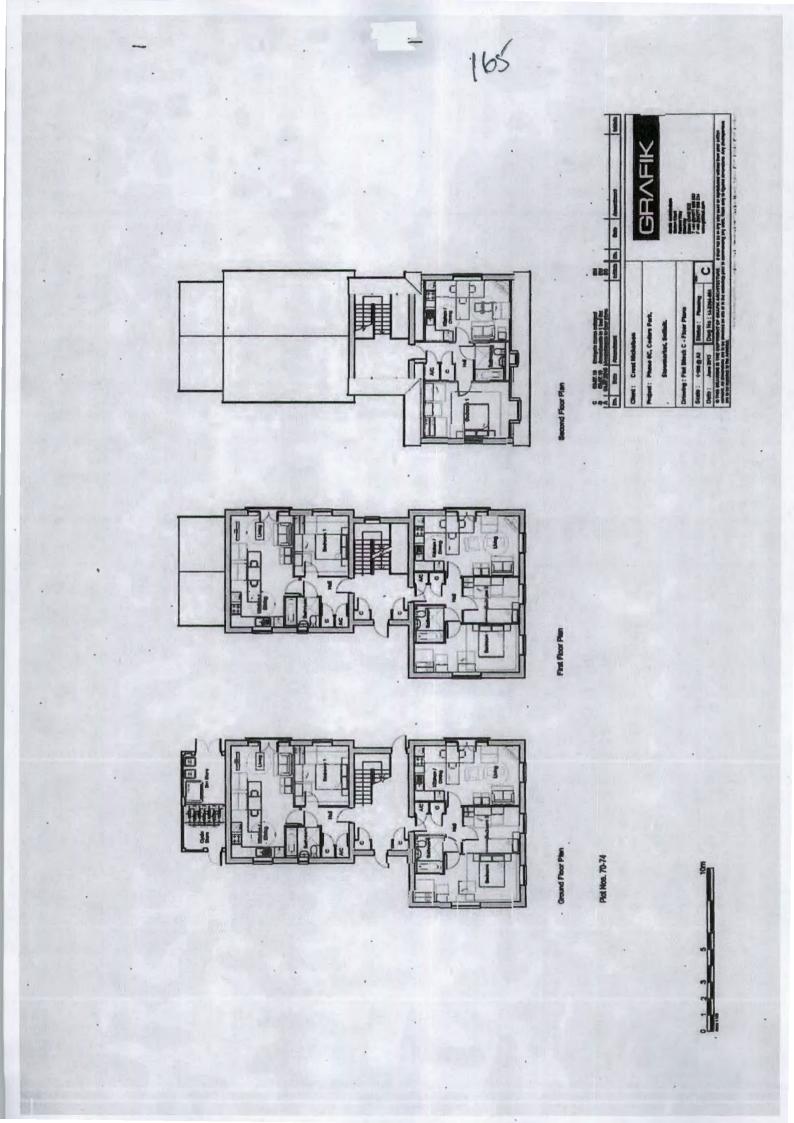
Side Elevation













# 3308/15

That the Town Council recommends refusal of the application on the following grounds:

i) That, contrary to planning policy CL05, the proposed development will result in the loss of a woodland which features healthy mature ash trees;

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ii) That, contrary to planning policy CL08, the proposed development will result in the loss of an important habitat which supports a diverse range of wildlife;

iii) That, contrary to planning policy GP1, the proposal will not respect the scale and density of surrounding development;

iv) That, contrary to planning policy H13, the amenity of neighbouring residents would be affected by reason of overlooking;

v) That, contrary to planning policy H13, the proposed dwellings would not have satisfactory access to the adjacent highway;

vi) That, contrary to planning policy H16, the proposed development will materially reduce the amenity and privacy of existing adjacent dwellings;

vii) That, contrary to planning policy SB2, the proposed development will adversely affect the privacy and amenity of neighbouring properties;

viii) That, contrary to planning policy SB2, the proposed development will adversely affect road safety in the surrounding roads, including but not limited to: Eagle Close, Partridge Close, Phoenix Way, Siskin Street, Skylark Way and Wagtail Drive;

ix) That, contrary to planning policy SB2, the proposed development will adversely affect an existing established wildlife area; and

x) That the proposed development will fail to meet the following standards of planning policy T10:

- a) the provision of safe access to and egress from the site;
- b) the suitability of existing roads giving access to the development, in terms of the safe and free flow of traffic and pedestrian safety; and
- c) whether the amount and type of traffic generated by the proposal will be acceptable in relation to the capacity of the road network in the locality of the site.

The Town Council wishes to express, in the strongest terms, disappointment with this application which in its view represents overdevelopment of the site.

The proposed access/egress at Wagtail Drive is wholly unacceptable due to the increase in traffic which would be generated as a consequence of the creation of 102 dwellings. The proposal will lead to an exacerbation of the current problems on Wagtail Drive and the surrounding roads which includes cars parked on footpaths and verges, pedestrian safety and issues of access for emergency vehicles and refuse vehicles.

The Town Council has a concern of the additional pressure that 102 dwellings would have upon current infrastructure; Cedars Park Community Primary School is already significantly oversubscribed and there is currently a strain on local health services including GP surgeries and dentist surgeries.

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# **Consultation Response Pro forma**

1	Application Number	3308/15 Phase 6c, Cedars Park, Stowmarket 14.1.16	
-			
2	Date of Response		
3	Responding Officer	Name:	Paul Harrison
•		Job Title:	Enabling 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> <li>The Heritage Team considers that the proposal would cause         <ul> <li>less than substantial harm to a designated heritage asset because it would further compromise the setting of the listed buildings, but the level of harm is considered to be low and unlikely to warrant refusal on heritage grounds.</li> </ul> </li> </ol>	
5	<b>Discussion</b> 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.	The site is currently open farmland, but has long been included in schemes for Cedars Park. To its north east stands the listed Norton Cottage, and to its north west across Stowupland Road stands the listed Uplands. From historic OS maps Norton Cottage does not appear to have any association with the land in question but occupies a narrow plot along the east leg of Stowupland Road. To its south east stands a house of the later 1900s on land formerly associated with Norton Cottage. To its north east stand recent residential properties. The Cottage's grounds are surrounded by hedging beyond which land falls away westwards. There is inevitably a degree of harm in the loss of rural character in the Cottage's setting, but this has long since been eroded particularly by the road to its front and development beyond, and by development of the adjacent house. There is little current sense of its rural origins. Uplands stands raised above Stowupland Road, and the falling contours of the site contribute to a sense of detachment. The formerly rural setting of Uplands is now compromised by the commercial development on the south side of Stowupland Road, but is still evident in its	
•••••••			
		Again there is a degree of harm in erosion of Uplands' rural setting, but the impact is marginal.	

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

6

From: Sue Hooton Sent: 20 January 2016 09:28 To: John Pateman-Gee Subject: RE: Phase 6c Cedars Park - loss of Priority habitat and need to secure biodiversity mitigation Importance: High

Dear John

I note the SWT comments on the likely impacts on Priority habitats identified on site and that these need to fulfil their ecological functions and conserve & enhance the foraging & commuting network for European Protected Species (bats) using the site.

I therefore recommend that woodland mitigation planting is required in the open space at the north of this site and that the hedgerows retained within the design are protected from light spillage. This will minimise the ecological impacts from the development, provided that this mitigation and effective management of these habitats is secured by condition of any consent. This will demonstrate the LPA's compliance with Habitats Regulations and meet its biodiversity duty under s40 NERC Act.

I note that a lighting condition has been proposed and if the application is approved, I would like to be consulted on the document submitted to ensure trees with bat roost potential and commuting/foraging habitat remains unlit (<1lux). Ecological input would also be needed for the "Landscape Management Plan" to ensure all the required ecological mitigation measures are included; so again I would like to be consulted on the documents submitted and contribute to the discussion on the ongoing management of the non-domestic areas of this site.

I offer this advice based on Natural England's Standing Advice on bats to avoid significant adverse effects from the proposed development, as identified in the applicant's Phase 2 ecology report (para 4.7).

Best wishes Sue

### **DISCLAIMER:**

This information has been produced by Suffolk County Council's Natural Environment Team on behalf of Babergh and Mid Suffolk District Councils, at their request. However, the views and conclusions contained within this report are those of the officers providing the advice and are not to be taken as those of Suffolk County Council.

Sue Hooton (Mrs) CEnv MCIEEM Senior Ecologist

Natural Environment Team, Strategic Development, Resource Management, Suffolk County Council, Endeavour House (B2-F5), 8 Russell Road, Ipswich, Suffolk IP1 2BX Tel: 01473 264784 Mb: 07834 676875 www.suffolk.gov.uk/suffolksnaturalenvironment From: David Pizzey Sent: 29 October 2015 10:52 To: John Pateman-Gee Cc: Planning Admin; Michael Roseveare Subject: 3308/15 Phase 6C Cedars Park, Stowmarket.

## John

Whilst I note the layout design of this proposal accommodates the 3 largest and oldest trees on site (T39, 40 & 44) concerns remain about the loss of others (T15, 29, 30, 35 etc.) elsewhere. These trees, although perhaps less valuable individually than those mentioned, help to collectively form part of a prominent arboncultural feature and should be retained if at all possible.

-- /

When a finalised layout design has been agreed we will also require the following -

Updated Tree Protection Plan and detailed site specific method statement

\* Assessment of any potentially damaging activities in the vicinity of retained trees (including T37 off-site)

\* Details of any special engineering or construction required within Root Protection Areas

An auditable site monitoring schedule

I hope this is helpful but please let me know if you require any further comments.

Regards

### David Pizzey

Arboricultural Officer Hadleigh office: 01473 826662 Needham Market office: 01449 724555 <u>david.pizzey@baberghmidsuffolk.gov.uk</u> www.babergh.gov.uk and www.midsuffolk.gov.uk Babergh and Mid Suffolk District Councils - Working Together

From: planningadmin@midsuffolk.gov.uk [mailto:planningadmin@midsuffolk.gov.uk] Sent: 23 September 2015 14:50 To: David Pizzey Subject: Consultation on Planning Application 3308/15

Correspondence from MSDC Planning Services.

Location: Phase 6C Cedars Park, Stow

From: Nathan Pittam Sent: 16 December 2015 11:12 To: Planning Admin Subject: 3308/15/FUL. EH - Land Contamination.

3308/15/FUL. EH - Land Contamination.

Phase 6C Cedars Park, Stowupland Road, STOWMARKET, Suffolk. Erection of 102 dwelling houses and apartments, associated roads, car parking, public open space and landscaping including vehicle access from Wagtail Drive and cycleway access from Stowupland Road.

2

Many thanks for your request for comments in relation to the above application. I note that the applicant has not submitted the required information to demonstrate the suitability of the site for the proposed use. In instances where we have large numbers of sensitive end uses we expect all applicants to submit a full Phase I investigation which conforms to BS10175 and CLR11. Without this information I would be minded to recommend that the application be refused on the grounds of insufficient information. If the applicant wishes to submit the required information between now and any decision being granted I would be willing to review my advice based on any new information submitted.

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 w: www.babergh.gov.uk www.midsuffolk.gov.uk



Your ref: 3308/15 Our ref: Stowmarket – Cedars Park phase 6C 00039862 Date: 15 December 2015 Enquiries to: Neil McManus Tel: 01473 264121 or 07973 640625 Email: neil.mcmanus@suffolk.gov.uk

Mr John Pateman-Gee, Planning Services, Mid Suffolk District Council, Council Offices, 131 High Street, Needham Market, Ipswich, Suffolk, IP6 8DL

Dear John,

## Stowmarket: Cedars Park phase 6C – developer contributions

I refer to the erection of 97 dwelling houses and apartments, associated roads, car parking, public open space and landscaping including vehicle access from Wagtail Drive and cycleway access from Stowupland Road. I previously provided pre-application advice by way of letter dated 03 October 2014 and an original consultation response dated 14 October 2015. This response replaces my previous consultation response.

The development falls within the Stowmarket Area Action Plan (SAAP) and it therefore needs to be considered in relation to SAAP Policy 11.1 and Core Strategy Policy CS6 which requires all development to provide for the supporting infrastructure they necessitate. It is considered that the requirements of SCC meet the legal tests which are set out in paragraph 204 of the National Planning Policy Framework and Regulation 122 & 123(3) of the Community Infrastructure Levy Regulations 2010 (as amended).

I set out below Suffolk County Council's corporate views, which provides our infrastructure requirements associated with this scheme which needs to be considered by Mid Suffolk. The county council will need to be a party to any sealed Section 106 legal agreement if it includes obligations which are its responsibility as service provider. Without the following contributions being agreed between the applicant and the local authority, the development cannot be considered to accord with relevant national and local policies.

The National Planning Policy Framework (NPPF) in paragraph 204 sets out the requirements of planning obligations, which are that they must be:

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

Please also refer to the adopted 'Section 106 Developers Guide to Infrastructure Contributions in Suffolk' which sets out the agreed approach to planning obligations with further information on education and other infrastructure matters in the topic papers. In March 2015, Mid Suffolk District Council formally submitted documents to the Planning Inspectorate for examination under Regulation 19 of the Community Infrastructure Levy Regulation 2010 (as amended). Mid Suffolk are required by Regulation 123 to publish a list of infrastructure projects or types of infrastructure that it intends will be, or may be, wholly or partly funded by CIL.

The current Mid Suffolk 123 List, dated November 2014, includes the following as being capable of being funded by CIL rather than through planning obligations:

- Provision of passenger transport
- Provision of library facilities
- Provision of additional pre-school places at existing establishments
- Provision of primary school places at existing schools
- Provision of secondary, sixth form and further education places
- Provision of waste infrastructure

In terms of CIL regulation 123 regarding pooling restrictions I can confirm that there have not been 5 or more planning obligations relating to the infrastructure requests set out in this letter.

 Education. Refer to the NPPF paragraph 72 which states 'The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education'.

The NPPF at paragraph 38 states 'For larger scale residential developments in particular, planning policies should promote a mix of uses in order to provide opportunities to undertake day-to-day activities including work on site. Where practical, particularly within large-scale developments, key facilities such as primary schools and local shops should be located within walking distance of most properties.'

SCC anticipates the following minimum pupil yields from a development of 97 residential units, namely:

- a. Primary school age range, 5-11: 23 pupils. Cost of providing additional space at Trinity CEVA Primary School is estimated to be £100,000 (2015/16 costs).
- b. Secondary school age range, 11-16: 15 pupils. Cost per place is £18,355 (2015/16 costs).
- Secondary school age range, 16+: 2 pupils. Costs per place is £19,907 (2015/16 costs).

The move from 3 tiers to 2 tiers under School Organisation Review (SOR) has now been implemented in the Stowmarket/Stowupland school area from September 2015.

The local catchment schools are Stowmarket Cedars Park Community Primary School and Stowupland High School.

2

Based on existing forecasts SCC will have no surplus places available at the catchment primary school on Cedars Park and due to site constraints are unable to further expand this school. Therefore primary age pupils will be offered a place at Trinity Church of England Voluntary Aided Primary School. The project cost of providing additional space at this school is estimated to be £100,000 which includes the cost of asbestos removal. This equates to a contribution of £4,348 per place (2015/16 costs) which is a saving of about £7,800 compared to the usual cost multiplier of £12,181 per place.

In addition as the primary school is not the catchment school the county council will most likely need to fund school transport costs arising which are estimated at £750 per annum per pupil. The policy is that we will provide transport when a child under 8 years of age and lives more than 2 miles from their nearest or catchment school and for those who are 8 and over. However the route from Cedars Park to Trinity is currently deemed to be unsafe and so free travel would be provided to those who live under the 2 or 3 miles distance when this would be the shortest walking route.

Of the total 23 primary age pupils forecast to arise SCC can assume 4 pupils will arise in both reception and year 1 and 3 pupils will arise in each of the year groups 2 – 6 would mean that over 7 years a total cost of £72,750 will arise in terms of additional school transport costs due to no surplus places being available at Cedars Park Community Primary School.

Based on existing forecasts SCC will have no surplus places available at the catchment secondary school to accommodate any of the pupils arising from this scheme. Based on this current position SCC will require contributions towards providing additional education facilities for all of the 17 secondary age pupils arising, at a total cost of £315,139 (2015/16 costs).

### The total education contribution is £487,889 (2015/16 costs).

The scale of contributions is based on cost multipliers for the capital cost of providing a school place, which are reviewed annually to reflect changes in construction costs. The figures quoted will apply during the financial year 2015/16 only and have been provided to give a general indication of the scale of contributions required should residential development go ahead. The sum will be reviewed at key stages of the application process to reflect the projected forecasts of pupil numbers and the capacity of the schools concerned at these times. Once the Section 106 legal agreement has been signed, the agreed sum will be index linked using the BCIS index from the date of the Section 106 agreement until such time as the education contribution is due. SCC has a 10 year period from completion of the development to spend the contribution on education provision.

Clearly, local circumstances may change over time and I would draw your attention to paragraph 12 where this information is time-limited to 6 months from the date of this letter.

 Pre-school provision. Refer to the NPPF 'Section 8 Promoting healthy communities'. It is the responsibility of SCC to ensure that there is sufficient local provision under the Childcare Act 2006. Section 7 of the Childcare Act sets out a

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duty to secure free early years provision for pre-school children of a prescribed age. The current requirement is to ensure 15 hours per week of free provision over 38 weeks of the year for all 3 and 4 year-olds. The Education Bill 2011 amended Section 7, introducing the statutory requirement for 15 hours free early years education for all disadvantaged 2 year olds. From these development proposals SCC would anticipate up to 10 pre-school pupils. Currently there are 28 Early Education spaces on or near to Cedars Park in Stowmarket, so therefore no contribution would be sought for this matter.

>

Please note that the early years pupil yield ratio of 10 children per hundred dwellings is expected to change and increase substantially in the near future. The Government announced, through the 2015 Queen's Speech, an intention to double the amount of free provision made available to 3 and 4 year olds, from 15 hours a week to 30.

- 3. Play space provision. Consideration will need to be given to adequate play space provision. A key document is the 'Play Matters: A Strategy for Suffolk', which sets out the vision for providing more open space where children and young people can play. Some important issues to consider include:
  - In every residential area there are a variety of supervised and unsupervised places for play, free of charge.
  - b. Play spaces are attractive, welcoming, engaging and accessible for all local children and young people, including disabled children, and children from minority groups in the community.
  - c. Local neighbourhoods are, and feel like, safe, interesting places to play.
  - d. Routes to children's play spaces are safe and accessible for all children and young people.
- 4. Transport issues. Refer to the NPPF 'Section 4 Promoting sustainable transport'. A comprehensive assessment of highways and transport issues will be required as part of a planning application. This will include travel plan, pedestrian & cycle provision, public transport, rights of way, air quality and highway provision (both onsite and off-site). Requirements will be dealt with via planning conditions and Section 106 as appropriate, and infrastructure delivered to adoptable standards via Section 38 and Section 278. This will be coordinated by Suffolk County Council FAO Andrew Pearce.

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

5. Libraries. The libraries and archive infrastructure provision topic paper sets out the detailed approach to how contributions are calculated. A contribution of £216 per dwelling is sought i.e. £20,952, which will be spent on enhancing provision at Stowmarket Library. A minimum standard of 30 square metres of new library space per 1,000 populations is required. Construction and initial fit out cost of £3,000 per square metre for libraries (based on RICS Building Cost Information Service data

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but excluding land costs). This gives a cost of  $(30 \times £3,000) = £90,000$  per 1,000 people or £90 per person for library space. Assumes average of 2.4 persons per dwelling. Refer to the NPPF 'Section 8 Promoting healthy communities'.

6. Waste. Site waste management plans have helped to implement the waste hierarchy and exceed target recovery rates and should still be promoted. The NPPF in paragraph 162 requires local planning authorities to work with others in considering the capacity of waste infrastructure. A waste minimisation and recycling strategy needs to be agreed and implemented by planning conditions. Refer to the Waste Planning Policy Statement, the Suffolk Waste Plan and the Joint Municipal Waste Management Strategy in Suffolk.

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

- 7. Supported Housing. In line with Sections 6 and 8 of the NPPF, homes should be designed to meet the health needs of a changing demographic. Following the replacement of the Lifetime Homes standard, designing homes to the new 'Category M4(2)' standard offers a useful way of fulfilling this objective, with a proportion of dwellings being built to 'Category M4(3)' standard. In addition we would expect a proportion of the housing and/or land use to be allocated for housing with care for older people e.g. Care Home and/or specialised housing needs, based on further discussion with the local planning authority's housing team to identify local housing needs.
- Sustainable Drainage Systems. Refer to the NPPF 'Section 10 Meeting the challenges of climate change, flooding and coastal change'. On 18 December 2014 there was a Ministerial Written Statement made by The Secretary of State for Communities and Local Government (Mr Eric Pickles). The changes took effect from 06 April 2015.

"To this effect, we expect local planning policies and decisions on planning applications relating to major development - developments of 10 dwellings or more; or equivalent non-residential or mixed development (as set out in Article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2010) - to ensure that sustainable drainage systems for the management of run-off are put in place, unless demonstrated to be inappropriate.

Under these arrangements, in considering planning applications, local planning authorities should consult the relevant lead local flood authority on the management of surface water; satisfy themselves that the proposed minimum standards of operation are appropriate and ensure through the use of planning conditions or planning obligations that there are clear arrangements in place for ongoing maintenance over the lifetime of the development. The sustainable drainage system should be designed to ensure that the maintenance and operation requirements are economically proportionate."

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- 9. Fire Service. Any fire hydrant issues will need to be covered by appropriate planning conditions. SCC would strongly recommend the installation of automatic fire sprinklers. The Suffolk Fire and Rescue Service requests that early consideration is given during the design stage of the development for both access for fire vehicles and the provisions of water for fire-fighting which will allow us to make final consultations at the planning stage.
- 10. Superfast broadband. SCC would recommend that all development is equipped with superfast broadband (fibre optic). This facilitates home working which has associated benefits for the transport network and also contributes to social inclusion. Direct access from a new development to the nearest BT exchange is required (not just tacking new provision on the end of the nearest line). This will bring the fibre optic closer to the home which will enable faster broadband speed.
- **11.Legal costs.** SCC will require an undertaking from the applicant for the reimbursement of its reasonable legal costs associated with work on a S106A, whether or not the matter proceeds to completion.

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

I consider that the contributions requested are justified and satisfy the requirements of the NPPF and the Community Infrastructure Levy (CIL) 122 & 123(3) Regulations.

6

Yours sincerely,

Neil McManus BSc (Hons) MRICS Development Contributions Manager Strategic Development – Resource Management

cc Iain Maxwell, Suffolk County Council Andrew Pearce, Suffolk County Council Floods Planning, Suffolk County Council Chris Edwards, Mid Suffolk District Council Your Ref: MS/3308/15 Our Ref: 570\CON\3947\15 Date: 18<sup>th</sup> December 2015 Highways Enquiries to: martin.egan@suffolk.gov.uk



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

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

For the Attention of: Mr J Pateman-Gee

Dear Sir,

TOWN AND COUNTRY PLANNING ACT 1990 - CONSULTATION RETURN MS/3308/15

 PROPOSAL:
 Erection of 97 dwelling houses and apartments, associated roads, car parking, public open space and landscaping including vehicle access from Wagtail Drive and cycleway access from Stowupland Road.

 LOCATION:
 Phase 6C, Cedars Park, Stowmarket

ROAD CLASS:

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:

## REVISED DRAWING NUMBER 14-2304-002 REVISION H

I confirm that the revised drawing as submitted is acceptable and my previously recommended highway conditions dated 14th October 2015 will still apply. Will you please ensure that the relevant drawing numbers are updated within the conditions where applicable.

Yours faithfully

Mr Martin Egan Highways Development Management Engineer Strategic Development – Resource Management Your Ref: MS/3308/15 Our Ref: 570\CON\2982\15 Date: 10 December 2015 Highways Enquiries to: martin.egan@suffolk.gov.uk



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

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

For the Attention of: Mr John Pateman-Gee

Dear Sir,

TOWN AND COUNTRY PLANNING ACT 1990 - CONSULTATION RETURN MS/3308/15

PROPOSAL:Erection of 102 dwelling houses and apartments, associated roads, car<br/>parking, public open space and landscaping including vehicle access from<br/>Wagtail Drive and cycleway access from Stowupland RoadLOCATION:Phase 6C, Cedars Park, Stowmarket

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

Please be aware that Wagtail Drive and the first section of Phoenix Way are not yet adopted public highway so the planning application red line should be extended to incorporate these sections of the vehicular access route.

The proposed access arrangements for Phase 6C are in accordance with the original masterplan requirements and preceeding developments were laid out with the Wagtail Drive extension in mind. Vehicular access onto Stowupland Road or the B1115 has always been discouraged in relation to this site and this remains the case. The following conditions will therefore be appropriate:

## 1 ER 1

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

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

## 2 ER 2

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

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

## 3

Condition: Before any of the hereby approved new dwellings are first occupied the footway improvements on Stowupland Road are to be laid out and completed in accordance with drawing number W160-004 as submitted.

Reason: To ensure that pedestrians and cyclists leaving the development site are able to link with the existing facilities on Stowupland Road to the benefit of highway safety.

## 4

Condition: Before any of the hereby approved new dwellings are first occupied the footpath and cycleway leading from the application site and connecting with Stowupland Road shall be laid out and completed in all respects in accordance with the submitted drawing number 14-2304-002 Revision E dated 06/07/2015.

Reason: To ensure that residents have a suitable and safe means of access and exit to / from the site as early as possible in the development for the benefit of road safety and connectivity with the existing community.

## 5 P 1

Condition: The use shall not commence until the area(s) within the site shown on Drawing Number 14-2304-002 Revsion E as submitted 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.

## 6 NOTE 02

Note 2: 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: www.suffolk.gov.uk/environment-and-transport/highways/dropped-kerbs-vehicular-accesses/

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.

## 7 NOTE 05

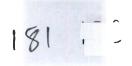
Note: Public Utility apparatus may be affected by this proposal. The appropriate utility service should be contacted to reach agreement on any necessary alterations which have to be carried out at the expense of the developer. Those that appear to be affected are all utilities.

## 8 NOTE 07

Note: 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.

## 9 NOTE 12

Note: The existing street lighting system may be affected by this proposal. The applicant must contact the Street Lighting Engineer of Suffolk County Council, telephone 01284 758859, in order to agree any necessary alterations/additions to be carried out at the expense of the developer.



## 10 NOTE 15

Note: The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification. The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing.

Yours faithfully

Mr Martin Egan Highways Development Management Engineer Strategic Development – Resource Management



## Public Rights of Way

## Planning Application Response - Applicant Responsibility

- 1. There must be no interference with the surface of the right of way as a result of the development.
- 2. The right of way must be kept clear and unobstructed for users and no structures, eg gates, placed upon the right of way.
- Planning permission does not give you permission to alter or change the surface of a
  public right of way. The Area Rights of Way Office must approve any proposed works to
  the surface of the route(s). For further information and advice go to
  <u>http://publicrightsofway.onesuffolk.net/assets/Traffic-Regulation-docs/Appl-form-guidancefor-works-on-ROW-01-12.pdf</u> or telephone 0345 606 6067.
- Any damage to the surface of the route(s) as a result of the development must be made good by the applicant.
- 5. The Highways Authority is not responsible for maintenance and repair of the route beyond the wear and tear of normal use for its status and it will seek to recover the costs of any such damage that it has to remedy.
- The applicant must have private rights to take motorised vehicles over the public right of way. Without lawful authority it is an offence under the Road Traffic Act 1988 to take a motorised vehicle over a public right of way other than a byway. We do not keep records of private rights.
- If the public right of way is temporarily affected by works which will require it to be closed, a Traffic Regulation Order will need to be sought from the County Council. A fee is payable for this service. For further information and advice go to <u>http://publicrightsofway.onesuffolk.net/assets/Traffic-Regulation-docs/Guidance-toapplicants-on-applying-for-temp-closures-01-12.pdf</u> or telephone 0345 606 6067.
- 8. There may be other public rights of way that exist over this land that have not been registered on the Definitive Map. These paths are either historical paths that were never claimed under the National Parks and Access to the Countryside Act 1949, or paths that have been created by public use giving the presumption of dedication by the land owner whether under the Highways Act 1980 or by Common Law. This office is not aware of any such claims.
- Public rights of way are protected by law. If you wish to build upon, block, divert or extinguish a right of way within the development area marked on the planning application an order must be made, confirmed and brought into effect by the local planning authority, using powers under s257 of the Town and Country Planning Act 1990.

There are four different statuses of public rights of way:

- Public footpath this should only be used by people on foot, or using a mobility vehicle.
- Public bridleway in addition to people on foot, bridleways may also be used by someone on a horse or someone riding a bicycle.
- Restricted byway this has similar status to a bridleway, but can also be used by a 'nonmotorised vehicle', for example a horse and carriage.
- Byway open to all traffic (BOAT) these can be used by all vehicles, including motorised vehicles as well as people on foot, on horse or on a bicycle.

More information about Public Rights of Way can be found via http://publicrightsofway.onesuffolk.net



The Archaeological Service Conservation Team

Economy, Skills and Environment 6 The Churchyard, Shire Hall Bury St Edmunds Suffolk IP33 1RX

Philip Isbell Corporate Manager - Development Manager Planning Services Mid Suffolk District Council 131 High Street Needham Market Ipswich IP6 8DL

> Enquiries to: Direct Line: Email: Web:

Kate Batt 01284 741227 kate.batt@suffolk.gov.uk http://www.suffolk.gov.uk

Our Ref: Date: 2015\_3308 9<sup>th</sup> October 2015

#### For the Attention of John Pateman-Gee

Dear Mr Isbell

## Planning Application 3308/15 – Phase 6C Cedars Park, Stowmarket, Stowmarket: Archaeological implications

This proposal lies in an area of archaeological importance recorded in the County Historic Environment Record, within the central Gipping Valley where there is a high density of important archaeological sites. As highlighted by the Archaeological Desk-Based Assessment (Hawkins, D. 2015), submitted in support of the application, the proposed development site has high potential for the presence of heritage assets with archaeological interest relating to the Iron Age and Roman periods. The proposed works would cause significant ground disturbance that has potential to damage any archaeological deposit that exists.

In this instance, and based on the results of nearby archaeological excavations of earlier phases of Cedars Park, it is unlikely that the presence of heritage assets would represent a significant, large scale constraint on the proposed development. However, a well preserved 1<sup>st</sup> century pottery kiln (SKT 008) was identified approximately 100m SW of the proposed development site, and Later Roman features including a substantial masonry building and possible bath house (SKT018) approximately 0.5km SE. If similar features are identified, it is possible that they may meet the criteria for preservation in situ, which could require minor amendments to an approved scheme, or alterations in foundation methodology.

Based on the currently available information, there would be no grounds to consider refusal of permission in order to achieve preservation *in situ* of important heritage assets. However, in accordance with the National Planning Policy Framework (Paragraph 141), we would

recommend that any permission granted should be the subject of planning conditions to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

In this case the following 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 for evaluation, and where necessary excavation, 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
- 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. The site investigation and post investigation assessment must be completed, submitted to and approved in writing by the Local Planning Authority prior to completion of the development, 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.

In this case, an archaeological geophysical survey and trenched archaeological evaluation (min 5%) will be required in order to establish the archaeological potential of the site. Decisions on the need for any further investigation (excavation before any groundworks commence) will be made on the basis of the results of the evaluation.

I would be pleased to offer guidance on the archaeological work required and will, on request of the applicant, provide a brief for each stage of the archaeological investigation (Please see our website for further information on procedures and costs:

http://www.suffolk.gov.uk/libraries-and-culture/culture-and-heritage/archaeology/

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Yours sincerely

Kate Batt

Senior Archaeological Officer Conservation Team From: Griffiths, Lizzie R [mailto:lizzie.griffiths@environment-agency.gov.uk] Sent: 28 October 2015 10:09 To: Planning Admin Subject: 3308/15

FAO: John Pateman-Gee

Dear John,

We have received a consultation from you on application 3308/15 for Phase 6c of the Cedars Park development. Please note this fall outside of the matters for which we are statutory consultee and we will not be providing a response to this consultation.

Suffolk County Council are now the statutory consultee for major development in Flood Zone 1. They do not appear to be on the consultation list so I have forwarded this consultation to them for their comments.

Kind regards

Lizzie

Lizzie Griffiths Sustainable Places - Planning Advisor Environment Agency - Essex, Norfolk and Suffolk

1473 706820
 <u>lizzie.griffiths@environment-agency.gov.uk</u>
 Iceni House, Cobham Road, Ipswich, Suffolk. IP3 9JD

Awarded to Essex, Norfolk and Suffolk Area

# DO YOU KNOW WHAT TO DO?



Suffolk County Council	
Mid Suffolk District Council	

Planning Department 131 High Street Needham Market Ipswich IP6 8DL

## 2 2 OCT 2015

Acknowledged	 •••	 •	•	•••	

JPG

Dear Sirs

## Phase 6c, Wagtail Drive, Cedars Park, Stowmarket, Suffolk Planning Application No: 3308/15

I refer to the above application.

Date ..

Pass To ....

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

OFFICIAL

## Access and Fire Fighting Facilities

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

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

#### Water Supplies

Suffolk Fire and Rescue Authority recommends that fire hydrants be installed within this development. However, it is not possible, at this time, to determine the number of fire hydrants required for fire fighting purposes.

## Suffolk Fire and Rescue Service

3308/15

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

Your Ref: Our Ref: Enquirles to: Direct Line: E-mail: Web Address:

3308/15 FS/F221318 Angela Kempen 01473 260588 Fire.BusinessSupport@suffolk.gov.uk http://www.suffolk.gov.uk

Date:

21/10/2015

Continued

## OFFICIAL

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

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

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

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

Yours faithfully

Mrs A Kempen Water Officer

Copy; JCN Design, Mr Michael Smith, 2 Exchange Court, London Road, Feering, Colchester, Essex, CO5 9FB

Enc; Sprinkler letter

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## OFFICIAL

## 3308 15

## Suffolk Fire and Rescue Service

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

Your Ref: Our Ref: Enquiries to: Direct Line: E-mail: Web Address 3308/15 ENG/AK Mrs A Kempen 01473 260486 Angela.Kempen@suffolk.gov.uk www.suffolk.gov.uk

Date:

21/10/2015

Planning Department 131 High Street

Mid Suffolk District Council

Needham Market Planning Control Ipswich Received

2 2 OCT 2015

Planning Ref: 3308/15

**Dear Sirs** 

## RE: PROVISION OF WATER FOR FIRE FIGHTING ADDRESS: Phase 6c, Wagtail Drive, Cedars Park, Stowmarket, Suffolk DESCRIPTION: 102 dwellings NO: HYDRANTS POSSIBLY REQUIRED: Required

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

If the Fire Authority is not consulted at the planning stage, the Fire Authority will request that fire hydrants be installed retrospectively on major developments if it can be proven that the Fire Authority was not consulted at the initial stage of planning.

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

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

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

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

Continued

## OFFICIAL

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

Yours faithfully

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Mrs A Kempen Water Officer DISCLAIMER: This information has been produced by Suffolk County Council's Natural Environment Team on behalf of Mid Suffolk District Council, at their request. However, the views and conclusions contained within this report are those of the officers providing the advice and are not to be taken as those of Suffolk County Council.

Mr J Pateman-Gee Planning Services Mid Suffolk District Council 131 High Street Needham Market Suffolk IP6 8DL Ms A Westover Landscape Planning Officer Natural Environment Team Suffolk County Council Endeavour House (B2 F5 55) Russell Road Ipswich Suffolk IP1 2BX

Tel: 01473 264766 Fax: 01473 216889 Email: anne.westover@suffolk.gov.uk Web: http://www.suffolk.gov.uk

Your Ref: Our Ref: Date:

3308/15 Landscape/MSDC/Stradbroke 29<sup>th</sup> December 2015

Dear John,

Proposal: Erection of 102 dwelling houses and apartments, associated roads, car parking, public open space and landscaping including vehicle access from Wagtail Drive and cycle access from Stowupland Road.

Location: Phase 6c Cedars Park, Stowmarket

Application No: 3308/15

Thank you for your re-consultation letter dated 14<sup>th</sup> December 2015. I have considered the amended plans: Landscape Masterplan (JBA Rev B), Site Layout (Grafik Rev H) and Sketch concept for the play area (JBA Rev A).

The Landscape Partnership Arboricultural Impact Assessment Plan (No. 602 Rev A) has not been updated but needs to clarify clearly the impacts on the trees and woodland areas.

Please note that the amended plans do not address the majority of impacts nor the comments I highlighted in my letter dated 19<sup>th</sup> November. The scheme will still be damaging to the woodland areas, parts of the large mature hedgerow and the oak trees which exist within and on the site boundaries. There is very limited space for replacement planting and therefore limited scope to provide suitable mitigation for the landscape, habitat and natural amenity impacts which will arise from this development.

Two layout items have been amended as follows:

The amended site layout indicates the removal of Plots 97 to 101 (five flat units) from the green space area located between Hill Farm house and Farafield House. The amended plans appears to indicate that this space will be left as an amenity green space area. An

SCC Response Re consultation Stowmarket Phase 6c Cedars Park 29th December 2015

annotation also suggests there is need for an 'Assumed drainage easement'. This amendment will create a more sustainable relationship to the adjacent green lane and hedge (H2). The green space could be beneficial to local residents, particularly those who already front this space as an amenity area.

The amended site layout indicates the removal of a double garage, replaced with open parking to the front of Plot 9. However the layout does not address the fact that this plot and the parking are excessively close to the Oak tree T40 and located within the root protection zone. The placing of a parking area in this location is likely to involve excavating the hedgerow bank and the construction of a retaining structure. The detail of this is not clear from the submission. The impacts on adjacent trees including the oak (T40) needs to be clarified.

I have considered the sketch concept for the play area located within the wooded area W3. Neither the landscape masterplan nor the sketch concept plan make clear which trees are proposed to be retained within the area. I am concerned that the cumulative impacts arising from the construction work, the need for working space, properties and gardens located within the woodland, re-grading, services, and the play area will result in the woodland (trees, understorey, ground flora and soils) being removed from the site area. It may be possible to retain a few single trees but most of these will be too close to property to have a longer term future. This matter needs to be accurately clarified. JCN have stated that 'The woodland will also provide a significant amenity to the residents of the new homes by creating space next to their garden that will be kept free from development in perpetuity.' This is a welcome statement of intent but sadly will not be achieved by the layout as currently proposed.

Residents are concerned that the proposals no longer make provision for tree/hedge planting in rear gardens adjacent to existing property. I note that there are discrepancies between the site layout, landscape masterplan and Arboricultural plans relating to this matter. JCN Design have stated that 59 new trees will be planted as part of the scheme but it is not clear from the plans where the space if available or what type of species can be accommodated within the limited space within the layout. Although the final detail of species can be covered by conditions imposed on a consent the layout must be capable of accommodating a good landscape scheme including suitable planting mitigation to protect local residential amenity. Garden size needs to be sufficient to accommodate suitable planting.

In order to address other points raised by JCN Design in relation to the adequate protection of trees and other landscape features I have included an extract from BS 5837 *Trees in relation to design, demolition and construction – Recommendations:* 

**"5.2.4** Particular care is needed regarding the retention of large, mature, over-mature or veteran trees which become enclosed within the new development (see **4.5.11**). Where such trees are retained, adequate space should be allowed for their long-term physical retention and future main tenance.

NOTE The presence of large species trees is increasingly being seen as advantageous, since it contributes to climate change resilience, amongst other benefits. Achieving successful integration of large species trees requires careful consideration at the conceptual and design stages."

Please accept this response in addition to my earlier letter which gives more detail. The conclusion remains the same and as follows:

SCC Response Re consultation Stowmarket Phase 6c Cedars Park 29th December 2015

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## CONCLUSION

Residential development of this site in the form shown will have a detrimental impact on important landscape and habitat features. The scheme does not adequately reflect the presence of large trees, ancient and mature hedgerow, and small woodland areas with much of these features either removed or damaged by the proposal. There is limited scope for suitable planting to create useful mitigation.

The housing will be prominent on the Gipping Valley skyline and in views from the town to the west. Skyline trees will be lost or compromised by the close proximity of buildings.

In order to reduce the landscape impact of the housing development there will be a need to make some layout design changes and to provide adequate space for key tree and woodland retention and new planting. This may result in reduced plot numbers.

## RECOMMENDATION

The principle of development as this part of the Cedars Park estate has been established. However the submitted scheme fails to adequately address the need to protect key landscape features in accordance with LDF policy, good design practice, BS 5837 Trees in relation to design, demolition and construction, Suffolk Design guide, The Stowmarket Area Action Plan and the Cedars Park master plan.

I recommend that time is given to resolving the design and layout matters by working with the developer, their agents and the officer team to ensure a more satisfactory layout is achieved. If this process is not forthcoming then the application should be refused.

Once outstanding layout matters have been resolved satisfactorily then conditions relating to and including the following matters should be applied to a planning consent.

- Boundary detailing, both hard and soft
- Ground levels across the site
- Hard landscape details (including highway design detailing and parking areas)
- Soft landscape details for both plot and public open space/habitat areas
- Landscape and ecological management plan for the open space/habitat areas
- Provision for domestic waste presentation spaces
- Tree and hedge protection
- Arboricultural method statement including the protection and management of trees/hedges
- Play space design
- Services and drainage installations
- External lighting design

Please let me know if you have any queries relating to matters raised in this letter.

Yours sincerely

Anne Westover BA Dip LA CMLI Landscape Planning Officer

SCC Response Re consultation Stowmarket Phase 6c Cedars Park 29th December 2015

DISCLAIMER: This information has been produced by Suffolk County Council's Natural Environment Team on behalf of Mid Suffolk District Council, at their request. However, the views and conclusions contained within this report are those of the officers providing the advice and are not to be taken as those of Suffolk County Council.

Mr J Pateman-Gee Planning Services Mid Suffolk District Council 131 High Street Needham Market Suffolk IP6 8DL Ms A Westover Landscape Planning Officer Natural Environment Team Suffolk County Council Endeavour House (B2 F5 55) Russell Road Ipswich Suffolk IP1 2BX

Tel: 01473 264766 Fax: 01473 216889 Email: anne.westover@suffolk.gov.uk Web: http://www.suffolk.gov.uk

Your Ref: 3 Our Ref: L Date: 1

3308/15 Landscape/MSDC/Stradbroke 19<sup>th</sup> November 2015

1

Dear John,

Proposal: Erection of 102 dwelling houses and apartments, associated roads, car parking, public open space and landscaping including vehicle access from Wagtail Drive and cycle access from Stowupland Road.

Location: Phase 6c Cedars Park, Stowmarket

Application No: 3308/15

Thank you for your consultation letter dated 27<sup>th</sup> October 2015. Based on the information provided on the MSDC web site and my further site visits carried out on 5<sup>th</sup> and 10<sup>th</sup> November, I provided comments as follows. I have also emailed my initial comments to you on 9<sup>th</sup> November.

I have referred to various plans and documents including the following:

Stowmarket Area Action Plan (SAAP) Cedars Park SPG plan dated 1999 and the Development Framework, Landscape Infrastructure plan Ecological Survey James Blake Associates Landscape Master Plan July 2015 Grafik Streetscenes Grafik Architecture Site Layout Revision E The Landscape Partnership (TLP) Tree Survey June 2015 \*\*\* The Landscape Partnership Arboricultural Impact Assessment Plan (not online) \*\*\* Grafik Architecture Boundary Treatment Plan based on Revision G

The two plans I have marked \*\* give a clearer indication of the position of plots and boundaries in relation to the existing vegetation including trees and hedges within the site area. The Site Layout plan is illustrative.

SCC Response Stowmarket Phase 6c Cedars Park 19th November 2015

Further to my site visits and analysis of the plans I conclude that there will be significant conflicts arising from the development which will result in the loss of hedges, trees and woodland. The proposed layout for this phase of development and the resulting visual impact that will arise should it proceed in the form proposed will have an impact on the Cedars Park area and skyline view which currently exists.

The layout does not adequately reflect the local landscape characteristics nor does it respond to the need to retain and enhance landscape spaces. The loss of vegetation will impact on local wildlife and the visual amenity currently enjoyed by local residents.

I have considered a Cedars park Development Framework, Landscape Infrastructure plan which appears to indicate a greater emphasis on the retention of natural vegetation within and around the site area. The plan is not detailed but is useful in terms of setting out the need to protect and enhance trees and natural planting.

The SAAP identifies part of the site area, the lower smaller field as a Strategic Biodiversity area and this is indicated on Map 9.1 and accompanying text. Paragraph 9.4 specifically states that 'Developments within the Stowmarket area must demonstrate how they contribute to the SBAP targets, to ensure that development does not harm the existing biodiversity of the area.' This does not appear to have been considered in sufficient detail.

The Suffolk Wildlife Trust have recommended that the number of dwellings proposed is revised if it is not possible to achieve a viable mitigation strategy. There is no mitigation strategy proposed as part of the application and there is limited space to produce an effective strategy. I am unclear about their reference to fencing off site boundaries. I have noted the James Blake Associates sections and suggestion for close boarded fences and new high hedge and trees for certain plots (16, 17, 86, 94). These proposals are likely to be impractical as rear garden spaces are limited in extent to some 5/6 metres. The close boarded fences are unlikely to be beneficial to the protection or movement of wildlife.

The Landscape Partnership (TLP) Tree Survey and two related plans provides a comprehensive listing of all the trees. The documents identify the impacts on trees which will arise. Section 6 'Impact of proposed development on retained trees' contains two tables which list out the trees and woodland areas which will be removed to enable development and those which will be affected by the proposed development. This second list shows that four key trees, oak and ash will be affected by the layout.

In addition I note that G3 shrubby area (listed as G8 on schedule), T42 Field maple and T43 Oak will be compromised by the close proximity of plots (1, 9, 10/11/12), level changes, likely service runs and fences. Two large oaks in particular (T43 and 44) will be significantly compromised by houses and garden areas being placed close to and around them. Mature trees in small garden spaces will be vulnerable and are likely to decline over time. The northern margin of the woodland W3 and specific trees such as the fine oak T24 will be removed to enable development.

Two ash trees will be removed close to the woodland W3 leaving a tall Monterey pine T26 some 5 metres from the end gable wall of Plot 20. This is neither a suitable nor a sustainable relationship. These trees and woodland areas are visually important in that they form a skyline feature in the wider urban landscape. Both the loss of trees and the close proximity of new buildings to other trees will dramatically change the appearance of the treed skyline.

SCC Response Stowmarket Phase 6c Cedars Park 19th November 2015

The TLP conclusion set out in paragraphs 11.1 and 11.2 is at odds with the findings of the report and the presence of trees within the site. The site does contain significant tree cover within and on its boundaries and not as stated 'very few trees growing within its boundary'.

In terms of new planting described in paragraph 11.2 there is limited scope to 'bolster declining boundary planting' as the space provided is constrained by small gardens, plots located close to the boundaries and generally limited space available. This lack of space for suitable replacement planting is apparent from the Landscape Masterplan produced by James Blake Associates.

The Tree Survey report in the final paragraph 12.1 states that 'once a layout has been developed and Arboricultural Implications Assessment and Arboricultural method statement should be developed. It is not clear whether this has been finalised subsequent to the building layout being produced. Grafik layout Revision G was produced October 2015.

## The impacts from this development will arise from the following aspects:

Areas of trees, shrub and mature trees not adequately retained and protected.

The proposed layout will impact on skyline vegetation and trees and will result in their removal with a resulting detrimental impact on views from the town and neighbouring housing areas. Where trees are retained they should be left in a position where they can be managed as part of communal open space areas for the benefit of all. I recommend that the bank of land containing mature trees, scrub/hedge and running parallel to the existing houses should be retained as a complete landscape feature and with encroaching plots removed such as Plot 1, 8 and 9.

Plots placed in close proximity across the site with the proposed road layout impacting on the mature hedge and woodland areas which run through and within the site.

Plots placed close to existing boundaries and neighbouring properties with little scope for new planting. Properties alongside the steep slope to the Charles Industrial Estate will be prominent on the skyline and with no new planting indicated this aspect will look stark.

Plots and gardens backing on Stowupland Road are tight against the SCC highways tree belt and this is likely to present conflict and pressure to prune trees. Management of the trees may be problematical and should be carried out prior to development taking place.

The flats 70-74 and parking courts seem to be squeezed into the north part of the site and also close to the boundary tree belt vegetation. There will be limited residential amenity for these flats.

The large oaks and related vegetation on the south eastern boundary will be compromised by the insertion of plots, garages and driveways close to them. The steep bank to the footway will be compromised by garages pushed into it. Plot 1 is unacceptably close to the large oak T44. Many gardens will be heavily shaded by trees if they are retained/survive the development process.

SCC Response Stowmarket Phase 6c Cedars Park 19th November 2015

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If there is a need for play space within the site to cater for children then this should be located away from the woodland where there will be scope to provide equipped space.

In design terms the road layout will have a significant impact on the ancient hedgerow where the road links to the end of Wagtail Drive. The layout as designed has resulted in the corner of this hedge begin punctured with a short fragment left isolated and compromised by an adjacent plot (21). The proposed Plots 98-101 and 97 and the emergency access road compromise the long term retention, protection and management of the hedgerows indicated as Hedge 1 and Hedge 2. These ancient hedgerows are species rich and should be retained and managed as part of the public area.

There will be a need to consider the width of the footpath/cycle way (SCC are likely to require 3.5m minimum) to ensure that construction work and lighting do not compromise the hedge or its wildlife value.

The layout will be car dominated due to the high number of private drives coming straight off roads and visitor spaces inserted against the kerb line (in some cases next to woodland).

There may be an inappropriate relationship to Norton House (listed) with the close proximity of new houses all views through to the old property from the new estate. Historic building officers may provide comment on this aspect.

## CONCLUSION

garden fences.

Residential development of this site in the form shown will have a detrimental impact on important landscape and habitat features. The scheme does not adequately reflect the presence of large trees, ancient and mature hedgerow, and small woodland areas with much of these features either removed or damaged by the proposal. There is limited scope for suitable planting to create useful mitigation.

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SCC Response Stowmarket Phase 6c Cedars Park 19th November 2015

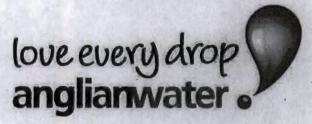
I recommend that time is given to resolving the design and layout matters by working with the developer, their agents and the officer team to ensure a more satisfactory layout is achieved. If this process is not forthcoming then the application should be refused.

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- Arboricultural method statement including the protection and management of trees/hedges
- Play space design
- Services and drainage installations
- External lighting design

Please let me know if you have any queries relating to matters raised in this letter. Yours sincerely

Anne Westover BA Dip LA CMLI Landscape Planning Officer



## Planning Applications – Suggested Informative Statements and Conditions Report

AW Reference:
Local Planning Authority:
Site:
Proposal:
Planning Application:

00010091 Mid Suffolk District Phase 6C Cedars Park, Stowmarket 103 x C3 Dwellings 3308/15

Prepared by Mark Rhodes Date 03 December 2015

If you would like to discuss any of the points in this document please contact me on 01733 414690 or email <u>planninglialson@anglianwater.co.uk</u>

## ASSETS

## Section 1 – Assets Affected

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

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

## WASTEWATER SERVICES

### Section 2 – Wastewater Treatment

2.1 The foul drainage from this development is in the catchment of Stowmarket Water Recycling Centre that will have available capacity for these flows.

#### Section 3 – Foul Sewerage Network

3.1 Anglian Water do not own the foul water sewers in the immediate vicinity of the site The nearest public foul sewer with available capacity is manhole 2101 in Stowupland Road, which at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

## Section 4 – Surface Water Disposal

4.1 The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option.

Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

4.2 The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. We would

therefore recommend that the applicant needs to consult with Anglian Water and the Lead Local Flood Authority (LLFA).

We request a condition requiring a drainage strategy covering the issue(s) to be agreed.

## Section 5 – Trade Effluent

5.1 Not applicable

## Section 6 – Suggested Planning Conditions

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

## Surface Water Disposal (Section 4)

## CONDITION

No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

## REASON

To prevent environmental and amenity problems arising from flooding.



John Pateman-Gee Planning Department Mid Suffolk District Council 131 High Street Needham Market IP6 8DL

13/10/2015

Dear John,

RE: 3308/15 Erection of 102 dwelling houses and apartments, associated roads, car parking, public open space and landscaping including vehicle access from Wagtail Drive and cycleway access from Stowupland Road. Phase 6C Cedars Park, Stowmarket

Thank you for sending us details of this application. We have read the ecological survey reports (Extended Phase 1, Southern Ecological Solutions, July 2015 and Phase 2, Southern Ecological Solutions, June 2015) and we note the findings of the consultant. We have the following comments on this application:

### Protected Species

The Phase 2 report details the surveys for specific species groups undertaken at the site, including bats; reptiles and breeding birds. However, the survey work undertaken for bats appears to be incomplete as the activity survey results (both transects and static detectors) for June; July; August and September are not included within the assessment report. The absence of this survey work means that full assessment of the likely impacts of the proposed development on bats, in accordance with the published good practice guidance<sup>1</sup>, cannot be undertaken. ODPM Circular 06/2005<sup>2</sup> (paragraph 98) states that "the presence of protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its babitat". Paragraph 99 states that "it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision". The outstanding surveys and the assessment of the likely impacts of the proposed development must therefore be carried out prior to the determination of this application in order to fully assess the likely impacts of the development on protected species.

## Habitat Loss

The ecological surveys provided with the application indicate that the semi-natural habitats on the site (particularly the existing trees and hedgerows) provide habitat for a number of protected and/or UK and Suffolk Priority species. This includes foraging bats and breeding birds. The Site Layout Plan (drawing number 14-2304-002) indicates that to accommodate the proposed 102 dwellings a number of the existing trees will require removal. This would Suffolk Wildlife Trust, Brooke House, Ashbocking, Ipswich, IP6 9JY Tel: 01473 890089

www.suffolkwildlifetrust.org

info@suffolkwildlifetrust.org

Suffolk Wildlife Trust is a registered charity no. 262777

Hundt, L. (2012) Bat Surveys: Good Practice Guidelines, 2<sup>nd</sup> edition. Bat Conservation Trust

<sup>2</sup> ODPM Circular 06/2005 Government Circular: Biodiversity and Geological Conservation – Statutory obligations and their impact within the planning system



appear to reduce the value of the site for these species groups and we would therefore recommend that the number of dwellings proposed for the site is revised to enable more of the existing habitat features to be retained.

In addition, retained habitat such as the woodland areas and hedgerows will also be subject to a degree of change through management to increase public access and the incorporation in to private gardens. Such changes have the potential to result in a long term decrease in the biodiversity value of these features, which in turn will reduce the net biodiversity value of the site. The ecological report recommends that an Ecological Management Plan be implemented for the site in order to ensure that management of the public open spaces maximises their biodiversity value. However, the implementation of such a plan is unlikely to be able to ensure the maintenance of the biodiversity value of the hedgerows on the site once these are incorporated in to private gardens. If the site cannot be designed in such a way as to retain the majority of existing hedgerows outside of private gardens (which appears unlikely) then a mechanism should be found to ensure that hedgerows are retained and beneficially managed in the long term.

#### Conclusion

As set out above we consider that the application, as currently presented, fails to demonstrate that the proposed development will not result in a significant adverse impact on protected and/or UK and Suffolk Priority species. We therefore <u>object</u> to this application.

If you require any further information please do not hesitate to contact us.

Yours sincerely

James Meyer Conservation Planner



John Pateman-Gee Planning Department Mid Suffolk District Council 131 High Street Needham Market IP6 8DL

27/10/2015

Dear John,

RE: 3308/15 Erection of 102 dwelling houses and apartments, associated roads, car parking, public open space and landscaping including vehicle access from Wagtail Drive and cycleway access from Stowupland Road – Further Information. Phase 6C Cedars Park, Stowmarket

We have received a copy of the updated Phase 2 Ecological Survey report (Southern Ecological Solutions, Oct 2015) from the ecological consultant and have discussed the updated report with them. We have also received correspondence from the consultant addressing the comments made in our letter to Mid Suffolk DC of 13<sup>th</sup> October 2015. We have the following comments on the additional information received:

The updated report includes details of all of the bat survey work undertaken at the site between April and September 2015. The bat survey effort employed at the site appears to meet the requirements set out in the published best practice guidance<sup>1</sup> and we therefore have no further comment to make on the level of bat survey effort employed.

As acknowledged in the updated Phase 2 Ecological Survey report (section 4.7), the field boundaries; hedgerows; scattered trees and woodland on the site offer moderate value habitat for bats, particularly for foraging and commuting. It is therefore important that these habitats are protected from damage by the proposed development. If it is not possible to maintain the all of the existing vegetation on the site, an appropriate landscape planting scheme should be implemented which maintains the site's overall value for bats. We recommend that the number of dwellings proposed for the site is revised if it is not possible to achieve a viable mitigation strategy based on developing 102 dwellings on the site.

We also note that the existing perimeter site boundaries will be fenced off from the proposed domestic gardens rather than being used to form their boundaries. We therefore have no further comment on this element of the proposal.

Given the value of the site for bats, it also essential that a sensitive lighting strategy is implemented as a part of approved development (as per the recommendation made by the ecological consultant).

If you require any further information please do not hesitate to contact us.

Yours sincerely

James Meyer Conservation Planner



Suffolk Wildlife Trust, Brooke House, Ashbocking, Ipswich, IP6 9JY Tel: 01473 890089

www.suffolkwildlifetrust.org

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Suffolk Wildlife Trust is a registered charity no. 262777

Creating a Living Landscape for Suffolk



John Pateman-Gee Planning Department Mid Suffolk District Council 131 High Street Needham Market IP6 8DL

17/11/2015

Dear John,

RE: 3308/15 Erection of 102 dwelling houses and apartments, associated roads, car parking, public open space and landscaping including vehicle access from Wagtail Drive and cycleway access from Stowupland Road – Additional Comments. Phase 6C Cedars Park, Stowmarket

Further to our letters of 13<sup>th</sup> October 2015 and 27<sup>th</sup> October 2015 we have now had an opportunity to review the additional application information published on the Mid Suffolk DC website on 2<sup>nd</sup> November 2015. In addition to the points raised in our earlier letters, we have the following comments on this information:

The plans included within the Tree Survey Report (The Landscape Partnership, June 2015) show that whilst some of the existing individual trees on the site will be retained as part of the proposed development, a number will be lost. The majority of the tree/scrub habitat (identified as W1; W2 and W3 in the report) will also be removed to enable the proposed development. We also note that the council's arboricultural officer has raised the degree of proposed tree loss as a point for consideration in his response to this application.

We therefore reiterate the comment made in our previous letters that, as acknowledged in the updated Phase 2 Ecological Survey report (section 4.7), the field boundaries; hedgerows; scattered trees and woodland on the site offer moderate value habitat for bats, particularly for foraging and commuting. It is therefore important that these habitats are protected from damage by the proposed development. If it is not possible to maintain the all of the existing vegetation on the site, an appropriate landscape planting scheme should be implemented which maintains the site's overall value for bats. We recommend that the number of dwellings proposed for the site is revised if it is not possible to achieve a viable mitigation strategy based on developing 102 dwellings on the site. This is particularly important given the conclusion in the Phase 2 ecological report (paragraph 5.5) that, with the mitigation described in the report, the proposed development will have a site wide impact on bats. This includes the loss of the improved grassland negatively impacting on the local Noctule/Nyctalus species' foraging resource (paragraph 5.6).

Part of this site is also marked as a "Key Biodiversity Area" in the Stowmarket Area Action Plan (Policy 9.1 and Map 9.1) and the council should be satisfied that the development proposed is not contrary to this adopted policy.

If you require any further information please do not hesitate to contact us.

Yours sincerely

James Meyer Conservation Planner



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