



## Committee Report

Planning Committee - 25 August 2020

Application no DC/20/1909/FUL

**Location**

Bealings Holt  
Martlesham Road  
Little Bealings  
Woodbridge  
Suffolk  
IP13 6LX

**Expiry date** 20 July 2020 (extension of time expiry date 26 August 2020)

**Application type** Full Application

**Applicant** Mrs A L Wakefield

**Parish** Little Bealings

**Proposal** Erection of a two-storey dwelling and formation of vehicular access to Martlesham Road

**Case Officer** Katherine Scott  
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### 1. Summary

- 1.1. This application seeks full planning permission on land to the west of Bealings Holt, Martlesham Road, Little Bealings.
- 1.2. The site is located in the countryside, more than 150m from the nearest settlement boundary on a road with no pavement, so the proposed dwelling would not meet the current local plan policy relating to dwellings in clusters in the countryside (policy DM4).
- 1.3. A dwelling has previously been granted on this site under NPPF paragraph 55 (now paragraph 79), and that consent remains extant. However, the current scheme is not proposed under paragraph 79, but under emerging Local Planning Policy SCLP5.4 (Housing in clusters in the countryside).

- 1.4. It is considered that the emerging policy SCLP5.4 can be given significant weight, as the proposed main modifications to the policy do not affect the principle of this proposal, and the examination process is nearing completion.
- 1.5. The proposed dwelling complies with policy SCLP5.4 and is acceptable in terms of all other relevant planning policies and material planning considerations. It is therefore recommended for approval subject to conditions.
- 1.6. As this recommendation is contrary to the current Local Plan, the application is presented to Planning Committee for determination in accordance with the Council's Scheme of Delegation.

## **2. Site description**

- 2.1. The property at Bealings Holt comprises some 3.3 hectares, the western half of which covers some 0.56 hectares and forms the application site. The application site comprises a parcel of land within the western half of the property and is located to the south side of Martlesham Road.
- 2.2. Bealings Holt is located within a ribbon of properties; however, it is outside the Little Bealings physical limits boundary and is therefore, in planning terms, a countryside location.
- 2.3. The applicants land ownership wraps around the application site to the south, east and partially to the north. To the south of the application site beyond the applicants wider land holding, there is a public right of way running west-east along the valley (Footpath 11).
- 2.4. To the north of the main portion of the site is Cedar Cottage, a residential property fronting Martlesham Road; to the west of the site is Marchwood, a large detached dwelling; and, to the east, is the existing dwelling at Bealings Holt: a detached inter-war villa. A public right of way (E-369/011/0) runs adjacent the River affording long range views of the site from the river valley.
- 2.5. The application site comprises the extensive side garden of the existing property and is mostly down to lawn grass and mature trees, however there is a facilities block, machinery store and an electric hook up point located there, all of which used to serve the former caravan park (planning permissions C/98/0053, C/98/0442, C/99/1199).
- 2.6. To the south of the application site the land under the applicants ownership extends down into the river valley and comprises grazed paddocks.
- 2.7. The site is located on the northern edge of the area of 'Estate Sandlands', a landscape character type identified in the Suffolk Landscape Character assessment, published by the Suffolk County Council. It also falls within a locally designated Special Landscape Area (covered by Policy SSP38).
- 2.8. Planning Permission was granted for a dwelling on this site under reference DC/17/4940/FUL. The dwelling was permitted by the decision notice issued 1 January 2019, with a three year time limit for implementation. It was a mix of two-storey and single-storey elements, with a total floor approximately of 650 sqm. Along with the main living accommodation, the dwelling included an Annexe (61 sq.m); Garage and plant room (50

sq.m); Garden store (30 sq.m); and a pool changing facility (25 sq.m). It was to be accessed from Martlesham Road, using the existing access drive serving Bealings Holt.

- 2.9. The 2017 application was submitted for consideration as a dwelling of truly outstanding architectural quality and would therefore meet the special circumstances of National Planning Policy Framework (NPPF) paragraph 55 (now paragraph 79).
- 2.10. The 2017 application was considered and approved by Planning Committee (the then Suffolk Coastal South Area Planning Committee) on 26 March 2018. The minutes for that meeting state that the committee resolved to:

*"APPROVED on the grounds that the location was considered to be sustainable and the design of the building was outstanding, sympathetic and unobtrusive, as such, it would enhance the location and immediate vicinity. Further the design was considered to be ecologically outstanding. Appropriate conditions to be included by the Case Officer. The following advisory to be imposed:*

*1. A defined but light-touch boundary to be included within the design."*

- 2.11. DC/17/4940/FUL was the subject to a Section 106 Legal Agreement, to secure implementation habitat and landscape restoration proposals, across the land under the applicants ownership. These proposals were submitted as part of the justification for the scheme being considered to comply with paragraph 55 of the NPPF.
- 2.12. Since that dwelling was permitted, a new access and driveway to serve the approved dwelling was granted under reference DC/18/4896/FUL. The approved access and driveway was proposed between the existing access serving Bealings Holt, and the western boundary of Cedar Cottage. It was granted on 11 January 2019, subject to a 3 year time limit for implementation and conditions relating to the formation of the access on to the highway and associated visibility splays.
- 2.13. In June 2019, Planning Permission was also granted for a single-storey outbuilding (Pool House) to be associated with the existing dwelling Bealings Holt (DC/19/1896/FUL). It was permitted to be sited to the west of the existing dwelling, forward of its front elevation, but further from Martlesham Road than the existing garage. When constructed it would be to the east of the current application site.

### **3. Proposal**

- 3.1. The current application seeks full planning permission for a detached five-bedroomed dwelling, with accommodation set over two-floors. The dwelling itself is proposed to have 3 glazed two-storey height gables on the front (northern elevation), the smaller of which would be located off-centre and contain the entrance hall and stairs. The larger gables on either side are proposed to have juliet balconies on the front elevation. A similar glazed gable arrangement is also proposed on the rear (south facing) elevation.
- 3.2. To the western side of the building an attached forward projecting double garage is proposed, with a studio within its roofspace accessed via an external staircase on the northern elevation.

- 3.3. To the rear of the garage, west of the two-storey part of the dwelling, the scheme proposes a flat roofed single-storey element which provides internal access from the garage to the house, and would have a ground floor living space set at an angle to the main floor plan. Directly above this ground floor living space, a balcony is proposed on the flat roof, which would be accessible via both a first-floor level door from the house and via an external staircase on the north-western side. A second balcony is also proposed towards the eastern end of the rear elevation.

#### **4. Consultations/comments**

- 4.1. Two letters of Objection have been received, raising the following material planning considerations:

##### Principle

- Most policies are designed to stop this type of speculative development in the countryside.
- Believe the applicant has attempted within their statement to twist the meaning of several policies to support the application, and is using the principle of DC/17/4940/FUL (which was granted under old para. 55) as a key argument for this basis development in the countryside.
- The site does not accord with the emerging local plan policy (SCLP5.4).
- Martlesham Road is not a sustainable location.
- In the unlikely event that planning permission is granted, it will set a very dangerous precedent with up to 20 or 30 other houses in the road likely to apply for similar backland and infill permissions.

##### Design and Residential Amenity.

- Believe the applicant has tried to focus the application on the mostly irrelevant design issues to draw debate away from those key development issues at the heart of the relevant policies.
- The large first floor balcony would overlook the neighbours garden in contravention of policy DM23.
- The applicants drawing 1002 does not show the property in context as it fails to show the neighbouring property, stating 'unable to survey' (do not believe this is an excuse not to show the neighbouring property).

##### Highway Safety

- This is a busy and narrow part of the road, where the speed limit is 30mph but drivers often travel up to 50mph and sometimes faster.
- The mirror placed opposite Marydene is relied upon by those exiting Marydene as is it on a blind spot. Request that the mirror is kept if an new access is created opposite Marydene to prevent road collisions.
- Suggest other considerations are given to road safety, for example speed warnings, with drivers being shown how fast they are going, with a reminder of the 30mph limit. This may help bring the speed of traffic down and the road safer.

**Consultees**  
**Parish/Town Council**

Consultee	Date consulted	Date reply received
Little Bealings Parish Council	29 May 2020	19 June 2020
<p><i>“The Parish Council is responding to the application in accordance with delegated authority put in place at its meeting on 16 March. In considering its response the Council has taken into account the following:</i></p> <p><i>Planning application DC/18/4896/FUL and the granting of permission for a new access from the highway Planning application DC/17/4940/FUL and the granting of permission for the erection of a new dwelling adjacent to Bealings Holt The existing SCDC Local Plan and the emerging SCDC Local Plan currently being examined by an Inspector</i></p> <p><i>The Council objects to the application for the following reasons:</i></p> <p><i>1 The location of the proposed dwelling is not within the designated settlement boundary of the parish. There is no connectivity from the site to the centre of the village, and no pavement or easily accessible pedestrian routes or public transport. The property would be wholly reliant on private car use. It is not sustainable development.</i></p> <p><i>2 Approval for DC/17/4940/FUL was granted (following consideration at Planning Committee and, the Council understands, on a Chairman's casting vote) as an exception to Local Plan and NPPF policy because the proposed dwelling was considered to be of outstanding design which would enhance the location. It was also considered ecologically outstanding. The current proposal is neither outstanding in design or ecologically to merit similar departure from policy. This is acknowledged in the application Planning Statement. It is noted that the applicant's reason for a completely different design is financial viability. The Council does not consider that provides any justification for approval, especially given that there is no local housing need for the dwelling.</i></p> <p><i>3 The site does not meet the definition of a cluster site within Local Plan policies DM4 and SCLP5.4. The site is not infill in a clearly identifiable gap (SCLP5.4b) but is the sub-division of an existing property garden. The plot has no existing road frontage of its own.</i></p> <p><i>4 Approval of the development would result in the subdivision of an existing large plot for the provision of an unsustainable and unwanted new dwelling. It is likely to set a precedent for the very many similar large properties in Martlesham Road and Playford Road seeking permission to subdivide plots in the same way. This would result in significant harm to the character and appearance of the area, would not be sustainable development and would mean an unsustainable increase in private vehicular traffic. It would also exacerbate problems with road safety for the existing properties exiting on to these roads (which results from significant 'rat running' traffic using this road to avoid the slower Kesgrave Road) and for traffic travelling to and from the village at the Hall Road crossroads.”</i></p>		

## Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County Archaeological Unit	29 May 2020	19 June 2020
<p>Summary of comments:</p> <p>This site lies in an area of archaeological potential recorded on the County Historic Environment Record (HER), close to Prehistoric finds and features (HER ref nos. BEL 004 &amp; BEL 045), and Roman finds (BEL 009). Furthermore, the site overlooks the Finn Valley, a topographically favourable location suitable for occupation of all periods. As a result, there is high potential for the discovery of below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.</p> <p>There are no grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets. However, in accordance with the National Planning Policy Framework (Paragraph 199), any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.</p> <p>Recommend 2 conditions</p>		

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	29 May 2020	18 June 2020
<p>Summary of comments:</p> <p>No Objections, recommend conditions relating to</p> <ul style="list-style-type: none"><li>- formation of new access,</li><li>- means to prevent discharge of water on to the highway,</li><li>- gradient of the access,</li><li>- provision of parking and turning areas,</li><li>- refuse/recycling bin storage and presentation,</li><li>- formation and retention of visibility splays</li></ul>		

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	29 May 2020	29 May 2020
<p>Summary of comments:</p> <p>No objections.</p> <p>Comments relating to potential requirements in relation to Private Water Supplies Regulations (as amended) if the property is to be connected to a private water supply.</p> <p>Recommend standard unexpected contamination condition.</p>		

## Non statutory consultees

Consultee	Date consulted	Date reply received
Landscape Team (Internal)	29 May 2020	30 June 2020

Summary of comments:  
Internal Planning Services Consultee, comments included within planning considerations section.

Consultee	Date consulted	Date reply received
Design And Conservation (Internal)	29 May 2020	No response

Summary of comments:  
Internal Planning Services Consultee, comments included within planning considerations section.

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	29 May 2020	No response

Summary of comments:  
No response received

Consultee	Date consulted	Date reply received
Ecology (Internal)	29 May 2020	19 June 2020

Summary of comments:  
Internal Planning Services Consultee, comments included within planning considerations section.

Consultee	Date consulted	Date reply received
Suffolk Fire And Rescue Service	N/A	12 June 2020

Summary of comments:  
Standard comments relating to access for fire appliances and recommending sprinklers.

## Publicity

The application has been the subject of the following press advertisement:

Category	Published	Expiry	Publication
Departure	4 June 2020	25 June 2020	East Anglian Daily Times

## Site notices

General Site Notice

Reason for site notice: Contrary to Development Plan

Date posted:

Expiry date:

## 5. Planning policy

5.1. In addition to considering applications in accordance with the National Planning Policy Framework (NPPF 2019) and the National Planning Policy Guidance (NPPG), Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the Local Planning Authority's 'Development Plan', unless material considerations indicate otherwise.

5.2. East Suffolk Council's Development Plan, as relevant to this proposal, consists of:

- East Suffolk Council - Suffolk Coastal District Local Plan – Core Strategy and Development Management Development Plan Document (Adopted July 2013);
- East Suffolk Council – Suffolk Coastal District Local Plan – Site Allocation and Area Specific Policies Development Plan Document (Adopted January 2017) and;
- The 'Saved' Policies of the Suffolk Coastal Local Plan incorporating the first and second alterations.

5.3. The relevant policies of the Suffolk Coastal District Local Plan – Core Strategy and Development Management Development Plan Document (Adopted July 2013) and Suffolk Coastal District Local Plan – Site Allocation and Area Specific Policies Development Plan Document (Adopted January 2017) are:

- SP1 - Sustainable Development (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- SP1a - Presumption in Favour of Sustainable Development (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- SP2 - Housing Numbers and Distribution (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- SP3 - New Homes (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

- SP14 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- SP15 - Landscape and Townscape (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- SP18 - Infrastructure (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- XSP19 - Settlement Hierarchy (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- SP29 - The Countryside (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- DM3 - Housing in the Countryside (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- DM4 - Housing in Clusters in the Countryside (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- DM21 - Design: Aesthetics (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- DM22 - Design: Function (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- DM23 - Residential Amenity (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- DM27 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))
- DM28 - Flood Risk (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

5.4. The new Local Plan (covering the former Suffolk Coastal area) was submitted to the Planning Inspectorate for examination on Friday 29th March 2019. PINS confirmed the submission and the examinations were held in August/September 2019. The Inspectors

letter of 31st January 2020 states "Overall, I consider that, subject to main modifications, the Plan is likely to be capable of being found legally compliant and sound."

- 5.5. The consultation on the Main Modifications has been completed (finished 10 July 2020). A copy of the updated Local Plan including the Main Modifications and details of the consultation can be found on the Council's website at:  
<https://suffolkcoastallocalplan.inconsult.uk/consult.ti/mainmodifications2020/>.
- 5.6. In relation to the current weight that can be attributed to the policies in the emerging Suffolk Coastal Local Plan, paragraph 48a) of the 2019 NPPF sets out that the more advanced the emerging plan is in the plan making process, the greater the weight that may be afforded to the policies within it.
- 5.7. The relevant Policies within the emerging Suffolk Coastal Local Plan are:
  - SCLP3.2 – Settlement Hierarchy
  - SCLP3.3 – Settlement Boundaries
  - SCLP5.3 – Housing Development in the Countryside
  - SCLP5.4 – Housing in Clusters in the Countryside
  - SCLP7.2 – Parking Proposals and Standards
  - SCLP10.1 – Biodiversity and Geodiversity
  - SCLP10.4 – Landscape Character
  - SCLP11.1 – Design Quality
  - SCLP11.2 – Residential Amenity
  - SCLP11.7 – Archaeology

## 6. Planning considerations

### Principle

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, determination must be made in accordance with the plan unless material considerations indicate otherwise. The relevant planning policies are detailed in section 4 of this report.
- 6.2. The application site is located in the countryside where new residential development is generally contrary to planning policy; reflected in the Council's adopted settlement policies (SP19 and SP29 of the Core Strategy) - which directs new residential development to more sustainable settlements. Policy DM3, however, sets out a number of exceptions where residential development in the countryside can be acceptable.
- 6.3. One of these defined exceptions is paragraph 79 of the NPPF (2019). The proposal does not meet any of the exceptions laid out in this paragraph
- 6.4. The scheme is being considered on the basis of being an open market dwelling on a site within the countryside, for which Policy DM3 is applicable. It permits dwellings in the countryside for the following exceptional circumstances (in addition to paragraph 55/79):

*"(a) Replacement dwellings on a one to one basis where they are no more visually intrusive in the countryside than the building to be replaced;  
(b) The sub-division of an existing larger dwelling where this would meet a local need;  
(c) Affordable housing on 'exception' sites in accordance with Policy DM1;  
(d) Conversions of existing buildings subject to certain controls (Policy DM13);  
(e) Minor infilling within clusters of dwellings well related to existing sustainable settlements (Policy DM4);....."*

6.5. The current proposal would fail to meet exception (a) as the proposal is not for a replacement dwelling. It can not be considered a replacement dwelling, as there is currently no dwelling on the site to replace. The previously consented dwelling has not been built and occupied.

6.6. The proposal would also not meet exceptions (b), (c) or (d) because the scheme is not the sub-division of a larger dwelling, not affordable dwelling on an exception site, and it is new build, not the conversion of an existing building.

6.7. The proposal would also not meet the requirements of minor infilling within clusters well related to existing sustainable developments as defined in Policy DM4. This policy defines a cluster as:

*"A 'cluster' in this context:*

- Consists of a continuous line of existing dwellings or a close group of existing dwellings adjacent to an existing highway;*
- Contains 5 or more dwellings; and*
- Is located no more than 150 metres from the edge of an existing settlement identified as a Major Centre, Town, Key Service Centre or Local Service Centre. This distance may be extended to 300 metres if a footway\* is present."*

6.8. This site is largely separated from Martlesham Road by Cedar Cottage, rather being adjacent to it. It is also more than 150m from the nearest settlement / physical limits boundary of the nearest sustainable settlement. The settlement / physical limits boundaries of both Little Bealings and Martlesham are more than 150m away along roads with no pavements. Therefore, the principle of the current proposal, is contrary to the current Local Plan.

6.9. However, the emerging Local Plan has reached an advanced stage and as set out within Section 5 of this report, its policies can be given material weight in the consideration and determination of planning applications.

6.10. The equivalent policy to DM3 within the emerging Local Plan is Policy SCLP5.4 (Housing in Clusters in the Countryside), which allows for proposals of up to three dwellings within a cluster of five or more dwellings, where:

*"b) The development consists of infilling within a continuous built up frontage, is in a clearly identifiable gap within an existing cluster, or is otherwise located adjacent to existing development on two sides;  
c) The development does not represent an extension of the built up area into the surrounding countryside beyond the existing extent of the built up area surrounding, or adjacent to, the site; and*

*d) It would not cause undue harm to the character and appearance of the cluster or, result in any harmful visual intrusion into the surrounding landscape."*

6.11. The current application site has dwellings on three sides, does not represent an extension of the built up area into the wider countryside, and as set out in the visual amenity and landscape considerations section below, would not result in undue harm to the character and appearance of the cluster or result in any harmful visual intrusion in the surrounding landscape. It therefore meets the above sections of the policy.

6.12. This emerging policy SCLP5.4 also redefines 'cluster' as:

*"- Consists of a continuous line of existing dwellings or a close group of existing dwellings adjacent to an existing highway; and  
- Contains 5 or more dwellings."*

6.13. It therefore removes the specific distance to the settlement requirement set out in the current planning policy, allowing for new dwellings to be permitted within existing groups further from sustainable settlements with defined settlement limits / physical limits boundaries. Therefore, this site meets the definition of 'cluster' within the emerging local plan, and accords with emerging Local Plan Policy SCLP5.4.

6.14. As part of the Examination Process, two Main Modifications have been proposed to this policy, the first of which is in relation to developments of more than 3 dwellings so is not applicable to this proposal. The second Main Modification is in relation to considerations in sensitive locations, and the relevant paragraph has been changed from:

*".....Particular care will be exercised in sensitive locations such as within or in the setting of Conservation Areas, the Area of Outstanding Natural Beauty and special qualities and features of Landscape Character Areas in accordance with Policy SCLP10.4...."*

To:

*".....Particular care will be exercised in sensitive locations such as within or in the setting of Conservation Areas and the Area of Outstanding Natural Beauty. Consideration will also need to be given to the features of Landscape Character Areas in accordance with Policy SCLP10.4...."*

6.15. The current application site is located within an area identified as a Special Landscape Area within the current Local Plan, within the Suffolk Landscape Character Assessment, it is identified as being located within the northern fringe of the 'Estate Sandlands', and area 'K5 Kesgrave Sandlands' within the Suffolk Coastal Landscape Character Assessment Final Report July 2018. The consideration of the impacts of the proposal upon the landscape are set out in the section below. They conclude that the scheme is acceptable in terms of impacts upon the landscape. Therefore, the scheme accords with emerging policy SCLP5.4.

6.16. Whilst the principle of a dwelling on this site would not meet the current 'cluster policy' (DM4) due to its distance from the nearest settlement boundary, it would meet the requirements of the 'cluster policy' (SCLP5.4) within the emerging Local Plan. This emerging policy should be given significant weight as the examination process into the emerging Local Plan is nearing completion, with the consultation on the main modifications having been

recently completed and the Examiners final report expected within the next few weeks. It is therefore considered that the principle of a dwelling on this site should be supported in line with the emerging planning policy SCLP5.4.

#### Landscape and Visual Impact

- 6.17. The proposed dwelling would be significant in scale and massing, but it would not appear out of character with its surroundings. This section of the southern side of Martlesham Road is predominately large detached two storey dwellings set on large plots surrounded by mature trees. The dwellings comprise a mix of various styles and ages, with many appearing to date from the mid-twentieth century, and some more contemporary, such as the adjacent Marchwood, which is an early twenty-first dwelling with a curved footprint and glazed gables (granted planning permission under C/06/0900, with dormer windows subsequently granted under DC/13/2384/FUL).
- 6.18. The proposed dwelling reflects the gabled roofs on Marchwood and Bealings Holt, with a more contemporary external appearance, continuing the evolution of design styles in this area.
- 6.19. Overall, the design approach is appropriate for this location and the size of the plot, and character of the locality. It would accord with current local plan policy DM21 (Design Aesthetics), and emerging Local Plan policy SCLP11.1 (Design Quality).
- 6.20. However, the application is not specific about the external materials proposed to be used, and therefore it is considered appropriate to include conditions on any consent requiring the submission of these prior to implementation, to ensure the overall visual appearance is appropriate in the interests of visual amenity.
- 6.21. Current Local Plan Policy SSP38 - Special Landscape Areas (SLAs), sets out that development will only be acceptable in SLAs where it does not have a material adverse impact on the qualities which make the landscape special. In addition, policy SP15 sets out the Council's strategic approach to both protect and enhance the various landscape character areas within the district (which includes SLAs and landscape types identified in the Suffolk Landscape Character Assessment).
- 6.22. As referred to in the section above, this site is located in the northern fringe of the 'Estate Sandlands' as identified in the Suffolk Landscape Character Assessment, and area 'K5 Kesgrave Sandlands' in the more recent Suffolk Coastal Landscape Character Assessment Final Report July 2018.
- 6.23. The Suffolk Coastal Landscape Character Assessment explains that this area is strongly influenced by the urban edge of Kesgrave and Martlesham, with land use a mix of residential, commercial, arable land and woodland. The landscape character assessment document also explains that much of this landscape is degraded and highly influenced by human activity. The document also explains that the modern land cover, geometric patterns and extensive regular pattern of tree cover give this landscape a degree of capacity to absorb development.
- 6.24. The site includes a significant number of mature trees, which would reduce and soften views of the proposal within the wider landscape, particularly in views from public vantage points along Martlesham Road and from the footpath located on lower ground within the valley to

the south. In views from the south the building would also be seen in the context of the existing dwellings. The built form will not extend beyond the existing band of dwellings set in amongst mature trees which are characteristic of this section of the southern side of Martlesham Road. Subject to the retention of a significant part of the existing mature planting the proposed dwelling would not have a significantly adverse impact upon the character of the wider landscape during day light hours. The Council's Arboricultural and Landscape Manager raises no objections to the proposed impacts of the proposal upon the landscape.

- 6.25. The proposed design includes a significant amount of glazing, including on the southern elevation which would face the open countryside. Therefore, internal lighting within the building is likely to be visible within this rural environment. However, the building would be partially screened by the existing trees and there are existing dwellings on both sides. Therefore the potential for light spillage would not be sufficiently harmful to the landscape after dark to warrant refusal.
- 6.26. The scheme does not include any external lighting, but if it was to be installed it could have a significantly greater impact upon the landscape and ecology (see later section of this report) than light spillage from the building. It is therefore appropriate to condition the submission of any external lighting prior to installation.
- 6.27. It would therefore accord with current Local Plan Policies, SSP38 (Special Landscape Areas) and SP15 (Landscape and Townscape), and the emerging Local Plan Policies SCLP10.4 (Landscape Character) and SCLP5.4 Housing in Clusters in the Countryside).

#### Trees/ Arboriculture

- 6.28. The arboricultural statement and tree survey plan originally submitted with this application related to the previous application in 2017. Therefore updated documents were requested and have been received. The Council's Arboricultural and Landscape Manager has reviewed both the originally submitted documents and the revised documents. He advises that the proposals are acceptable, in that the access route is straight forward and with the use of minimal dig construction, should present no significant impact on the adjacent trees.
- 6.29. Three individual trees, plus some groupings of closely planted birch and larch are shown for removal, but these are poor quality/suppressed and largely out of the public eye so their removal will have little impact on public amenity, if any.
- 6.30. The application details the trees to be retained and the position of protecting fencing and ground protection in the form of geoweb (or equivalent) along the access drive in order to safe guard the trees during construction. It would be appropriate to include conditions on the consent to ensure the implementation of the tree protection measures and the retention of all the trees on the site, shown to be retained on the submitted drawings. Whilst many of the trees are covered by the Tree Preservation Order, some of those proposed to be retained are not covered by this protection, but should be retained in the interests of amenity.

### On site ecology considerations

- 6.31. The Section 106 Legal agreement associated with the previous planning permission included a number of landscape and ecological enhancements to the site, which were required in order for the building to meet the requirements of a NPPF paragraph 79 house in the countryside. As the current application has not been submitted for consideration as a NPPF paragraph 79 house, the Local Planning Authority can not justify seeking the landscape and ecological enhancement on the basis of the requirements of Paragraph 79.
- 6.32. However, in accordance with both national and local planning policies (existing and emerging), and national regulations relating to protected species etc. it is required to consider the impacts of the proposal upon both landscape and ecology and can impose appropriate conditions to ensure that suitable mitigation measures are undertaken in respect of these.
- 6.33. The application includes an Ecology Report which makes recommendations regarding site lighting, boundary features for hedgehogs and the retention of deadwood for stag beetle. The Council's Ecologist as reviewed this document and is satisfied with its contents, recommending that a condition is imposed on the consent requiring compliance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecology Report.
- 6.34. The Ecology Report also explains that lighting during construction and operational phases can impact bat foraging behaviour, which could affect foraging success and population. The report outlines published guidance which should be considered when designing external lighting, to reduce potential impacts upon bats (a protected species), including the types of lamps and the way in which it is directed with no horizontal spillage towards trees, hedgerows etc.
- 6.35. Due to these concerns relating to the impact of external lighting upon a protected species and the previously outlined concerns about light spillage into the wider landscape outlined in the earlier section of this report, it is considered appropriate to condition the submission of details of external lighting prior to installation.
- 6.36. There is no need for a legal agreement for the current application, and therefore it is appropriate to include the above ecological related requirements as conditions on the consent itself.
- 6.37. Subject to the inclusion of the above conditions, the scheme would accord with Paragraphs 170 and 175 of the NPPF, current Local Plan Policies SP14 (Biodiversity and Geodiversity) and DM27 (Biodiversity and Geodiversity), and the emerging Local Plan Policy SCLP10.1 (Biodiversity and Geodiversity) in terms of the on and near site ecological matters.

### Off Site Ecology Considerations

- 6.38. Habitat Regulations Assessment's (HRA's) have been completed for Local Plan documents including the Core Strategy and Site Allocations and Area Specific Policies documents. Appropriate Assessment has also been carried out for both of these documents. The conclusion of these is that a number of planning policies, including those relating to housing allocation, would have a likely significant effect on European sites and in the absence of

suitable mitigation measures would adversely affect the integrity of these sites. The Local Plan incorporates strategic mitigation measures to be delivered to avoid adverse effects including: 1km separation of strategic allocations from European sites; improvements to convenient local greenspace for routine use, in order to reduce demand for visits to European sites, provision of a new Country Park to provide an alternative attraction, the provision of wardening and visitor management measures, guided by a visitor management plan, to manage and monitor recreational access within European sites.

- 6.39. The development falls within the 13km zone of influence over the following European Protected sites Sandlings Special Protection Area (SPA), the Alde-Ore Estuary Special Protection Area (SPA) and Ramsar site, and the Deben Estuary Special Protection Area (SPA) and Ramsar site.
- 6.40. The strategic mitigation measures outlined in the Core Strategy HRA, raises concern that new housing developments in this area have the potential to have a significant effect upon the interest features of the previously mentioned designated sites, when considered in combination, through increased recreational pressure. By way of mitigation Natural England advise that a suitable contribution to the emerging Suffolk RAMS is required in relation to this development to enable the conclusion of no likely significant effect whilst ensuring the RAMS remains viable.
- 6.41. The application seeks consent for a dwelling, within the Zone A for RAMS. As appropriate mitigation cannot be provided on site, a financial contribution of £321.22 per dwelling is required. The applicant has completed the relevant S111 form and made the payment to the Suffolk Coast RAMS in connection with the previous consent DC/17/4940/FUL, and has confirmed in writing that the monies that they are happy for the monies to be retained and used for either scheme (i.e. whichever is subsequently implemented). It can therefore be concluded that there would be no likely significant effect on the integrity of the protected sites as a result of disturbance through increased visitor pressure.

#### Heritage and Archaeology

- 6.42. There are no Listed Buildings on or in close proximity to the site, and the site is located outside any Conservation Area. However, there are heritage matters to consider in the form of archaeological deposits. As highlighted in the consultation response from SCC Archaeology:

*"This site lies in an area of archaeological potential recorded on the County Historic Environment Record (HER), close to Prehistoric finds and features (HER ref nos. BEL 004 & BEL 045), and Roman finds (BEL 009). Furthermore, the site overlooks the Finn Valley, a topographically favourable location suitable for occupation of all periods. As a result, there is high potential for the discovery of below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist."*

- 6.43. Therefore in order to safeguard the heritage assets that could exist in the form of archaeological deposits in accordance with the requirements of the NPPF, it would be appropriate to include conditions on any consent requiring the submission and agreement of a written scheme of investigation, its subsequent implementation, prior to

commencement of development, and the subsequent submission of a post investigation assessment prior to occupation.

### Highway Safety Considerations

- 6.44. The concerns raised by Little Bealings Parish Council and third parties in relation to the existing width of Martlesham Road near the application site, and the speeds that users appear to travel along it are noted. However, the Local Planning Authority can not require an application to solve existing highway issues, it can only seek to ensure highway safety issues are not exacerbated by a proposed development.
- 6.45. The proposed access driveway to the development has been previously granted through planning permission DC/18/4896/FUL as a new means of access to serve the dwelling previously granted under planning permission DC/17/4940/FUL. Therefore the principle of an access of this form and in this location to serve a dwelling, has already been established.
- 6.46. The Local Highway Authority also raise no objections to the proposal recommending conditions relating to the formation of the access, and parking etc.
- 6.47. Therefore, the formation of the new access and parking arrangements for the dwelling can not be reasonably resisted, due to the pre-existing establishment of the principle and that the Local Highway Authority raise no objections.
- 6.48. However, it is recommended that the condition relating to refuse/recycling bins recommended by the Local Highway is amended so that it only relates to presentation areas, as it would be unreasonable to require details of storage areas given the size of the plot.

### Residential Amenity

- 6.49. Representations have not been received from the occupants of either of the dwellings sharing a boundary with the application site outside of the applicants control (Marchwood and Cedar Cottage).
- 6.50. However, in accordance with current Local Plan Policy DM23 (Residential Amenity) and emerging Local Plan Policy SCLP11.2 (Residential Amenity), the potential impacts upon the amenity of current and future occupants of adjoining dwellings and the proposals are material to the consideration of this application.
- 6.51. Due to the proposed separation distances, there would be no significant impacts upon outlook, daylight and sunlight to the adjoining properties, and as this is for a single residential property the potential impacts in terms of noise and disturbance, the resulting physical relationship with other properties, air quality and other forms of pollution, and safety and security would also be acceptable.
- 6.52. The key consideration in terms of residential amenity relates to privacy and overlooking. However, there would be significant distances between the proposed dwelling and the existing windows and private amenity areas of adjoining properties, with existing vegetation also located between the buildings.

- 6.53. The windows proposed on the eastern elevation would be floor to ceiling style openings on the ground floor with smaller openings on the first floor. They would be a mix of secondary windows to the living room and master bedroom, and the sole windows to shower rooms and en suites. They would therefore not be primary windows. Views from the those on the ground floor towards the host dwelling (Bealings Holt) could be largely obscured with a normal height boundary fence (i.e. 1.8-2m) if the occupants of either property wished erect such a feature. The first floor windows would be at a height above the internal floor level which could enable views, but two of them would serve en suites so are likely to be obscurely glazed, and it would be unreasonable to insist on the remaining opening (a secondary window to the master bedroom) to be obscurely glazed due to the distances involved. The side to side distances between the western elevation of Bealings Holt and the eastern elevation of the new dwelling would be in excess of 31m.
- 6.54. On the rear (southern elevation), the openings would provide views over the valley, rather towards the dwellings immediately adjacent. This elevation also includes a balcony and a roof terrace at first floor level. The balcony could enable views sideways in an easterly direction towards Bealings Holt. However, as set out above the side to side distance between the two dwellings would be well in excess of the 24m minimum distance usually insisted upon. Therefore, a screen on the eastern side of the balcony can not be reasonably insisted upon.
- 6.55. The first floor roof terraces is proposed to be set at an angle on the south-western corner of the proposed dwelling, with an external staircase on the north-western side. It would potentially allow views towards the rear of the dwelling to the north-west and its windows on the south-eastern corner (Marchwood), but these would be limited by the existing tree belt which exists on the boundary, and there would be in excess of 25m between the north-western side of the balcony and the south-eastern corner of Marchwood. Therefore, due to the distances involved and the vegetation forming screening, this relationship would be acceptable.
- 6.56. The ground floor level glazing beneath this terrace would also provide views over the rear garden of the proposed dwelling and potential views towards the end of the rear garden of Marchwood would be largely obscured by the existing tree belt.
- 6.57. The western side of the dwelling is proposed to have a roof light serving bedroom 5, and ground floor level glazing serving the pantry and utility with a pedestrian door into the rear of the garage. Views from these towards Marchwood be largely screened by the tree belt and those at ground floor could be further obscured by the erection of a fence if required in the future.
- 6.58. It is unfortunate that bedroom 5 would only have a roof light and no other external opening, as such an arrangement is not ideal in terms of the amenity of future occupiers. However, as this is the fifth bedroom and the only one with out an ensuite, it is considered likely that the other four bedrooms are likely to be used ahead of bedroom 5, and as such, whilst far from ideal, the Local Planning Authority could not reasonably refuse the application on the basis of the lack of amenity for future occupiers of bedroom 5.
- 6.59. There is also an external staircase proposed on the northern side of the attached garage. Views from its top platform towards Marchwood would be also screened by the boundary trees. It is also 22 metres from the rear boundary of Cedar Cottage, so significantly more

than 24m from the rear elevation of that dwelling. It would also not be large enough to facilitate sitting out, but would simply provide a means of access to the roofspace above the garage, so the potential impact upon Cedar Cottage would not be sufficiently detrimental to warrant the removal of the staircase or a screening panel.

- 6.60. The northern (front) elevation of the proposed dwelling would also incorporate significant levels of glazing a Juliet balconies at first floor level. However, these elements are to be set significantly further from the boundary with Cedar Cottage, than the staircase on the garage. The closest area of significant glazing and first floor level Juliet balcony would be the gable containing Bedroom 2, which would be approximately 28.8m from the boundary with Cedar Cottage. Therefore, the proposed front to back relationship between the dwellings would be sufficiently large enough to prevent any significant concerns in relation to overlooking or loss of privacy.
- 6.61. Therefore, the currently proposed scheme is acceptable in terms of overlooking and privacy considerations, and would accord with current Local Plan Policy DM23 (Residential Amenity) and emerging Local Plan Policy SCLP11.2 (Residential Amenity).

#### Consideration of Permitted Development Rights.

- 6.62. As a new dwelling, this property would benefit from all the usual householder Permitted Development Rights, unless they are specifically controlled/removed via a condition on the consent. These would include:
- Class A (Alterations and Extensions), Class B (Roof alterations and extensions), Class C (other roof alterations), Class D (porches), Class E (Outbuildings, pools and domestic heating fuel tanks), Class F (Hardstanding), Class G (Chimneys and flues etc) and Class H (Microwave Antenna) of Part 1 of Schedule 2 of the General Permitted Development Order ,
  - Class A (Walls, Gates, fences and other means of enclosure) and Class C (painting) of Part 2 of Schedule 2 of the General Permitted Development Order ,
- and
- Class A (solar equipment on the dwellinghouse), Class B (solar equipment within the curtilage), Class C (Ground source heat pumps), Class D (water source heat pumps), Class E (flues etc for biomass heating), Class F (flue for combined heat and power), Class G (air source heat pumps), Class H (Wind Turbines on the dwellinghouse) and Class I (wind turbines within the curtilage) of Part 14 of Schedule 2 of the General Permitted Development Order.
- 6.63. The previous consent removed many of these Permitted Development Rights, on the basis that the dwelling was being permitted as an exceptional proposal in line with NPPF Paragraph 55, and therefore it was justifiable to seek to control future alterations and additions which could undermine the fundamental design principles which made it an exception under that policy.
- 6.64. The current proposal is not being considered or permitted under NPPF Paragraph 55 (now 79) so permitted development rights can not be removed in the same way. Permitted

Development Rights can only be removed where it can be justified and is reasonable. Therefore a condition removing them in a blanket wide approach is not acceptable, each type of permitted development right and its potential impact must be carefully considered before that right is removed.

- 6.65. There appears to be significant scope for additional alterations to the roofspace of the proposed dwelling to be made without the need for specific planning permission (i.e. using Permitted Development Rights on Classes B and C of Part 1 of Schedule 2 of the General Permitted Development Order) as the roofspace is relatively large and tall with glazing on the front and rear gables. Any additional openings (rooflights or dormer windows) on the side roof slopes of either the main roof slopes or those over the garage/utility element, would require planning permission unless they are either obscurely glazed and fixed shut or more than 1.7m above the internal floor level. Those inserted on the rear would not require specific planning permission even if openable and clear glazed, provided that if inserted in a dormer they comply with certain size restrictions. However, the insertion of such openings on the rear would not result in any significant concerns in terms of residential amenity. If such openings were to be inserted on the front roof slope, they may also not require consent as the dwelling would not directly front a highway. However, given that they would be further from the rear boundary of Cedar Cottage than the currently proposed glazing within the front gables, there would be no significant concerns in terms of the amenity of Cedar Cottage. Therefore, Permitted Development Rights for future roof openings can not be reasonably be removed.
- 6.66. Permitted Development Rights would also allow for additional openings within the side walls of the proposed dwelling, which could provide views towards Bealings Holt and Marchwood. However, their relationship to the neighbours would be similar to those being permitted by the current proposal, and those at first floor level would also have to be either obscurely glazed and fixed shut or more than 1.7m above the internal floor level, in order to be Permitted Development Rights. It would therefore be unreasonable to seek to remove such rights.
- 6.67. In terms of potential for future extensions to the dwelling, those permitted on the rear and side elevations by Class A of Part 1 of Schedule 2 of the General Permitted Development Order are unlikely to have significant impact upon the adjoining residents due to the distances involved. Unusually Permitted Development Rights would potentially allow for front extensions because the principle elevation would face the rear of Cedar Lodge rather than directly on to the highway. Due to the wording of Class A there are few limitations for such front additions, so potentially a significant addition two or three storey addition could be added that could bring the built form significantly closer to the rear boundary of Cedar Cottage, having a significant impact upon the amenity of the residents of that unit. Therefore it would be reasonable to remove Permitted Development Rights for extensions to the north of the dwelling and attached garage.
- 6.68. Similarly, due to the layout of the plot and relationship with Cedar Lodge, rather than directly fronting Martlesham Road, outbuildings could potentially be erected to the north of the dwelling under Class E of Part 1 of Schedule 2 of the General Permitted Development Order. However, such buildings with both the northern part of the plot and to the sides and rear of the dwelling would be restricted by the usually height restrictions, so could only be single storey using the Class E rights, and as such would have limited potential for significant

impacts upon the adjoining residents. Therefore, it would be unreasonable to seek to remove these rights on the basis of residential amenity considerations.

- 6.69. Such outbuildings (Class E) and the installation of hardstanding (Class F) could potentially affect the roots and thus the health of the trees on the site. However, the trees to be retained are proposed to be protected by condition, and many are already the subject of a Tree Preservation Order. Therefore, it would also be unreasonable to remove Permitted Development Rights for Class E works.
- 6.70. The rights permitted under Class A (Walls, Gates, fences and other means of enclosure) and Class C (painting) of Part 2 of Schedule 2 of the General Permitted Development Order, could also not reasonably be removed. The site and its relationship with neighbouring dwellings is spacious and the trees would also soften views of it from wider public vantage points. Therefore the impacts of changes under these classes would be potentially limited.
- 6.71. As set out above, the rights permitted under Part 14 of the General Permitted Development Order relate to the provision of renewable energy, which is something that planning policy seeks to encourage, and it would be unreasonable to discourage the installation of such features. Therefore these permitted development rights should be left intact.

#### Land Contamination

- 6.72. The site desktop study and land contamination questionnaire indicate that there is no known contamination at the site that would prevent a grant of planning permission. A condition covering unexpected contamination is recommended if consent were to be granted.

#### Flood Risk

- 6.73. The application site is located in flood zone 1 - the area at the lowest risk of flooding. Thus, there is no conflict with policy DM28, which directs new housing to low risk areas.

#### Community Infrastructure Levy (CIL)

- 6.74. As this proposal is for a new dwelling it would be Community Infrastructure Levy (CIL) liable. The site is located within the High Charging Zone, which currently has a rate of £193.44 per sqm (index linked). The CIL questionnaire completed with the application indicates that the applicant does not wish to claim self build exception for the new home, and that the proposed gross internal area would be 388sqm. Therefore, if the consent were to be implemented this financial year this would equate to a CIL Liability of £75,054.72.
- 6.75. The Parish of Little Bealings does not have a 'made' Neighbourhood Plan, so 15% of these monies would go to the Parish, with the remaining 85% being retained in the District Infrastructure CIL Fund, to then be allocated to infrastructure projects.

### **7. Conclusion**

- 7.1. This proposal would not accord with the current local plan, as it would not meet the defined exception for dwellings in clusters in the countryside within policy DM4, the scheme would meet the requirements of the emerging policy for dwellings in clusters in the countryside

(SCLP5.4), because the distance from the settlement boundary criteria is not proposed as part of the new planning policy.

- 7.2. Therefore, this application is contrary to the current Development Plan, but would accord with the new Development Plan, which has significant weight as it is expected to be in place as adopted planning policy in the near future.
- 7.3. The scheme is also acceptable in terms of all other relevant planning policies and material planning considerations.
- 7.4. Therefore, it is considered appropriate to approve this proposal in accordance with the emerging local plan policies, subject to appropriate conditions being included on the consent to safeguard matters of significance such as archaeology, highway safety, ecology, residential amenity and visual amenity.

## **8. Recommendation**

- 8.1. Approve subject to the conditions set out below

### **Conditions:**

1. The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

Reason: This condition is imposed in accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall not be carried out other than in complete accordance with
  - Drawing 1001 (Site Location Plan), Drawing 1002 (Block Plan), Drawing 103 (Floor Plans) and Ecology Report (MHE Consulting, May 2020) received 26 May 2020
  - Arboricultural Report (reference LSD11281, July 2020) and Tree Survey and Protection Drawing (reference LSDP11281.03 Rev A), received 13 July 2020,
  - and
  - Drawing 1004 (elevations) received 20 July 2020.

Reason: For avoidance of doubt as to what has been considered and approved.

3. No development shall commence until details of the roof, wall materials and finishes to be used have been submitted to and approved by the local planning authority.

Reason: To ensure satisfactory appearance of the development in the interests of visual amenity.

4. No other part of the development shall be commenced until the new vehicular access has been laid out and completed in all respects in accordance with Drawing No. SCC DM01 with an access width of 3m and has been made available for use. Thereafter the access shall be retained in the specified form.

Reason: To ensure that the access is designed and constructed to an appropriate specification and is brought into use before any other part of the development is commenced in the interests of highway safety.

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

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

6. Prior to the occupation of the hereby permitted dwelling, details shall be submitted to and approved by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.

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

7. Before the access is first used visibility splays shall be provided as shown on Drawing No. 1001 and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

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

8. The hereby permitted dwelling shall not be occupied until the area(s) within the site shown on Drawing No. 1002 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.

9. Prior to the occupation of the hereby permitted dwelling details of the areas to be provided for presentation of Refuse/Recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

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

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

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

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

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 Strategic Policies SP1 and SP 15 of Suffolk Coastal District Council Core Strategy Development Plan Document (2013) and the National Planning Policy Framework (2012).

11. The hereby approved dwelling shall not be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition [1] and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Strategic Policies SP1 and SP 15 of Suffolk Coastal District Council Core Strategy Development Plan Document (2013) and the National Planning Policy Framework (2012).

12. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. Unless agreed in writing by the LPA no further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety.

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS 10175:2011+A1:2013 and CLR11) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. Where remediation is necessary a detailed remediation method statement (RMS) must be prepared, and is subject to the approval in writing of the Local Planning Authority. The RMS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The approved RMS must be carried out in its entirety and the Local

Planning Authority must be given two weeks written notification prior to the commencement of the remedial works.

Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the LPA.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

13. No external lighting shall be installed without the prior submission and approval of an external lighting scheme (including position and height of mounting features, height and angle of lights including aiming points, light fixing type, size and appearance, and the luminance levels). There after only the approved lighting scheme shall be installed and maintained in that form.

Reason: In the interests of amenity, and protection of the local rural environment, including the ecological environment.

14. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecology Report (MHE Consulting, May 2020) received 26 May 2020.

Reason: To ensure that ecological receptors are adequately protected and enhanced as part of the development.

15. None of the trees or hedges shown to be retained on the approved plan (drawing LSDP 11281.03 Rev A, received 13 July 2020) shall be lopped, topped, pruned, uprooted, felled, wilfully damaged or in any other way destroyed or removed without the prior written consent of the local planning authority. Any trees or hedges removed, dying, being severely damaged or becoming seriously diseased within five years of the completion of the development shall be replaced during the first available planting season, with trees or hedges of a size and species, which shall previously have been agreed in writing by the local planning authority.

Reason: To safeguard the contribution to the character of the locality provided by the trees and hedgerow.

16. No development shall commence or any materials, plant or machinery be brought on to the site until the fencing to protect the trees and the ground protection in the form of geoweb (or equivalent) along the access drive has been erected /installed in accordance with drawing LSDP 11281.03 Rev A, received 13 July 2020. The protective fencing and geo web (or equivalent) shall be retained throughout the period of construction unless otherwise agreed by the local planning authority.

Reason: To protect the hedgerow during the course of development in the interest of visual amenity.

17. Notwithstanding the provisions The Town and Country Planning (General Permitted Development) (England) Order 2015 (As amended) or any Order revoking or re-enacting the said Order] no extensions shall be added forward of the dwelling and its attached garage (the northern elevation) of any kind specified in Part 1, Class A of Schedule 2 of the said Order shall be carried out unless otherwise agreed with the local planning authority.

Reason: In order that the local planning authority may retain control over this particular form of development in the interests of amenity, the protection of the local environment, and to safeguard the amenity of Cedar Cottage.

#### **Informatives:**

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.
2. East Suffolk Council is a Community Infrastructure Levy (CIL) Charging Authority.

The proposed development referred to in this planning permission may be chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations 2010 (as amended).

If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling, holiday let of any size or convenience retail , your development may be liable to pay CIL and you must submit a CIL Form 2 (Assumption of Liability) and CIL Form 1 (CIL Questions) form as soon as possible to [CIL@eastsuffolk.gov.uk](mailto:CIL@eastsuffolk.gov.uk)

A CIL commencement Notice (CIL Form 6) must be submitted at least 24 hours prior to the commencement date. The consequences of not submitting CIL Forms can result in the loss of payment by instalments, surcharges and other CIL enforcement action.

CIL forms can be downloaded direct from the planning portal:

[https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy/5](https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5)

Guidance is viewable at: <https://www.gov.uk/guidance/community-infrastructure-levy>

3. The applicant is advised that the proposed development may require the naming of new street(s) and numbering of properties/businesses within those streets and/or the numbering of new properties/businesses within an existing street. This is only required with the creation of a new dwelling or business premises. For details of the address charges please see our website [www.eastsuffolk.gov.uk/planning/street-naming-and-numbering](http://www.eastsuffolk.gov.uk/planning/street-naming-and-numbering) or email [llpg@eastsuffolk.gov.uk](mailto:llpg@eastsuffolk.gov.uk)

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

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

The County Council's East Area Manager must be contacted on Telephone: 01728 652400. Further information can be found at: [www.suffolk.gov.uk/environment-and-transport/highways/dropped-kerbs-vehicular-accesses/](http://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.

5. It is unclear whether the development will involve a connection to the mains, or a private water supply. If the development involves connecting to an existing private water supply, or the creation of a new private water supply advice should be sought from the Environmental Protection Team prior to commencing works. All works undertaken must comply with the Private Water Supplies Regulations 2016 (as amended).
6. 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 quoted in correspondence.

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

Suffolk Fire and Rescue Service records show that the nearest fire hydrant in this location is over 220m from the proposed build site and we therefore recommend 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.

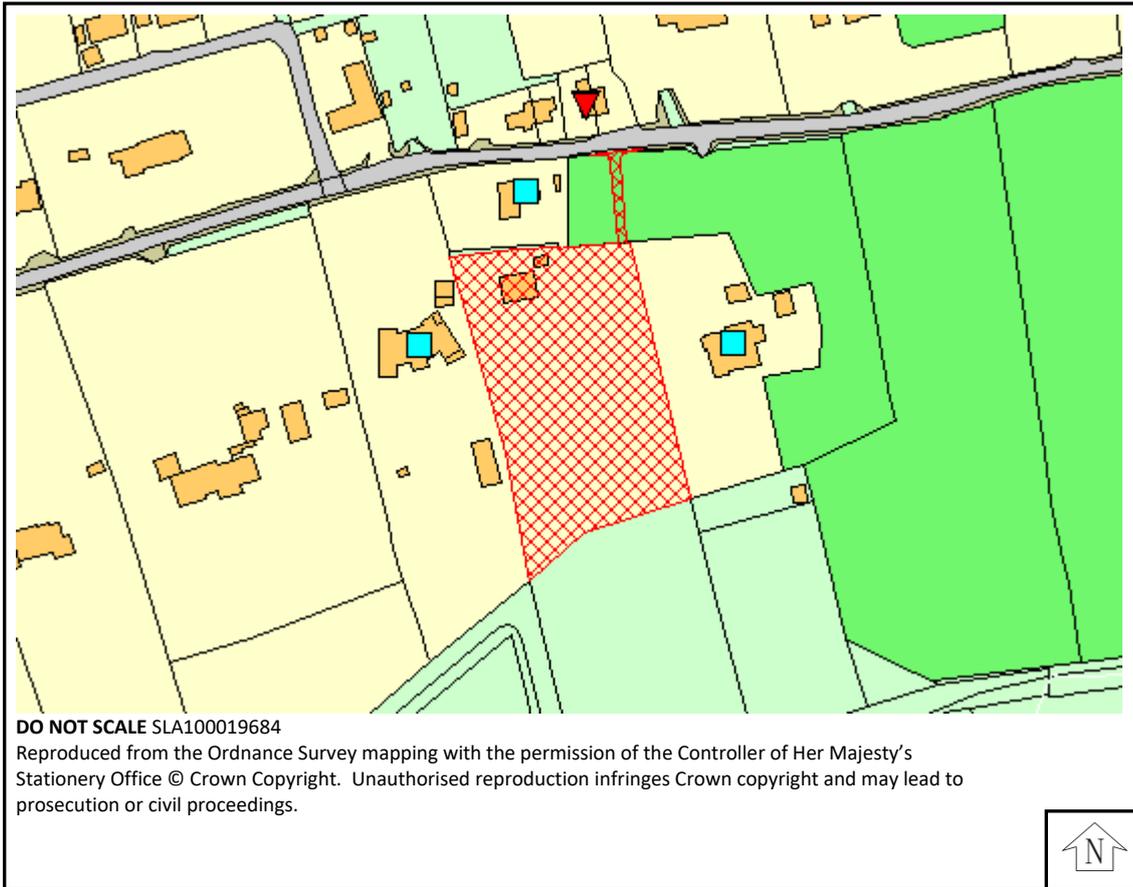
7. The submitted scheme of archaeological investigation shall be in accordance with a brief procured beforehand by the developer from Suffolk County Council Archaeological Service. The SCC Archaeological Service will, on request of the applicant, provide a specification for the archaeological work required at this site. In this case, an archaeological evaluation will be required to establish the potential of the site and decisions on the need for any further

investigation (excavation before any groundworks commence and/or monitoring during groundworks) will be made on the basis of the results of the evaluation.

## **9. Background Papers/ information**

See application reference DC/20/1909/FUL at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QAXYQAQXJS100>

# Map



## Key

-  Notified, no comments received
-  Objection
-  Representation
-  Support