



## Committee Report

**Planning Committee South** – 20 December 2022

**Application no** DC/22/0998/FUL

**Location**

Land East Of  
B1077 Mow Hill  
Witnesham  
Ipswich  
Suffolk  
IP6 9EH

**Expiry date** 22 June 2022

**Application type** Full Application

**Applicant** Denbury Homes

**Parish** Witnesham

**Proposal** Residential development of 32 dwellings, together with areas of new public open space and the provision of a new access to the site from the B1077

**Case Officer** Natalie Webb  
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### 1. Summary

- 1.1. This application seeks full planning permission for the residential development of 32 dwellings, together with areas of new public open space and the provision of a new access to the site from the B1077 on land east of Mow Hill, Witnesham, IP6 9EH.
- 1.2. The site is an area of approximately 1.98ha which runs along the eastern side of Mow Hill (B1077). The site is located on the northern edge of the southern part of the village and is presently in agricultural use. A hedgerow forms the boundary of the site with Mow Hill. The site is close to services and facilities including the recreation ground and public house. There are Grade II\* and Grade II listed buildings to the southeast of the site (Red House and Barns North of Red House) and Wood House to the northwest of the site which is also Grade II listed. Public right of way (PROW) 26 runs through the site and PROW 43 runs to the south of the site.

- 1.3. The site is allocated within the Suffolk Coastal Local Plan Policy SCLP12.70 for the development of approximately 30 dwellings, including affordable housing.
- 1.4. The proposed development is supported by officers as a sustainable form of development in accordance with the Development Plan, along with the updated NPPF. The development is fully within the confines of allocation SCLP12.70 and the development as proposed has met the criteria noted within that policy and other specific policies within the Local Plan. The recommendation is subject to some final landscaping revisions and agreement to s106 obligations.

Reason for Committee:

- 1.5. The application is presented to the Planning Committee as the Parish Council have raised objections to the proposal. Their full comments can be seen in the consultation section of this report and have been revised following revisions of the scheme. The Head of Planning and Coastal Management has requested that the decision is to be made by members at the respective planning committee as the proposal is a major housing development on an allocated site and thus warrants consideration by the Planning Committee, due to its scale, allocated status and the level of public interest in the proposal.

Recommendation:

- 1.6. The application is recommended for AUTHORITY TO APPROVE subject to the signing of a section 106 legal agreement to secure necessary planning obligations; along with the required planning conditions summarised in the recommendation section of the report.

## **2. Site Description**

- 2.1. The site is located on the eastern edge of the village of Witnesham, situated approximately four miles north of Ipswich. The village is formed of two larger clusters along the B1077, with the southern-most cluster centred in a valley around the crossing of the River Fynn, and a second as a linear collection of development located on higher ground, approximately 0.75 miles to the north.
- 2.2. The application site comprises the western-most 1.98ha portion of a larger, broadly rectangular, 6.8ha agricultural field on the north-eastern edge of the southern-most cluster of the village, immediately to the east of the B1077 Mow Hill and north of the carpark serving the adjacent Barley Mow Public House.
- 2.3. The existing site area is enclosed by a combination of deciduous trees and hedging along its western roadside boundary and along both its northern and southern end boundaries, with its eastern boundary currently undefined on the ground.
- 2.4. The site is at an elevated position from Mow Hill to the west and rises from south to north away from the valley of the River Fynn further to the south.
- 2.5. The single detached bungalow and associated residential curtilage of Springfield lies directly adjacent to the site to the north. On the opposite, western side of the B1077 Mow Hill to the site, elevated and set back behind mature trees and hedging, lie some recently

constructed substantial two-storey detached dwellings and associated garages. There are further late-twentieth century detached dwellings similarly set-back from the B1077 Mow Hill further to the north, beyond which lie currently vacant timber outbuildings associated with a former Sawmill on the site.

- 2.6. To the north of the former Sawmill lies the Grade II listed, two-storey detached dwelling and curtilage of Wood House. There are also two Grade II\* and Grade II listed buildings to the southeast of the site (Red House and Barn North of Red House).
- 2.7. Public transport exists within the village and connects Winesham to Framlingham, Debenham and Ipswich (via Otley and Otley College). Bus stops are located to the southwest of the site (approximately 0.1 miles from the site). There is an existing footway on the western side of Mow Hill (B1077), to which a crossing point from the application site is proposed.
- 2.8. Public right of way 26 runs northwest to southeast towards the southern end of the site and PROW 43 runs to the south-eastern boundary of the site.
- 2.9. The site lies within the settlement boundary of Winesham which is identified as a 'small village' within the Suffolk Coastal Local Plan's settlement hierarchy Policy SCLP3.2.
- 2.10. The site is allocated within the Suffolk Coastal Local Plan Policy SCLP12.70 for the development of approximately 30 dwellings.

### 3. Planning History

- 3.1. The planning history for the site includes the following applications:

Reference	Description	Outcome
E7992	Proposed residential development.	Refused. Subsequent appeal Dismissed.
E7992/1	Site for automated telephone exchange.	Refused.
DC/16/2886/FUL	Erection of 11no. new bungalows including 3no. new affordable bungalows with new access from Mow Hill.	Withdrawn.
DC/17/1661/FUL	Erection of 11no. new dwellings including 3no. new affordable bungalows with new access from Mow Hill.	Refused.
APP/J3530/W/3184182	Planning Appeal.	Dismissed.

- 3.2. The above applications were determined prior to the adoption of the new Local Plan for the Suffolk Coastal area (adopted September 2020), where the site is now allocated for residential development under Policy SCLP12.70.

#### **4. Proposal**

- 4.1. The proposal seeks the residential development of 32 dwellings, together with areas of new public open space and the provision of a new access to the site from the B1077.
- 4.2. The development will include a range of single-storey and two-storey dwellings, in a mix of terraced, semi-detached and detached properties.
- 4.3. There will be 22 market dwellings which range from two-bedroom houses/bungalows to five-bedroom houses. There will also be 10 affordable dwellings; five affordable rent (plots 11, 12, 13, 14 and 15) and five shared ownership (plots 8, 9, 10, 16 and 17) which provide a mix of one, two and three bedroom two-storey dwellings.
- 4.4. Elevational finishes include brickwork and render, with feature weatherboarding. Roofing will either be red or black pantiles or slate.
- 4.5. All properties will have off street parking and a number of properties have a detached garage. Secure cycle storage for the majority of the proposed dwellings will be provided, either within the curtilages or within associated garaging. Visitor parking has been included within the provisions where local car parking standards have been met.
- 4.6. The development also includes the construction of a new vehicular and pedestrian access point into the site from the B1077 Mow Hill to the southwest, with pedestrian crossing points incorporated to enable linkages to the existing roadside footway along the western side of Mow Hill. Whilst this new access does necessitate some existing hedgerow removal, this is sought to be kept to a minimum level which provides the necessary visibility splays to satisfy highway safety requirements. An agricultural access to the field to the east of the site will also be provided through the development.
- 4.7. During the consideration of the application, a number of revised plans have been received which have sought to overcome concerns raised by consultees or officers. The main amendments to the proposal were received on 14 July 2022, which included the following changes:
  - Footpath link added through open space, just south of the substation and Plot 5 to connect with PROW network.
  - Landscape buffer added to the layout, matching that of the landscape strategy drawing. Confirmation that a buffer is in place along the entire developable eastern boundary.
  - Tree survey added, helping to highlight the extent of the vegetation retained along Mow Hill.
  - Crossing points added to accord with Ingent's latest drawing.
  - Internal footpath widths increased to 2m.
  - 2 no. additional visitor spaces added.
  - Junction radius updated to accord with Ingent's latest drawing.
  - Parking arrangements to Plots 16-21 revised to break up space with soft landscaping.
  - Brick detailing added to side elevations of Plots 10, 11 & 18.
  - Landscaped screening around visitor spaces next to POS.

- Plot 25 rotated with spine road slightly realigned to provide greater presence to focal point.
- 2 no. street scenes provided.
- Boarding added to Plots 3 & 22, to added greater balance across the site and street scene.
- Overhead cable shown grounded to northwest corner.

4.8. Following receipt of the above, further consultation was undertaken, where matters relating to public rights of way, landscape and flooding/drainage required further attention. These matters are discussed further under their respective headings below.

4.9. A final round of consultations was undertaken in respect of plans received on 20 October 2022 (plans listed on drawing issue sheet of same date); these amendments include:

- Increased landscape buffer to the Eastern boundary.
- Revised farm access to reduce visual impact. Footpaths terminated early for a softer boundary.
- Footpath crossing to end of the turning head. Dropped kerbs will ensure that the road to Plots 26-28 is not compromised. This also helps to convey between adoptable highway and private farm access.
- M4(2) dots added to layouts to show which plots comply. A deliberate mix of unit sizes proposed.
- Plots 4 & 25 require minor internal amendments for a larger WC to comply with M4(2), along with a change in porch detail for covered entrance.
- Minor revisions to Plots 31/32 to provide covered entrance.
- Minor internal revision to Plots 5 & 7 for larger WC to comply with M4(2).
- Substation removed following information that it is no longer required.

## **5. Third Party Representations**

5.1. A total of 31 representations were received during the consideration of the application and through various consultations, 22 of which object to the application on the following grounds:

### Principle of Development:

- Conflict with local plan policies including the site allocation, SCLP12.70 and the forecast projections of growth for Witnesham (table 3.5).
- Overdevelopment of the site and village; this is the largest single housing development in the history of Witnesham.
- Principle of use: good agricultural land should not be used for building where brownfield sites are available.
- The former saw mill site should be redeveloped prior to building on greenfield.
- Cumulative impact: an application for 20 dwellings is also pending consideration approximately 400m from the site (DC/21/4111/FUL). The site would increase the size of the village by 10%. This is worrying alongside a further development of 20 homes at Street Farm and 3500 homes at the nearby Henley Gate project. Is there a need for this development?

- Setting of precedent: this will be a gateway to further development between the site and Burwash (to the next piece of agricultural land on the northeast of Mow Hill/America Hill).
- Sustainability: we are in a climate crisis and should not be building on greenfield sites. The site should be retained as farmland to maximise our food production.
- Loss of arable land.
- Rural villages should be kept rural.
- Vacant housing should be invested in, rather than creating additional development.
- The housing will be too expensive and will not provide 'starter homes'.

#### Design and Layout:

- Design: The design is unsympathetic and unsuited in this rural location.
- Too many properties and uninspiring design making an unattractive impact on a rural location.
- Dominating/overbearing.
- The scale of the site is too big and not in character with the village.
- The proposed area of open space is largely dominated by the drainage basin.
- Garden sizes not proportionate to surrounding development form.

#### Landscape and Ecology:

- The site would require the felling and destruction of almost 100 trees and hedgerows, destroying habitats and potentially causing death for many animals (as outlined in table 4 of the Preliminary Ecological Appraisal).
- The site is rich in biodiversity.
- The proposal will actively destroy important habitats.
- Open spaces within the village are becoming rare due to infilling of development.
- The proposed landscaped public space has been stated as a minimum and is purely in place to satisfy planning and not in the spirit of its intention.
- The beautiful rural visual amenity will be affected negatively, which will affect in particular the current close neighbours to the proposed development area.
- Light pollution.

#### Highways and Transport:

- Access to the site sits on a section of the B1077 with the brow of a hill (and blind spot) in one direction and a blind bend on the other.
- The site entrance would sit directly across Chestnut Drive which would make it a dangerous four-way junction during peak hours.
- The site will host 93 parking spaces, with only 6 of these for visitors. The B1077 has no road markings and parked cars on the road would cause bad obstructions.
- The entrance to the adjoining field, ostensibly for a combine harvester to gain access, is spurious.
- Agricultural traffic should not be sharing the access of the residential development.
- The site is situated on a side of the road with no meaningful footpath. Residents would need to cross a busy B-road to reach a footpath. This footpath is narrow and full of holes.

- Poor connectivity within the village: footways are narrow and only on one side of the highway, there are only 9 bus services a day between Ipswich and Framlingham which are continuously being reduced and there is no cycle link.
- Cycling is discouraged in the area due to the national speed limit country roads. Residents would need to use cars and this is both unsustainable and bad for road infrastructure.
- The development would be reliant on use of private vehicles, significantly increasing traffic movements in the village and increasing carbon emissions from petrol/diesel vehicles.
- There are frequent road closures making access to Ipswich difficult.

#### Flood Risk and Drainage:

- Drainage: the drainage arrangements are inadequate.
- The village already experiences flooding and there's worry that surface drainage on the site would cause more flooding.
- Witnesham has waterwork issues regularly.

#### Residential Amenity:

- The scale and number of dwellings proposed would cause significant light and noise pollution in the area, reducing the privacy to residents.
- Potential for noise complaints about the pub to the south from future residents.

#### Other Matters:

- Local services cannot handle 32 new homes added to the site. All local education provisions have declared they would need funding to expand should this go ahead.
- There are no local amenities.
- Development will negatively affect property values.

5.2. In addition, 9 representations of support were received, commenting:

- The number of dwellings proposed provides an opportunity for the creation of a small new hub at the south end of the village. Such provision can only be advantageous in supporting the local economy and without such developments, established services and the essence of village life is placed under real threat.
- The use of air source heat pumps is of benefit.
- Provision of affordable housing, where there has been very little in the village previously.
- The affordable housing options will mean that young couples will be able to consider investing in property close to home, where property prices in Suffolk have become expensive.
- Inclusion of bungalows.
- Option for downsizing for elderly village who have left the village as there was no provision of smaller dwellings available.

- Any new development in the south end of the village would be a real help to keeping our local services and businesses going and supporting the community as a whole.
- Provision of dwellings on the outskirts of Ipswich but with a rural setting.

5.3. The above is a summary of responses received; full representations can be viewed on the Council's public access page.

## 6. Consultees

### Initial consultation sent 31 March 2022

#### Parish/Town Council

Consultee	Date consulted	Date reply received
Witnesham Parish Council	31 March 2022	29 April 2022
<p>Summary of comments:</p> <p>Swilland and Witnesham Grouped Parish Council objection response to DC/22/0998/FUL Land East Of B1077 Mow Hill Witnesham Residential development of 32 dwellings, together with areas of new public open space and the provision of a new access to the site from the B1077.</p> <p>1) The Parish Council objects in principle to this proposed development of 32 dwellings as being too large and out of character and scale for the village. It maintains its objection to the allocation of this site in the Local Plan. The development is contrary to "SCLP Policy 5.2; Housing Development in Small Villages" where development should be "a small group of dwellings, of a scale appropriate to the size, location and character of the village". There is no justified need for this development in the village as there are already substantial allocations or permissions for dwellings in the village and over 3500 more dwellings proposed in Ipswich Garden Suburb, only 3 miles away. There was a lack of local services, particularly space at the local school and the development was on agricultural land when an alternative brownfield site was more appropriate. It comes at a time when consideration is also being given to the application for 20 dwellings at nearby Street Farm. The prospect of both developments going ahead, potentially at the same time in close proximity, is alarming for the village.</p> <p>2) If development is to be agreed despite the Parish Council's primary objection, the Parish Council in addition, objects to the development as it does not accord with the criteria a) d) e) and f) given in Policy SCLP12.7; Mow Hill Witnesham. If development is to be permitted, the Parish Council requires that these criteria are met in full and enhanced as follows;</p> <p>a) Provision of affordable housing on site; The development provides for 10 affordable dwellings out of the 32 proposed dwellings. Policy SCLP5.10 Affordable Housing on Residential Developments; expects 1 in 3 units to be affordable dwellings. Therefore, the minimum requirement for developing 32 dwellings should be 11 affordable units. Witnesham is very short and in real need of affordable housing stock. The majority of consultations returned from the public in support of the development, are because it provides some affordable housing. The Parish Council requests greater provision of affordable housing from this very large development and for it to go beyond the policy minimum level of 11 units. It would like to see a minimum of 15</p>		



affordable units, and include bungalows to meet Policy SCLP5.10 in providing "needs for affordable housing for older people". The Parish Council asks that priority is given to people connected to the village, in allocating the affordable housing.

b) Retention of the hedgerow which borders Mow Hill, except where removal is required for access. The Parish Council considers it imperative that the existing trees and hedging bordering Mow Hill and the site are retained with removal only allowed for the surfaced road access splay. There should be no removal for access sightlines. The Parish Council wishes to be assured that the on site tree and hedge planting along the western boundary as shown on the Planning Layout and Landscape Strategy Plan is provided.

c) Provision of pedestrian connectivity southwards on Mow Hill. The Parish Council wishes to be assured that there is safe pedestrian connectivity from the access entrance, across the B1077 and to the pavement on the west side. In addition, the Parish Council asks for increased pedestrian connectivity with provision of a surfaced footpath link from the north west corner of the site, through to crossing the B1077, opposite the former woodyard. This would link to the roadside pavement opposite, giving better access to the northern part of the village, including to the school, shop, village hall and church and to Public Footpath 22 and the excellent network of public paths to the west of the B1077. It also asks for a short surfaced public footpath link from the corner of the internal access road, where it turns north, across the northern edge of the Public Open Space to join off site, with Footpath 26. This would provide a direct foot access from the new housing to Footpath 26 and connecting footpath network.

e) Provision of landscaping to create a soft edge to the eastern and northern boundaries of the site. The site is very exposed from the higher ground to the east, public footpath 26 and the nearby Grade 11 Listed Buildings to the south (criteria d). To meet these criteria and to ameliorate the impacts identified in the Landscape Assessment, a much more substantive landscaped tree belt is required, off site if necessary, along the eastern and south eastern boundary of the site. The Parish Council requests a 5-10 metre tree belt along the eastern boundary and a small tree copse planted in the triangle of land, which will be difficult to farm, between plots 5,6 and the farm track/Foot Path 26. The council also requests that an area of Public Open Space be provided by the landowner to the community, along the eastern side, beyond the development boundary.

The Parish Council objects to the provision of the spur access road and pavements to the eastern boundary and the gap this makes. The Parish Council sees no need for this spur. Any expansion of development to the east of the current proposal should be resisted and means of facilitating this should be removed from the current proposal. An alternative layout for plots 26,27,and 28 and their access road is required.

f) A site specific Flood Risk Assessment will be required and any mitigation provided. The Parish Council, like Suffolk County Council Flood Authority, objects to the current surface water drainage proposals as these have not been tested.

The Parish Council needs complete assurance that there is adequate provision, both on site and with connection to the culverted water course for surface water drainage and that there is no risk of flooding to neighbouring properties south of the site. Please see later the Parish Council concerns over the joint use and safety of the attenuation basin and Public Open Space proposed for the southern part of the site. The Parish Council asks if the "natural attenuation pond" located off site, but in the nearby "ravine", which is connected to the same culverted watercourse, could be used with modification, instead of providing the proposed attenuation basin in the Public Open

Space? The Parish Council seeks clarity on who will be responsible for the future management and maintenance of the drainage system, including the culverted watercourse?

3) Public Open Space (POS); The Parish Council welcomes the idea of providing POS, indeed it was the Parish Council who suggested an area of POS in a previous application. It would like to see a POS provided that is attractive, accessible and safe; an area that can be enjoyed all year round by villagers and is not just a carved out drainage basin with little area that can be properly considered as usable POS, as is proposed. The current POS proposal is unacceptable.

The Parish Council welcomes discussion and consideration on the provision of the POS; usable space, landscaping, paths, equipment and management, and the attenuation basin; size, slopes, gabions, safety and an alternative location as mentioned in 2 (f) above.

4) Internal site landscaping; The Parish Council seeks improved internal site landscaping including the provision of a lot more roadside and swaleside trees and the planting of roadside and swaleside daffodils. (The Parish Council has a programme for roadside daffodil planting)

5) Sustainability; The Parish Council seeks assurance that measures, beyond the minimum regulations, are being taken to provide sustainable dwellings and reduce energy use, including provision of electric car charging points for each dwelling.

The Parish Council requests that no street lighting is provided.

6) Construction disruption; The Parish Council seeks assurances and consultation on measures to be taken to minimise the major disruption that would be caused by such a large development to services, the B1077 and the village.

### Statutory consultees

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	31 March 2022	7 April 2022

#### Summary of comments:

The site lies in an area of archaeological potential recorded on the County Historic Environment Record (HER). A recent archaeological evaluation undertaken within the site has identified archaeological features dating from the late Bronze Age to middle Iron Age (Historic Environment Record ref no. WTN 064). An archaeological excavation close to the site defined archaeological features dating from the Iron Age, Roman and late Saxon periods (WTN 032). Furthermore, the HER contains records for several finds scatters situated close to the site, with finds dating from Roman and Iron Age periods (WTN 003) and medieval period (WTN 014).

Conditions are therefore recommended which seek a Written Scheme of Evaluation across the whole site and a post investigation assessment.

Consultee	Date consulted	Date reply received
SCC Highways Department	31 March 2022	6 May 2022

**Summary of comments:**

For Suffolk County Council to determine the application, additional information needs to be provided. Classification regarding the drainage adoption is required, Suffolk County Council will not adopt a drainage system that has private drainage included in the system.

The footway along the highway must be a minimum width of 2m wide with a dropped kerb crossing area provided as stated within the local plan 12.801. This is to encourage sustainable transport modes and facilitate safe access to facilities in the village and bus stops. (In accordance with NPPF 110a & b and 112 a, b & c). This site is required to provide at least a 2m footway to these facilities, provide safe passage across Mow Hill and tie into existing footways and widen where necessary.

Until the details outlined above have been submitted for review, Suffolk County Council as Highway Authority recommends a Holding Objection.

Suffolk County Council does wish to add additional comments to the application:

The visibility splays should be clearly outlined on the plan with measurements attached to them. The splays are to be measured 2.4m back from the edge of the metalled carriageway at the centre of the junction (X Value) and drawn to the nearside edge of the carriageway, in both directions, without encroaching 3rd party land (Y Value). Nothing above the height of 0.6m should be positioned within the visibility splays.

The access road and access gradients will need to be provided to assess whether they are acceptable to SCC with regard to drainage and future adoption of the roads.

It appears that no consideration has been given to on-site electric vehicle charging. As per Suffolk Guidance for Parking (SGP) 2019, ducting and a suitable consumer unit to allow for the installation of one wall charging unit should be provided per Class C3 dwelling.

Garages of size 7.0m x 3.0m are considered large enough for the average sized family car and cycles, as well as some storage space, and will be considered a parking space. Any smaller and the garage could not be considered a cycle storage space and car parking space. For storage of 2 cars and cycles, the garage would need to be a minimum size of 7.0m x 6.0m to meet requirements.

Visitor parking needs to be increased from 6 spaces to 8 spaces and should be evenly distributed throughout the site rather than located at entrance, near plot 1 and 2, and the end of the development, near plot 31.

Finally, can information be provided to for the west-bound road between plots 26 and 7 as this appears to stop at the boundary. Please can you advise what this is being used for in the short-term regarding the adoption of the site

Consultee	Date consulted	Date reply received
SCC Rights Of Way	31 March 2022	6 April 2022

Summary of comments:

We accept this proposal subject to the following:

- The stile on FP26 where it meets Mow Hill is replaced with a self-closing gate and the steps refreshed. This will meet the aims and objectives of the Suffolk Green Access Strategy to make the countryside more accessible for all. Both items should be delivered by the developer.
- Use of FP26 is not impacted on by the natural surface water drainage area (attenuation basin) depicted on the south of the site on 'Drawing: External Works Layout – Dwg No 005'.

Standard informative advice in respect of development which may affect the PROW network and the applicant's responsibility was also included.

Consultee	Date consulted	Date reply received
SCC Flooding Authority	31 March 2022	12 April 2022

Summary of comments:

The following submitted documents have been reviewed and we recommend a holding objection at this time:

- Ingent, Flood Risk Assessment, 2104-570 A, 22/09/2021
- Denbury Homes, Planning Layout, WIT1/004, 25/08/2021

A holding objection is necessary because the surface water drainage strategy has not applied the surface water disposal hierarchy. If infiltration is proven not to be possible at this stage, the site has not demonstrated there is a suitable alternative outfall. Further technical clarifications are also required.

The points below detail the action required in order to overcome our current objection, but should not be viewed as exhaustive at this stage as a final drainage strategy has not been agreed:-

1. Undertake infiltration testing across the site, including at the location of the proposed attenuation feature where it is identified that infiltration may be possible (FRA Section 3.1)
2. The greenfield runoff rate has been calculated based on the whole site area, however only impermeable areas have been included in the calculations provided. Either greenfield runoff rates should be calculated based on proposed impermeable areas only (excluding urban creep) or all areas should be included in calculations. Either approach is acceptable, but there must be consistency between greenfield runoff calculations and proposed surface water drainage calculations
3. What is the extent of the 'existing culverted watercourse'? What certainty is there that this is a culverted watercourse and not a private surface water system? FRA Section 3.3 states that agreement is required to discharge into this system. Who are the Applicants required to reach agreement with and has agreement been reached? Please provide evidence. I also note the discharge location is outside of the red line boundary.

4. Is the road shared surface north of Plot 17?

5. What is the gradient of the proposed swale? The site looks fairly steep. Will check dams be required?

6. Provide sufficient detail and supporting information, such as calculations, to demonstrate that the proposed SuDS deliver treatment of surface water, as per CIRIA SuDS Manual treatment design criteria

7. Swale detail does not show how water is transferred from swale 8. It is noted that SCC as Highway Authority and Anglian Water are proposed to adopt SuDS.

Consultee	Date consulted	Date reply received
SCC Section 106 Officer	31 March 2022	3 April 2022
<p>Summary of comments:</p> <p>Contributions sought in respect of:</p> <p>CIL – Education (primary, secondary and sixth form expansion), Early Years expansion, libraries improvements and household waste.</p> <p>S106 – Secondary school transport costs and monitoring fee. (Highways TBC)</p>		

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	31 March 2022	5 April 2022
<p>Summary of comments:</p> <p>A condition is required for the installation of Fire Hydrants. Informative information also provided in respect of access to water and firefighting facilities; including the use of sprinklers.</p>		

Consultee	Date consulted	Date reply received
Anglian Water	31 March 2022	5 April 2022
<p>Summary of comments:</p> <p>Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.</p> <p>The foul drainage from this development is in the catchment of Tuddenham-Donkey La Water Recycling Centre that will have available capacity for these flows. The sewerage system at present has available capacity for these flows via a gravity connection into Mow Hill. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991.</p> <p>The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. From the details submitted to support the</p>		

planning application the proposed method of surface water management does not relate to Anglian Water.

### Non statutory consultees

Consultee	Date consulted	Date reply received
Ward Councillor – Colin Hedgley	31 March 2022	7 May 2022

**Summary of comments:**

I have concerns with this application.

Firstly I think this could be considered over development for this site as 32 dwellings will be a large estate in a small village that consists, in the main, of housing alongside roads. Secondly I can part sympathise with some, but not all, of the points raised by the Parish Council as the application would impinge on the natural character of the area. I am of course in favour of affordable housing but not at any price. It should also be noted that a large number of houses are being built a few miles away in the Ipswich area and so the question of housing need in this particular village is questionable.

So should this particular application come in front of the Referral Committee I would Like my comments to be considered.

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	31 March 2022	6 April 2022

**Summary of comments:**

Recommends conditions in respect of:

- Discovery of unexpected land contamination
- Construction management plan
- Construction hours
- Electric vehicle charging (this duplicates the request from the highways authority)

Consultee	Date consulted	Date reply received
East Suffolk Ecology	31 March 2022	25 April 2022

**Summary of comments:**

I have read the Preliminary Ecological Appraisal (PEA) (Southern Ecological Solutions, March 2022) and I note the conclusions of the consultant. The PEA identifies that further surveys are required for protected species, particularly dormouse and great crested newt. In accordance with the NPPF, ODPM Circular 06/2005 and Local Plan policy SCLP10.1 the results of these surveys are required to inform the determination of this application and therefore they must be undertaken prior to a decision being made.

In addition to the above, as recognised in the PEA, the site is within the Suffolk Coast RAMS Zone of Influence (Zone B – within 13km of the Stour and Orwell Estuaries SPA; the Stour and Orwell

Estuaries Ramsar Site; the Deben Estuary SPA; the Deben Estuary Ramsar Site and the Sandlings SPA) and therefore a financial contribution to the scheme (or equivalent mitigation identified via a Habitats Regulations Assessment (HRA)) is required in order to mitigate in-combination recreational disturbance impacts on habitats sites (European designated sites) arising from new residential development. This must be secured prior to the applications being determined.

Consultee	Date consulted	Date reply received
East Suffolk Housing Development Team	31 March 2022	8 July 2022
<p>Summary of comments:</p> <p>33% of 32 = 11 not 10. I would suggest a commuted sum for the difference unless another property can be delivered.</p> <p>The location of the properties is acceptable.</p>		

Consultee	Date consulted	Date reply received
Disability Forum	31 March 2022	01 April 2022
<p>Summary of comments:</p> <p>The Suffolk Coastal Disability Forum would like to see a commitment to ensuring that all dwellings will meet Part M4 of the Building Regulations in this planning application.</p> <p>All dwellings should be visitable and meet Part M4(1), and at least 50% of the dwellings should meet the 'accessible and adaptable' standard Part M4(2).</p> <p>It is our view that in housing developments of over 10 dwellings, at least one of the dwellings should be built to wheelchair standard Part M4(3). We are pleased to note the inclusion of at least 4 bungalows within the scheme to assist people with mobility problems and to assist people who wish to downsize from larger dwellings. These should meet Part M4(2) of the Building Regulations.</p> <p>We note the intention that the scheme will be inclusive and would remind the developer that every effort should be made to ensure all footpaths are wide enough for wheelchair users, with a minimum width of 1500mm, and that any dropped kerbs are absolutely level with roads for ease of access.</p> <p>Surfaces should be firm, durable and level. No loose gravel, cobbles or uneven setts should be used.</p>		

Consultee	Date consulted	Date reply received
Police - Design Out Crime Officer	31 March 2022	No response
<p>Summary of comments:</p> <p>No response received.</p>		

Consultee	Date consulted	Date reply received
Network Rail Property (Eastern Region - Anglia)	31 March 2022	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
SUSTRANS	31 March 2022	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
Water Management Alliance	31 March 2022	12 April 2022
<p>Summary of comments:</p> <p>The site is near to the Internal Drainage District (IDD) of the East Suffolk Internal Drainage Board (IDB) and is within the Board's Watershed Catchment (meaning water from the site will eventually enter the IDD).</p> <p>I note that the applicant intends to discharge surface water to a watercourse within the watershed catchment of the Board's IDD. We request that this discharge is facilitated in line with the Non-Statutory technical standards for sustainable drainage systems (SuDS), specifically S2 and S4. Resultantly we recommend that the discharge from this site is attenuated to the Greenfield Runoff Rates wherever possible.</p> <p>The reason for our recommendation is to promote sustainable development within the Board's Watershed Catchment therefore ensuring that flood risk is not increased within the Internal Drainage District (required as per paragraph 167 of the National Planning Policy Framework).</p>		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	31 March 2022	No response
Summary of comments: No response received.		

#### **First reconsultation responses (sent 14/15/16 July 2022)**

Consultee	Date consulted	Date reply received
Water Management Alliance	14 July 2022	18 July 2022



Summary of comments:

Thank you for re-consulting the East Suffolk Internal Drainage Board (ESIDB). After reviewing the new information submitted on the planning portal, the ESIDB supports the LLFA's position and comments. As the proposed development lies outside of the East Suffolk Internal Drainage District, we defer to the LLFA.

Consultee	Date consulted	Date reply received
SCC Flooding Authority	14 July 2022	27 July 2022

Summary of comments:

The following submitted document has been reviewed and we recommend a holding objection at this time:

- Ingent Technical Note on Planning Objection, 2104-570 (undated)

A holding objection is necessary because further clarification is required in order to satisfy all the previous LLFA comments.

Consultee	Date consulted	Date reply received
SCC Highways Department	14 July 2022	10 August 2022

Summary of comments:

For Suffolk County Council to assess the application, additional information needs to be provided. Classification regarding the drainage adoption is required, Suffolk County Council will not adopt a drainage system that has private drainage included in the system.

Additionally, can changes be made to the parking on plot 7 of the development. Please refer to section 4.2 of Suffolk Guidance for Parking 2019 regarding on street parking and the effects of half parking.

Until the details outlined above have been submitted for review, Suffolk County Council as Highway Authority recommends a Holding Objection.

The amendments made to the footways and the access are acceptable along with the changes made to visitor parking. Additionally changes needed would include half metre tangents required for the swale crossovers and measurement details on the garage space allocated to each development to determine cycle storage.

Consultee	Date consulted	Date reply received
SCC Rights Of Way	14 July 2022	3 August 2022

Summary of comments:

We have been made aware of the reconsultation concerning the above application. The proposed site does contain public rights of way (PROW): Witnesham Public Footpath 26. We do not object to this proposal, however having had contact with the Parish Council, we would fully support their points 2(c) and 3 made in their response dated 29/07/2022.

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	14 July 2022	20 July 2022
Summary of comments: Our previous recommendation for this application stands.		

Consultee	Date consulted	Date reply received
Witnesham Parish Council	15 July 2022	29 July 2022

Summary of comments:

1) The Parish Council objects in principle to this proposed development of 32 dwellings as being too large, out of character and scale for the village. It maintains its objection to the allocation of this site in the Local Plan. The development is contrary to "SCLP 5.2; Housing Development in Small Villages" where development should be "a small group of dwellings, of a scale appropriate to the size, location and character of the village". There is no justified need for this development in the village as there are already substantial allocations or permissions for dwellings in the village and over 3500 more dwellings proposed in Ipswich Garden Suburb, only 3 miles away. There is a lack of local services, particularly space at the local school and the development is on "greenfield" agricultural land, when an alternative nearby vacant brownfield site is more appropriate. It comes at a time when consideration is also being given to the application for 20 dwellings at nearby Street Farm. The prospect of both developments going ahead, potentially at the same time in close proximity, is alarming for the village.

2) If development is to be agreed in principle by ESC, the Parish Council objects to the development as it stands. It does not meet the criteria a) d) e) and f) given in the Local Plan policy SCLP 12.7; Mow Hill Witnesham. If development is to be permitted, the Parish Council requires that these criteria are met in full and enhanced as follows;

"a) Provision of affordable housing on site; " The development provides for 10 affordable dwellings out of the 32 proposed dwellings. SCLP 5.10 Affordable Housing on Residential Developments; expects 1 in 3 units to be affordable dwellings. Therefore, the Parish Council believes the minimum requirement for developing 32 dwellings should be 11 affordable units not 10 as proposed in the resubmitted proposals. Witnesham is very short and in real need of affordable housing. The Parish Council requests greater provision of affordable housing from this very large development and for it to go beyond the policy minimum level of 11 units. It would like to see more affordable units, and include bungalows to meet SCLP 5.10 in providing "needs for affordable housing for older people". The Parish Council asks that priority is given to people connected to the village, in allocating the affordable housing.

"b) Retention of the hedgerow which borders Mow Hill, except where removal is required for access." The Parish Council considers it imperative that the existing trees and hedging bordering Mow Hill and the site are retained with removal only allowed for the surfaced road access splay. There should be no removal for access sightlines.

"c) Provision of pedestrian connectivity southwards on Mow Hill." The Parish Council wishes to be assured that there is safe pedestrian connectivity from the access entrance, across the B1077 and to the pavement on the west side. It would seem that the revised application provides for this.

In addition the Parish Council has asked the developer, Denbury Homes for increased pedestrian connectivity with provision of a surfaced footpath link from the north west corner of the site, through to the B1077, opposite the former woodyard. This would link to the roadside pavement opposite, giving better access to the northern part of the village, including to the school, shop, village hall and church and to Public Footpath 22 and the excellent network of public paths to the west of the B1077. The Parish Council is disappointed that Denbury Homes is not prepared to provide this.

It also asks for a short surfaced public footpath link from the corner of the internal access road, where it turns north, across the northern edge of the Public Open Space to join off site, with Footpath 26. This would provide a direct foot access from the new housing to Footpath 26 and connecting footpath network. The Parish Council is pleased to see that the resubmitted plans provide for a hoggin surfaced path as far as the site boundary. This needs to be extended to join Public Footpath 26.

"e) Provision of landscaping to create a soft edge to the eastern and northern boundaries of the site." The site is very exposed to the open countryside and higher ground to the east, public footpath 26 and the nearby Grade 11 Listed Buildings to the south (criteria d). For the most part, only garden hedgerow planting is provided along this boundary. To meet the criteria and to ameliorate the impacts identified in the Landscape Assessment, a substantive landscaped tree belt is required, off site, along the eastern and south eastern boundary of the site. The Parish Council requests a 10 metre tree belt along the eastern boundary and a small tree copse planted in the triangle of land, which will be difficult to farm, between plots 5,6 and the farm track/Foot Path 26. This would substantially reduce the visual impact of the development to the open countryside in the east and provide some carbon off-setting for the development. The council would like to see this provided by the landowner to the community as Public Open Space.

There seems to be no consultation response from ESC Landscape Conservation Officer to the proposed development.

The Parish Council objects to the provision of the spur access road and pavements to the eastern boundary and the gap this makes. The Parish Council sees no need for this spur. Any expansion of development to the east of the current proposal should be resisted and means of facilitating this should be removed from the current proposal. The Parish Council would like to see an alternative layout for plots 26,27, and 28 and their access road.

The Parish Council have had meetings with Denbury Homes and the landowner who state that this spur is for agricultural access to the field. The landowner has retained a land strip to the south east which provides as existing, direct access to the field from Red House Farm. The Parish Council thinks it is unacceptable to have an additional new agricultural access for tractors, ploughs, muck spreaders, combines and all other machinery through a residential housing estate, with the consequences of mud, straw, noise, disturbance and potential damage to infrastructure and parked vehicles. The Parish Council sees no need for the proposed new access and seeks its removal as part of the application. If the developer, landowner and Planning Authority deem it absolutely necessary to provide agricultural access through the development, this should be immediately south of the sub-station.

"f) A site specific Flood Risk Assessment will be required and any mitigation provided." The Parish Council needs complete assurance that there is adequate provision, both on site and with connection to the culverted water course for surface water drainage and that there is no risk of flooding to neighbouring properties south of the site. The Parish Council needs to know who will be responsible for the future management and maintenance of the drainage system, attenuation basin and the off-site culverted watercourse to which the system is connected? To date this has not been provided.

3) Public Open Space (POS); The Parish Council welcomes the idea of providing POS, indeed it was the Parish Council who suggested an area of POS in a previous application. It is a misnomer for this application to say that there will be 0.25ha of POS when in fact most of the area is provided as a drainage attenuation basin along with associated structures. The Parish Council questions the compatibility of such dual use. It would like to see a POS provided that is attractive, accessible and safe; an area that can be enjoyed all year round by villagers and is not just a carved out drainage basin with little area that can be properly considered as a usable POS, as is proposed. The current POS proposal is unacceptable and the Parish Council is most disappointed that its request for discussion and consideration on the provision, future ownership and management of the POS and the attenuation basin;- usable space, landscaping, paths, equipment and management, gradients, gabions and safety, has been ignored by Denbury Homes and Planning Officers. The Parish Council still seeks discussion on these matters. As a minimum it seeks improvement to Public Footpath 26 where it passes through the POS, including; a) Replacement of steps at the western end with a surfaced slope entrance from the B1077 pedestrian crossing to enable access by pushchairs and the less able to the POS. b) An open access, with no stile nor gate at the west site boundary. c) Providing a hardened stone hoggin surfacing of FP26 around the periphery of the POS.

4) Internal site landscaping; The Parish Council seeks improved internal site landscaping including the provision of more roadside and swaleside trees and the planting of roadside and swaleside daffodils. (The Parish Council has a programme for roadside daffodil planting).

5) Sustainability; The Parish Council seeks assurance that measures, beyond the minimum regulations, are being taken to provide sustainable dwellings and reduce energy use, including provision of electric car charging points for each dwelling and solar power generation. The Parish Council requests that no street lighting is provided.

6) Construction disruption;

The Parish Council seeks assurances and consultation on measures to be taken to minimise the major disruption that would be caused by such a large development to services, the B1077 and the village.

Whilst objecting to the proposed development, the Parish Council has tried hard to engage with the developer, Denbury Homes and the landowner to improve the proposals for the local community. It is most disappointing that so far these have not been met. Equally it is disappointing that the planning authority has not been willing to engage or respond with the Parish Council on the proposal.

The Parish Council requests that it be represented when the application is considered by the planning authority.

Consultee	Date consulted	Date reply received
SCC Highways Department	15 July 2022	12 August 2022
<p>Summary of comments:</p> <p>Please refer to our previous response dated 10th of August 2022 (ref SCC/CON/2828/22).</p>		

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	15 July 2022	19 July 2022
<p>Summary of comments:</p> <p>I consider that the application will preserve the setting and significance of the Grade II* listed Redhouse Farm, Witnesham and those of its associated Grade II listed barns, free from harm, in conformance with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990.</p> <p>I consider that the application will give rise to a low level of less-than-substantial harm to the significance of the Grade II listed Wood House. Its conservation must be given great weight by the decision maker for this application and Wood House's significance and the level of harm must be taken into account by the decision maker when weighing them against the public benefits of the proposal, considering all other relevant planning matters, in compliance with the engaged test at paragraph 202 of the NPPF.</p> <p>I welcome the inclusion of additional information and design changes, where these have been made in response to previous officer feedback. I consider that the quality of the design and layout are of a standard that acceptably meets the requirements of the NPPF and Local Plan.</p> <p>Further comments incorporated into the respective sections of part 8 of this report.</p>		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	15 July 2022	2 August 2022
<p>Summary of comments:</p> <p>Landscape objection on current proposal, but no objection in principle to development on the site, if landscape recommendations are taken on board and sufficient landscape mitigation measures can be established. Landscape mitigation measures should be informed by further or revised landscape analysis.</p>		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	16 July 2022	26 August 2022
<p>Summary of comments:</p> <p>The following submitted document has been reviewed and we recommend a holding objection at this time:</p>		

- Ingent Technical Note on Planning Objection, 2104-570 (undated – added to planning portal 01 August 2022)

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A holding objection is necessary because further clarification is required in order to satisfy all the previous LLFA comments.

### Second reconsultation responses (sent 05 August 2022)

Consultee	Date consulted	Date reply received
SCC Flooding Authority	5 August 2022	6 September 2022
<p>Summary of comments:</p> <p>We have reviewed the following submitted document and we recommend approval of this application subject to conditions:</p> <ul style="list-style-type: none"> <li>• Flood Risk Assessment 2140-570, Revision A 22 September 2021;</li> <li>• 2104-570 Mow Hill, Witnesham Suffolk: Technical Note on Planning Objection (undated – added to planning portal 11 July 2022); and</li> <li>• 2104-570 Mow Hill, Witnesham Suffolk :Technical Note on Planning Objection (undated – added to planning portal 01 August 2022).</li> </ul> <p>Conditions are recommended in respect of:</p> <ul style="list-style-type: none"> <li>• Details of the strategy to dispose of surface water to be submitted</li> <li>• Surface water drainage verification report to be submitted within 28 days of practical completion of the last unit</li> <li>• Construction surface water management plan.</li> </ul> <p>Informatives are also recommended to ensure that any separate permits are sought prior to commencement.</p>		

### Third reconsultation responses (sent 17 August 2022)

Consultee	Date consulted	Date reply received
SCC Highways Department	17 August 2022	8 September 2022
<p>Summary of comments:</p> <p>No objection on highways safety grounds, subject to the inclusion of the following conditions:</p> <ul style="list-style-type: none"> <li>• Access laid out in accordance with SCC highways specification drawing DM10</li> <li>• Gradient of access not steeper than 1 in 20 for the first 5m</li> <li>• Removal of permitted development within the visibility splays and delivery of visibility splays prior to first use of the access</li> <li>• Details of method to prevent surface water entering highway to be submitted</li> <li>• Parking to be provided as per approved plan</li> </ul>		

- Details of electric vehicle charging points to be submitted
- Details of the areas to be provided for secure, covered and lit cycle storage to be submitted
- Details of the areas for the storage/presentation of recycling/refuse to be submitted
- Details of the new footway to be submitted and constructed to at least base course before the development is first occupied
- No dwelling occupied until the carriageways and footways serving the dwelling have been constructed to at least binder course level
- Details of the estate roads and footpaths (layout, levels, gradients, surfacing, lighting, traffic calming and surface water drainage) to be submitted
- Construction management plan to be submitted

SCC Highways have requested S106 contributions as part of their response. The contribution would be for bus stop improvements - This site will be served by the 118/119 service. We would request a contribution of £20k for a RTPI screens, shelter and raised kerbs at the existing stops on Mow Hill/The Street. This is to encourage sustainable transport on the new development and to potentially reduce vehicle trips.

#### Fourth reconsultation responses (sent 19 August 2022)

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	19 August 2022	12 October 2022

##### Summary of comments:

I previously provided comments on this application on 2nd August 2022, we have since received revised information in response to some of the points raised, and therefore I am providing additional feedback on that revised information.

These revisions have addressed some of my concerns, as follows:

- Visibility splay is now shown, and I believe the impact on the existing hedge would be acceptable
- The agent has confirmed the majority of the hedgerow to Mow Hill to be within highways land and the remainder will be maintained by management company
- Some additional landscape structure is shown within the development, including a more generous tree offering
- Some of the access to rear gardens has been adjusted, although this remains an issue for some plots

Some of the points I previously raised have not been addressed, as follows:

- The agent has confirmed there is no intention to altering the design of the farm access point. This remains a significant concern to me, as it undermines the ability for the eastern boundary to properly absorb the development and visually opens up this boundary. I see no practical reason that the access should be so highly engineered, and

I would request the removal of the footpath to the south side of the road and the narrowing of this opening and additional screening to be provided around it

- Eastern boundary now shown as vegetated on revised drawings, and outside of private ownership, although additional space and a wider vegetated zone has not been shown
- The agent has confirmed that Public open space to the south of the site access, the hedgerow/tree to the eastern boundary and public open space to the north of Plots 29-32 will all be under a management company. Drainage swales will be under highway ownership if adopted, or management company if they aren't adopted. This should be conditioned and in due course we will require a conveyance plan to show this information
- I still have concerns that there is no strategy for the use of the open space to the north and little information about how accessible and functional the area around the swale is. That said, the agent has confirmed the intention for these spaces is to contribute to the rural feeling of the site and a sense of a lower density, more spacious development. I do agree that these areas will contribute to that effect and to providing character to the site. But I find it a shame that a programme for these spaces hasn't been considered and that no seating or footpaths are shown to encourage the use of these areas, but this level of detail could be secured by condition if the application was approved

I note that no response has been given to comments around the landscape and visual impact assessment. I do not feel it proportionate to request that the report is revised, given that I have no objection in principle to the development of this site. However, as I find that the assessment understates some of the potential effects, it would be prudent for the advice on the eastern boundary to be fully taken on board, to address the landscape objection. My advice on the eastern boundary remains as per my previous comments.

The farm/agricultural access point should also be reduced to the minimum size which would allow for additional structure around the entrance.

Landscape objection on current proposal, but no objection in principle to development on the site, if landscape residual issues with the eastern boundary are addressed.

Consultee	Date consulted	Date reply received
East Suffolk Ecology	19 August 2022	14 October 2022

Summary of comments:

Further to my comments of 25th April 2022, following further correspondence I note that the site has now been accepted in to Natural England's Great Crested Newt District Level Licensing (DLL) scheme and that further clarification has been provided on the timings for the dormouse survey (that, given the small amount of habitat to be impacted, it will be undertaken prior to works commencing). This information resolves the points raised in my previous comments and therefore I have no objection to this application, subject to the necessary mitigation and enhancement measures being secured by condition.



## Fifth reconsultation responses

Consultee	Date consulted	Date reply received
SCC Section 106 Officer	N/A	20 September 2022
Summary of comments: Updated contribution amounts as initial response is now over six months old.		

## Sixth reconsultation responses (sent 27 October 2022)

Consultee	Date consulted	Date reply received
Witnesham Parish Council	27 October 2022	15 November 2022
<p>Summary of comments:</p> <p><b>1) The Parish Council objects in principle to this proposed development of 32 dwellings as being too large, out of character and scale for the village. It maintains its objection to the allocation of this site in the Local Plan.</b> The development is contrary to "SCLP 5.2; Housing Development in Small Villages" where development should be "a small group of dwellings, of a scale appropriate to the size, location and character of the village". There is no justified need for this development in the village as there are already substantial allocations or permissions for dwellings in the village and over 3500 more dwellings proposed in Ipswich Garden Suburb, only 3 miles away. There is a lack of local services, particularly space at the local school and the development is on "greenfield" agricultural land, when an alternative nearby vacant brownfield site is more appropriate. It comes at a time when consideration is also being given to the application for 20 dwellings at nearby Street Farm. The prospect of both developments going ahead, potentially at the same time in close proximity, is alarming for the village.</p> <p><b>2) If development is to be agreed in principle by ESC, the Parish Council objects to the development as it stands. It does not meet the criteria a) d) e) and f) given in the Local Plan policy SCLP 12.7; Mow Hill Witnesham. If development is to be permitted, the Parish Council requires that these criteria are met in full and enhanced as follows;</b></p> <p><b>"a) Provision of affordable housing on site; "</b></p> <p>The development provides for 10 affordable dwellings out of the 32 proposed dwellings. <i>SCLP 5.10 Affordable Housing on Residential Developments; expects 1 in 3 units to be affordable dwellings.</i> Therefore, the Parish Council believes the minimum requirement for developing 32 dwellings should be 11 affordable units not 10 as proposed in the resubmitted proposals. Witnesham is very short and in real need of affordable housing, only 2 affordable units have been provided out of 28 dwellings in new developments over the last 5 years. The Parish Council requests greater provision of affordable housing from this very large development and for it to go beyond the policy minimum level of 11 units. It would like to see more affordable units, and include bungalows to meet <i>SCLP 5.10 in providing "needs for affordable housing for older people"</i>. The Parish Council asks that priority is given to people connected to the village, in allocating the affordable housing.</p> <p><b>"b) Retention of the hedgerow which borders Mow Hill, except where removal is required for access."</b></p>		

The Parish Council considers it imperative that the existing trees and hedging bordering Mow Hill and the site are retained with removal only allowed for the surfaced road access splay. There should be no removal for access sightlines nor the removal of trees and hedgerow, as proposed, along the eastern boundary of Plot 1 nor along the north eastern corner of the Public Open Space. There is no revised Landscape Strategy Plan with the new consultation. The revised External Works Layout (20/10/22) and the revised Planning Layout (20/10/22) are inconsistent with the Landscape Strategy (26/08/22). In particular, the impression is given in the Layout Plans of new bands of hedge/tree planting (dark green) along the west and south west site boundary. These are not given in the Landscape Strategy Plan. All existing trees/hedges along Mow Hill are on highway land outside the site boundary. The Parish Council seeks reassurance that it is proposed to provide a new hedgerow inside the western site boundary, alongside Mow Hill and that this, as requested by ESC Strategic Landscape Advisor, is to be maintained by a management company.

**"c) Provision of pedestrian connectivity southwards on Mow Hill."**

The Parish Council wishes to be assured that there is safe pedestrian connectivity from the access entrance, across the B1077 and to the pavement on the west side. It would seem that the revised application provides for this.

In addition the Parish Council asks for increased pedestrian connectivity northwards, with provision of a surfaced footpath link from the north west corner of the site, through to the B1077, opposite the former woodyard. This would link to the roadside pavement opposite, giving better access to the northern part of the village, including to the school, shop, village hall and church and to Public Footpath 22 and the excellent network of public paths to the west of the B1077.

**"e) Provision of landscaping to create a soft edge to the eastern and northern boundaries of the site."**

The site is very exposed to the open countryside and higher ground to the east, public footpath 26 and the nearby Grade 11 Listed Buildings to the south (*criteria d*). Only limited planting is proposed along this boundary. To meet the above criteria and to ameliorate the impacts identified in the Landscape Assessment, a substantive landscaped tree belt is required, along the eastern and south eastern boundary of the site. The ESC Strategic Landscape Advisor has also objected to the present proposals as providing inadequate amelioration along eastern boundary. The Parish Council requests a 10 metre tree belt all the way down the eastern boundary (on or off site) alongside the development, strengthening of planting along the eastern boundary of the Public Open Space and a small tree copse planted in the triangle of land, which will be difficult to farm, between plots 5,6 and the farm track/Foot Path 26. This should be maintained by a management company as Public Open Space.

These measures would substantially reduce the visual impact of the development to the open countryside to the east, provide some real beneficial Public Open Space to the local community and some carbon off-setting for the development. These proposals are in line with those made (12/10/22) by the ESC Strategic Landscape Advisor

The Parish Council objects to the provision of the spur access road and pavements to the eastern boundary and the gap this makes visually opening up the eastern boundary and contrary to meeting the objective of the above criteria (e). The Parish Council sees no need for this spur. Any expansion of development to the east of the current proposal should be resisted and means of facilitating this should be removed from the current proposal. The Parish Council would like to see an alternative layout for plots 26,27, and 28 and their access road.

The Parish Council have had meetings with Denbury Homes and the landowner who state that this spur is for agricultural access to the field. The landowner has retained a land strip to the south east which provides as existing, direct access to the field from Red House Farm. The Parish Council objects and thinks it is unacceptable to have an additional new agricultural access for tractors,

ploughs, muck spreaders, combines and all other machinery through a residential housing estate, with the consequences of mud, straw, noise, disturbance and potential damage to infrastructure and parked vehicles. The Parish Council sees no need for the proposed new access and seeks its removal as part of the application. If the developer, landowner and Planning Authority deem it absolutely necessary to provide agricultural access through the development, this should be immediately south of the sub-station and north of the Public Open Space

**"f) A site specific Flood Risk Assessment will be required and any mitigation provided."**

The Parish Council needs complete assurance that there is adequate provision, both on site and with connection to the culverted water course for surface water drainage and that there is no risk of flooding to neighbouring properties south of the site. The Parish Council needs to know who will be responsible for the future management and maintenance of the drainage system, attenuation basin and the off-site culverted watercourse to which the system is connected? To date this has not been provided.

**3) Public Open Space (POS);**

The Parish Council welcomes the idea of providing POS, indeed it was the Parish Council who suggested an area of POS in a previous application. It is a misnomer for this application to say that there will be 0.25ha of POS when in fact most of the area is provided as a drainage attenuation basin along with associated structures. The Parish Council questions the compatibility of such dual use and has not found any other joint use Suffolk. It would like to see a POS provided that is attractive, accessible, unfenced and safe; an area that can be enjoyed all year round by villagers and is not just a carved out drainage basin with little area that can be properly considered as a usable POS, as is proposed. The current POS proposal is unacceptable and the Parish Council is most disappointed that its request for discussion and consideration on the provision, future ownership and management of the POS and the attenuation basin;- usable space, landscaping, paths, equipment and management, gradients, gabions and safety, has been ignored by Denbury Homes and Planning Officers. The Parish Council still seeks discussion on these matters and an agreed management plan, secured by a planning condition before building commencement. As a minimum it seeks;

- a) Improvement to Public Footpath 26 where it passes through the POS, including;
  - Replacement of steps at the western end with a surfaced slope entrance from the B1077 pedestrian crossing, to enable access by pushchairs and the less able to the POS.- An open access, with no stile nor gate at the west site boundary.- Providing a hardened stone hoggin surfacing of FP26 down the side of the POS. All these, with the support of SCC Public Rights of Way were requested in the last revised application.
- b) A short surfaced public footpath link from the corner of the internal access road, where it turns north, across the northern edge of the Public Open Space to join off site, with Footpath 26. This would provide a direct foot access from the new housing to Footpath 26 and connecting footpath network. The Parish Council sees that the resubmitted plans provide for a hoggin surfaced path as far as the site boundary. This needs to be extended to join Public Footpath 26.
- c) A stone, hoggin path along the eastern boundary of the POS linking 2) above with FP26 and providing, in connection with the above, a surfaced walking circuit around the POS.
- d) Detailed planting and vegetation management plan
- e) Seating and other equipment provision
- f) Detailed Drainage basin and outfall management.

**4) Internal site landscaping;**

The Parish Council seeks improved internal site landscaping including the provision of more roadside trees and the planting of roadside and swaleside daffodils. (The Parish Council has a programme for roadside daffodil planting)

For the area of POS proposed at the northern end of the site the Parish Council requests management plan details and asks that the proposed roadside chain link fencing be removed

**5) Sustainability;**

The Parish Council seeks assurance that measures, beyond the minimum regulations, are being taken to provide sustainable dwellings and reduce energy use, including provision of electric car charging points for each dwelling and solar power generation on all suitable south and west facing roofs

The Parish Council requests that no street lighting is provided.

**6) Construction disruption;**

The Parish Council seeks assurances and consultation on measures to be taken to minimise the major disruption that would be caused by such a large development to services, the B1077 and the village.

**7) Other;**

Whilst objecting to the proposed development, the Parish Council has tried hard to engage with the developer, Denbury Homes and the landowner and to improve the proposals for the local community. It is most disappointing that so far these have not been met. Equally it is disappointing that the Planning Officers have not been willing to engage or respond to various queries raised by the Parish Council on the proposal, in particular the POS and landscaping proposals. The Parish Council feels frustrated and the local community let down by the processing of this application to date.

The Parish Council requests that it be represented when the application is considered by the Planning Authority.

Consultee	Date consulted	Date reply received
Witnesham Parish Council	N/A	28 November 2022
Summary of comments: Following advice given by Stephanie Baxter, ESC Housing Strategy & Enabling Manager (21/11/22), Swilland & Witnesham Parish Council formally requests that in consideration of the above application, clauses are made which will enable residents with local connections to have first refusal to the affordable homes provided, assuming they meet the criteria.		

Consultee	Date consulted	Date reply received
Ward Councillor	27 October 2022	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
SCC Highways Department	27 October 2022	3 November 2022

Summary of comments:

We are satisfied with the revised drawings, which do not have a detrimental impact upon the highway when compared to the previous proposal. We are happy for the revised drawings to be referenced in the previously recommended highway related planning conditions.

Consultee	Date consulted	Date reply received
SCC Rights Of Way	27 October 2022	7 November 2022

Summary of comments:

As per previous responses to this proposal, there is a public right of way (PROW) within the proposed site: Witnesham Public Footpath 26. As per our previous response on 3 August 2022, we do not object to this proposal and fully support the Parish Council's response dated 29/07/2022, specifically points 2(c) and 3.

Consultee	Date consulted	Date reply received
SCC Flooding Authority	27 October 2022	7 November 2022

Summary of comments:

Suffolk County Council has no further comments to make regarding your recent consultation and maintain our response submitted 06/09/2022.

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	27 October 2022	27 October 2022

Summary of comments:

Our previous recommendation stands.

Consultee	Date consulted	Date reply received
SCC Section 106 Officer	27 October 2022	28 October 2022

Summary of comments:

The county council previously responded by way of letter dated 03 April 2022 (updated on 20 September 2022). We have no further comments to make on the reconsultation but have copied to colleagues.

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	27 October 2022	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
Historic England	27 October 2022	17 November 2022
Summary of comments: Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application. We suggest that you seek the views of your specialist conservation and archaeological advisers.		

Consultee	Date consulted	Date reply received
Police - Design Out Crime Officer	27 October 2022	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
Anglian Water	27 October 2022	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
SUSTRANS	27 October 2022	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
Network Rail Property (Eastern Region - Anglia)	27 October 2022	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	27 October 2022	31 October 2022
Summary of comments: The comments in my response dated 6th April 2022 still apply, I have no further comments to make at this stage.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	27 October 2022	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	27 October 2022	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	27 October 2022	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
East Suffolk Housing Development Team	27 October 2022	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	27 October 2022	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
Disability Forum	27 October 2022	27 October 2022
Summary of comments: Suffolk Coastal Disability Forum have previously commented on this application. We have nothing further to add.		

Consultee	Date consulted	Date reply received
Water Management Alliance	27 October 2022	31 October 2022
Summary of comments: Thank you for reconsulting the East Suffolk Internal Drainage Board on application DC/22/0998/FUL. The Board has no further comments to make as of our email sent on the 18/07/2022.		

## Publicity

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

Category	Published	Expiry	Publication
Major Application In the Vicinity of Public Right of Way Affects Setting of Listed Building	27 October 2022	17 November 2022	East Anglian Daily Times

Category	Published	Expiry	Publication
Major Application In the Vicinity of Public Right of Way	31 March 2022	25 April 2022	East Anglian Daily Times

## Site notices

General Site Notice	Reason for site notice: Major Application; In the Vicinity of Public Right of Way; Affects Setting of Listed Building Date posted: 28 October 2022 Expiry date: 18 November 2022
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General Site Notice	Reason for site notice: Major Application; In the Vicinity of Public Right of Way; Date posted: 11 April 2022 Expiry date: 5 May 2022
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## **7. Planning policy**

National Planning Policy Framework 2021

SCLP3.1 - Strategy for Growth (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP3.2 - Settlement Hierarchy (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP3.3 - Settlement Boundaries (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP5.2 - Housing Development in Small Villages (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP5.8 - Housing Mix (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP5.9 - Self Build and Custom Build Housing (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP5.10 - Affordable Housing on Residential Developments (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP7.1 - Sustainable Transport (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP7.2 - Parking Proposals and Standards (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP9.2 - Sustainable Construction (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP9.5 - Flood Risk (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP9.6 - Sustainable Drainage Systems (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP10.1 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP10.4 - Landscape Character (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.1 - Design Quality (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.2 - Residential Amenity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.3 - Historic Environment (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.4 - Listed Buildings (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.7 - Archaeology (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP12.70 - Mow Hill, Witnesham (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

Historic Environment Supplementary Planning Document (East Suffolk Council, Adopted June 2021)

Sustainable Construction Supplementary Planning Document (East Suffolk Council, Adopted April 2022)

Affordable Housing Supplementary Planning Document (East Suffolk Council, Adopted May 2022)

Recreational Disturbance Avoidance and Mitigation Strategy Supplementary Planning Document (SPD) adopted May 2021

National Design Guide January 2021

## **8. Planning Considerations**

- 8.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Suffolk Coastal Local Plan (covering the former Suffolk Coastal Area) was adopted on 23 September 2020.
- 8.2. Paragraph 47 of the NPPF states “Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.”
- 8.3. Paragraph 10 of the NPPF reinforces that the heart of the Framework is based on a presumption in favour of sustainable development, with Paragraph 11 further confirming that permission should be granted unless there are any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

### Principle of Development

- 8.4. The Local Plan was adopted in September 2020 and sets the Council's development vision for the period up to 2036. Within the plan are a number of allocated sites which will deliver housing growth across the plan area throughout the plan period (2018-2036). Local Plan Policy SCLP3.1 specifically outlines the spatial strategy for growth to be delivered over the plan period, noting the intention to significantly boost the supply of housing, the mix of housing available and the provision of affordable housing, through the delivery of at least 542 new dwellings per annum (at least 9,756 over the period 2018 - 2036).
- 8.5. The land to the east of Mow Hill, Witnesham is allocated within Local Plan Policy SCLP12.70 for the development of approximately 30 dwellings.
- 8.6. The principle of residential development on the site is therefore positively planned for and entirely supported by the Local Plan. This allocation forms part of the delivery of the strategy of the Local Plan as set out in Policy SCLP3.1 as noted above, which aims to ensure the vision for the Local Plan is delivered alongside the requirements of the National Planning Policy Framework.
- 8.7. Policy SCLP12.70 sets out the criteria for the development site as:
- a) Provision of affordable housing on site;
  - b) Retention of the hedgerow which borders Mow Hill, except where removal is required for access;
  - c) Provision of a pedestrian connectivity southwards on Mow Hill;
  - d) Design and layout to be sympathetic to the setting of the nearby Grade II Listed Buildings;
  - e) Provision of landscaping to create a 'soft' edge to the eastern and northern boundaries of the site; and
  - f) A site-specific Flood Risk Assessment will be required, and any necessary mitigation provided.
- 8.8. The principle of development is established through the Local Plan site allocation where the material considerations of the policy will be discussed in detail under the relevant headings below.

### Design of Development, including Impact on Heritage Assets

- 8.9. The site is allocated for the development of approximately 30 dwellings. The site is currently in agricultural use and has a rising topography to the east. It is important that the site provides for growth of the village and is integrated with and sensitive to the settlement and open agricultural landscape character.
- 8.10. The preamble to the policy notes that consideration will need to be given to design, layout and landscaping to provide an appropriate transition between the developed areas to the south of the site and the more rural character to the north of the site. Due to the rural character of this location, a relatively low-density development is considered appropriate.
- 8.11. The application site comprises the western-most 1.98Ha portion of a larger, broadly rectangular, 6.8Ha agricultural field on the north-eastern edge of the southern-most part

of the village, immediately to the east of the B1077 Mow Hill and north of the carpark serving the adjacent Barley Mow Public House.

- 8.12. Further to the south-east are the Grade II\* and two Grade II listed buildings at Redhouse Farm.
- 8.13. The existing site area is enclosed by a combination of deciduous trees and hedging along its western roadside boundary and along both its northern and southern end boundaries, with its eastern boundary currently undefined on the ground.
- 8.14. The site lies at an elevated level from Mow Hill to the west and rises from south to north away from the valley of the River Fynn further to the south. The single detached bungalow and associated residential curtilage of Springfield lies directly adjacent to the site to the north.
- 8.15. On the opposite, western side of the B1077 Mow Hill to the site, elevated and set back behind mature trees and hedging, lie some recently constructed substantial two-storey detached dwellings and associated garages, with some further late-twentieth century detached dwellings similarly set-back from the B1077 Mow Hill.
- 8.16. Further to the north, beyond which are vacant timber outbuildings associated with a former Sawmill on the site. To the north of the former Sawmill lies the Grade II Listed, two-storey detached dwelling and curtilage of Wood House.
- 8.17. As noted above, there is a mix of both more historic character and modern development within the vicinity of the site. Irrespective of age of the buildings, there is a prevailing character across the area for traditional design and detailing. Material finishes include orange or brown pantiles or slate with elevations often finished in brickwork, timber cladding or render. It is noted that some of the more recent developments have a contemporary flare in terms of fenestration and material finishes, however these can still be read in the context of the more traditional features of the overall design.
- 8.18. The development provides a mix of dwellings, ranging from smaller one and two-bedroomed terraced and semi-detached dwellings through to larger three and four-bedroomed semi-detached and detached properties.
- 8.19. The majority of the development is of traditional two-storey built form, with secondary one-and-a-half and single-storey elements utilised to provide linkages and accommodate garaging. Notably, four detached single-storey dwellings are proposed at the most elevated, northern end of the site, acknowledging the existing similarly single-storey dwelling of Springfield adjacent to the north.
- 8.20. The scale of development ranges from single-storey dwellings and garages, with eaves and ridge heights of approximately 2.4 metres and 5.2 metres respectively, through to two-storey dwellings with eaves and ridge heights of 4.8 metres and 9.1 metres respectively.
- 8.21. The submitted drawings illustrate architectural styles that are based upon traditional local building forms and detailing, which are in-keeping with the traditional local vernacular and local streetscapes.

- 8.22. The proposed dwellings largely front and take reference to either side of the spine road, with shared private drives also serving small groups of dwellings to either side and adjacent to the northern site boundary.
- 8.23. Material finishes for the development include:
- Renaissance Red brick
  - Buffburn Buff brick
  - Aldbury Multi brick
  - Olde Cranleigh brick
  - Gardenia render
  - Black, cream or white horizontal weatherboarding
  - Redland Fenland pantile farmhouse red
  - Redland Fenland pantile farmhouse black (dark grey in colour)
  - Eternit Slate with lead rolled ridges and hips, black
- 8.24. The design concept of the development seeks to provide a relatively self-contained, visually enclosed development, set against the backdrop of existing green infrastructure to the north, south and west, with new public open space proposed adjacent to the southern boundary with the car park to the Public House. New native deciduous hedging is proposed to delineate and enclose the currently open eastern side boundary of the site, in order to limit any visual impact upon the existing natural rural environment further beyond to the east.
- 8.25. An area of green public open space is proposed immediately adjacent to and south of the site entrance, at the lowest end of the site; this area also serves as a natural surface water drainage infiltration area for the site.
- 8.26. A new pedestrian and vehicular access into the site is proposed to be formed towards the south-eastern corner of the site, at the southern-most end of the site frontage. Whilst this new access does necessitate some existing hedgerow removal, this is sought to be kept to a minimum level which provides the necessary visibility splays to satisfy highway safety requirements.
- 8.27. Upon entering the site, as detailed upon the submitted Layout Drawings, the spine road runs eastwards into the site before turning through 90 degrees to the north to run broadly centrally and rising northwards through the site, before terminating close to the hedged northern boundary.
- 8.28. The layout takes account of key considerations such as topography, edges, and relationship to the adjacent dwellings and landscape; no fundamental changes have been requested throughout the application in this respect. Amendments however have focused on minor aspects of the scheme, such as the flank elevations to Mow Hill, increased hedging around visitor parking areas, the parking court to plots 16-21 and the use of a dark grey/black pantile on some of the plots.
- 8.29. The gable-end plots to Mow Hill (plots 10, 11, 18) have been amended so that their flank elevations have now been elaborated to include additional detailing, such as window surrounds, diapering, and string courses. These are welcome and will mitigate the impact

of these side elevations onto Mow Hill which is essential given that filtered views of them will be available through the existing to-be-retained green edge.

- 8.30. The courtyard parking layout to Plots 16-21 has been amended to include intermediate hedge planting between some parking spaces. This is not quite the comprehensive spatial redesign sought, but is an improvement, nonetheless. The point here was to try and enclose the parking spaces and divide up their spatial effect, so that they did not just read as one large, tarmacked area. The use of hedging has been used elsewhere on the layout, including adjacent the southern public open space, and this is welcomed. Hedging adds to spatial enclosure and provides an attractive green layering effect through the layout.
- 8.31. With respect to materials, comments on avoiding the use of a black pantile have not been taken on board which is regrettable. Black pantiles are not traditional to the southern part of the district. There are no concerns about any of the other specified materials which are considered to be of an acceptable standard.
- 8.32. The submitted street scenes provide a good overview of the general character that will be afforded by the development in terms of the layout and house designs. It is considered that the overall effect will be pleasant and attractive, and that the site's sloping topography will affect a varying character across the site, such that the general roofscape and varied plot positions and massing will be positive.
- 8.33. The street scenes also illustrate that there is a relatively loose and somewhat dispersed feel to the built form, and this is appropriate for a rural site where it is important to avoid the impression of density. The Council's Principal Design and Conservation Officer notes that "the topography shown in street scene BB is really quite striking and will animate the whole design, to its benefit."
- 8.34. Criterion (d) of SCLP12.70 also requires that the design and layout are sympathetic to the setting of the nearby Grade II\* and Grade II Listed Buildings. There is no Conservation Area in Witnesham.
- 8.35. The submitted Heritage Statement narrowly meets the requirements of the NPPF at paragraph 194. It should have been more detailed and included a map regression and an assessment of how the application site contributes to the significance of the identified designated heritage assets.
- 8.36. Settings of designated heritage assets that are listed buildings are statutorily protected; conservation of designated heritage assets must be given great weight in the planning decision making process. In compliance with the requirements of paragraph 195 of the NPPF, the Council's Principal Design and Conservation Officer has provided an assessment of the significance of the heritage assets which can be viewed in full in the consultation comments received 19 July 2022.
- 8.37. The impacts that will arise from the development of an existing undeveloped farmed field will include a change in its character and appearance to built-form, domestic activity, traffic and lighting. The effects that arise from these changes include that the seasonal changes in landscape character and associated farming activity; characteristic of the wider area, will be lost.

- 8.38. These impacts and effects will detract from the wider landscape setting to Wood House, which has a proximate physical relationship to the application site. The same impacts and effects on Redhouse Farm will be largely mitigated by the physical offset from the application site and the design of the layout, which includes a large area of open space to its south.
- 8.39. The Council's Principal Design and Conservation Officer partly disagrees with the conclusion of the submitted Heritage Statement, which states that the setting to Wood House and Redhouse Farm will be respected and maintained. It is considered that the setting to Wood House will be partly eroded through loss of its landscape character through built development which will harm its significance. This harm will be indirect and less-than-substantial and of a low level, only. This is because Wood House is separated from the application site by a road and green edge; faces away from the application site; and derives only a modest part of its significance from the application site; there will still be plenty of extant undeveloped countryside within its wider setting.
- 8.40. Officers concur with these views and consider that the application will preserve the setting and significance of the Grade II\* listed Redhouse Farm, and those of its associated Grade II listed barns, free from harm, in conformance with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 8.41. The application will give rise to a low level of less-than-substantial harm to the significance of the Grade II listed Wood House. Its conservation must be given great weight in determining the application. Paragraph 202 of the NPPF is engaged, which states, *"where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."*
- 8.42. Low level of less than substantial harm is the lowest level of harm that can be identified, but it is harm none the less. This development will provide 32 dwellings, including 10 affordable dwellings, on a site which has been deemed acceptable for residential development by its allocation within the Local Plan. The development will provide employment throughout the construction of the development and businesses and services within the locality will be supported by the future occupiers of the dwellings. It is therefore considered that the public benefits of the scheme will outweigh the harm identified.

#### Affordable Housing and Mix

- 8.43. The National Planning Policy Framework requires local planning authorities to identify the size, type and range of housing required.
- 8.44. Local Plan Policy SCLP5.8 requires new development to provide a mix of housing tenures, types and sizes appropriate to the site size, characteristics and location, reflecting where feasible the identified need, particularly focusing on smaller dwellings (1 and 2 bedrooms).
- 8.45. The housing mix is illustrated on the site layout as:

<u>32 No. Residential Units</u>		
Private 22 units		
0 no.	1 Bed	0%
8 no.	2 Bed	36%
6 no.	3 Bed	27%
6 no.	4 Bed	27%
2 no.	5 Bed	9%
Affordable Rent / Shared Ownership / Discounted Home Ownership- 10 units		
2 no.	1 Bed	20%
6 no.	2 Bed	60%
2 no.	3 Bed	20%

- 8.46. On proposals of 10 or more non-specialist dwellings at least 50% of the dwellings will need to meet the requirements for accessible and adaptable dwellings under Part M4(2) of the Building Regulations. All specialist dwellings will be expected to meet the requirements for accessible and adaptable dwellings under Part M4(2) of the Building Regulations. The applicant has confirmed that plots 4, 5, 7, 8, 9, 10, 11,12, 13, 14, 15, 25, 31 and 32 will be constructed to meet Part M4(2) and a condition has been included to ensure the delivery of these units.
- 8.47. Of the proposed market dwellings, there is a mix of two, three, four and five bedroom houses, including four two-bedroomed bungalows.
- 8.48. The Government's First Homes policy came into force on 28 June 2021. The Planning Practice Guidance on First Homes states that First Homes are a specific type of discounted market sale housing and the Government's preferred discounted market tenure. The PPG suggests that 25% of all affordable housing delivered through developer obligations should be First Homes including where a local planning authority has adopted Development Plan policies which specify the expected mix of affordable housing tenures, as is the case with East Suffolk Council's Local Plans. The Strategic Housing Market Assessment (SHMA) assessed the need for different tenures of affordable housing over the plan period but did not consider whether there was a need for First Homes as this tenure didn't exist at the time.
- 8.49. The PPG suggests that once a minimum of 25% of First Homes has been accounted for, social rent should be delivered in the same percentage as set out in the local plan and that the remainder of the affordable housing tenures should be delivered in line with the proportions set out in the local plan policy.
- 8.50. In the case of the Local Plans, however, Policy SCLP5.10 already requires 25% of affordable housing to be delivered as 'discounted home ownership' without further specifying what types of such housing are required. The Council considers that, as First Homes are a specific type of discount market tenure, the delivery of 25% First Homes in accordance



with the PPG will accord with and fulfil the requirement in Policy SCLP5.10 to deliver 25% discounted home ownership

- 8.51. In accordance with Policy SCLP5.10, residential development with capacity for ten units or more or sites of 0.5ha or more will be expected to make provision for 1 in 3 units to be affordable dwellings, and to be made available to meet an identified local need, including needs for affordable housing for older people.
- 8.52. In the Suffolk Coastal Local Plan area, schemes will be expected to deliver 25% First Homes (which will fulfil the requirement to deliver 25% discounted home ownership), 50% affordable rent / social rent and 25% Shared Ownership.
- 8.53. This equates to just over 10 dwellings for the site. The application includes the provision of 10 affordable dwellings on site, as expected by policy SCLP5.10 and paragraph 63 of the 2021 National Planning Policy Framework (NPPF). The provision of affordable housing on site provides a degree of certainty over the provision of the affordable housing and also helps to support mixed and integrated communities.
- 8.54. In this instance the affordable housing requirement would be 10.66 dwellings. A financial contribution will be sought where the requirement of Policy SCLP5.10 would result in a fraction of an affordable house being provided. For example, under Policy SCLP5.10, which requires 1 in 3 dwellings to be affordable on sites of ten or more dwellings or of 0.5ha or more, a development of 11 dwellings would be required to provide 3.67 affordable dwellings. In this case a commuted sum equivalent to 0.67 of an affordable dwelling would be sought, along with 3 affordable dwellings provided on site.
- 8.55. For this application the equivalent of 0.66 of an affordable dwelling will be required as a commuted sum, in addition to the 10 affordable dwellings proposed on site. The Affordable Housing SPD is clear on this approach.
- 8.56. Below is the proposed housing mix for both the market and affordable dwellings:

<u>Open Market</u>			
House type Description		Sq.Ft	No.
754	2 Bed house (2 storey)	754	4
777	3 Bed house (2 storey)	777	2
1317	3 Bed house (2 storey)	1317	1
1550	3 Bed house (2 storey)	1550	3
1687	4 Bed house (2 storey)	1687	1
1764	4 Bed house (2 storey)	1764	1
2048	4 Bed house (2 storey)	2048	2
2101	5 Bed house (2 storey)	2101	2
2159	4 Bed house (2 storey)	2159	2
1102	2 Bed bungalow (1 storey)	1102	2
1208	2 Bed bungalow (1 storey)	1197	2
TOTAL 22 PLOTS			
<u>Affordable Rent</u> ●			
House type Description		Sq.Ft	No.
631	1 Bed house - 1b2p (2 storey)	631	2
859	2 Bed house - 2b4p (2 storey)	859	2
904	2 Bed house - 2b4p (2 storey)	904	1
TOTAL 5 PLOTS			
<u>Shared Ownership</u> ●			
House type Description		Sq.Ft	No.
859	2 Bed house - 2b4p (2 storey)	859	3
1009	3 Bed house - 3b5p (2 storey)	1009	2
TOTAL 5 PLOTS			

- 8.57. Plots 11, 12, 13, 14 and 15 are proposed as affordable rent, with plots 8, 9, 10, 16 and 17 proposed as shared ownership. The mix of affordable dwellings comprises of one, two and three-bedroom, two storey dwellings. Each would have their own private amenity space and parking allocations.
- 8.58. This mix and location of the affordable dwellings has been assessed by the Council's Housing Enabling team and is acceptable. The delivery and mix of affordable dwellings, including the additional financial contribution will be secured within the S106 agreement and would thus accord with SCLP5.10 and criterion a of SCLP12.70 which requires affordable housing to be provided on site.

#### Landscape and Visual Impact

- 8.59. Landscape character is the distinct, recognisable and consistent pattern of elements that makes one landscape different from another. Landscape assessment helps to describe the important features and characteristics of different areas of landscape. This helps to make recommendations for future protection, management and planning. An up-to-date Suffolk Coastal Landscape Character Assessment (2018) and Settlement Sensitivity Assessment (2018) are important tools in proposing, shaping and determining proposals for new

development, analysing and identifying landscape features and characteristics in particular parts of the plan area. Proposals for development should be informed by and sympathetic to the special qualities and features, strategy objectives and considerations identified in these documents.

- 8.60. The site falls within the Settlement Fringe Sensitivity Study area WT2, which, whilst for the most part is regarded as highly sensitive to new development due to its elevated hilltop topography.
- 8.61. Local Plan Policy SCLP10.4 states that development will not be permitted where it will have a significant adverse impact on rural river valleys, historic park and gardens, coastal, estuary, heathland and other very sensitive landscapes. As the site is allocated for development it is broadly accepted that the development of the site would not result in significant adverse impacts to the landscape, subject to design, layout and any restoration or enhancement of the natural landscape.
- 8.62. Given the site's sensitive location, a Landscape and Visual Impact Assessment (LVIA) is required to fully consider the visual impacts of developing the site and to inform an indicative landscape strategy which could contribute to appropriate mitigation. An LVIA has been submitted with the application.
- 8.63. Initial comments from the Council's Landscape Officer highlighted that more sensitive approach to developing the site could be undertaken. The eastern boundary is particularly sensitive to development, given the potential impact on views from public footpaths to the east. There were also reservations about the building heights on the eastern extent of the development as there was concern that the positioning of built form in this location would be effectively mitigated by the landscape measures as shown.
- 8.64. It was recommended that additional space was provided along the eastern boundary to enable a wider zone of structure planting, including a native hedgerow and a number of trees of various sizes. The aim therefore would be to replicate the western boundary; where the existing landscaped boundary is to be retained (with the exception of providing access and the required visibility splays). The change to any views from the east (once vegetation is established) would simply be a foreshortened view of the baseline situation. The Settlement Sensitivity Study identifies well vegetated boundaries within the description of existing settlement edges for the area, as a successful means of absorbing development; anything less than creating a well vegetated boundary to the development would be unacceptable.
- 8.65. Whilst the layout of development was broadly considered to be acceptable, in addition to the above, a number of points were also made which required adjustment or clarification. These included:
- Treatment of the eastern boundary, should be well vegetated and under the control of a management company or third party to allow long term control over the height and condition of planting. This should not be privately owned as residents could choose to remove planting to open up additional views.
  - The hedgerow to Mow Hill should also be under the control of a management company and not under private ownership.

- The farm access point appears overly prominent and creates a visual opening in the boundary. The inclusion of a fully engineered footpath to either side of the carriageway seems excessive, this link should be reduced to the minimum size which would allow for additional structure planting around the entrance.
- Internally the site seems to lack landscape structure, preference would be to see a more generous approach to providing landscape character (including street trees) within the development.
- There are some discrepancies between the landscape strategy plan and external works plan, they should be updated for clarity. The visibility splay should be shown on the landscape strategy plan, and consideration given to the boundary planting for plot 1 which would currently be very open to Mow Hill.
- Some of the footpaths are convoluted due to their position in relation to the swales, I understand they cannot go adjacent the carriageway, but I would like to see some additional details for these areas.
- The rear access to some of the terrace units could be dealt with more efficiently if parking locations were shuffled; long alleyways between two boundary fences (plots 8, 15 & 17) could be avoided.
- Clarification required over what will be privately owned/managed, what will be adopted and what would be management company.
- There is some open space included to the north of the development, this is good for providing some separation to the property to the north, but what practical function does this space have? The landscape strategy could work a bit harder to provide purpose to this space.
- Do we have any additional information on what water levels are expected within the drainage basin and swales? These should be effectively integrated into the landscape strategy rather than being simply functional drainage features.

- 8.66. Following receipt of revised plans on 20 October 2022, further consultation comments were received from the Landscape Officer which noted that a number of adjustments had been made in response to the above comments.
- 8.67. The plan shows an increased depth of landscape buffer to the majority of the eastern boundary. In terms of maintenance, reassurance is required that this is not to be managed by residents and that there is sufficient access for it to be managed outside of private ownership boundaries. The landscape plan is annotated to offset private ownership from the boundary to allow access for management and maintenance; this is included as an approved document within condition 2. The overall maintenance strategy for the landscaping will also be captured by the s106 agreement.
- 8.68. The farm access has been revised, although not to the extent envisaged. It was advised that this was amended further to remove the southern footpath and the footpath linking across the farm access opening, both of which are unnecessary for the level of pedestrian access required for the scale of development. Final revisions in this respect are awaited from the applicant.
- 8.69. An additional access to the farm is intended to be maintained in the southern area of the site, between the open space and the PROW. Whilst there is no valid reason to object to this in landscape terms, there is no real edge to the public open space and no clarity over how this would be maintained included within the detailed design. Officers note that this access and surrounding space is within the same land ownership, but not included within

the red line site plan. This boundary will be marked by a post and rail fence rather than soft landscaping. This division of spaces is not considered appropriate especially as the hedgerow forms the current and historic field edge and should also form a seamless field edge to the site. An artificial boundary in that location is not acceptable and both the land for agricultural access and public right of way and the development open space should be landscaped and managed as a whole. All of the open space and this adjacent land should be captured within the landscape and open space maintenance plan secured via the section 106 agreement.

- 8.70. In considering the amendments, the Council's Landscape Officer has not raised an objection to the proposal on landscape grounds; although the response did seek further changes to the farm access as noted above.
- 8.71. Policy SCLP12.70 notes that the development should retain the hedgerow which borders Mow Hill, except where removal is required for access (criterion b) and also requires the provision of landscaping to create a 'soft' edge to the eastern and northern boundaries of the site (criterion e). Both aspects of the policy are considered to have been complied with.

#### Biodiversity

- 8.72. Development will be supported where it can be demonstrated that it maintains, restores or enhances the existing green infrastructure network and positively contributes towards biodiversity and/or geodiversity through the creation of new habitats and green infrastructure and improvement to linkages between habitats, such as wildlife corridors and habitat 'stepping stones'. All development should follow a hierarchy of seeking firstly to avoid impacts, mitigate for impacts so as to make them insignificant for biodiversity, or as a last resort compensate for losses that cannot be avoided or mitigated for. Adherence to the hierarchy should be demonstrated.
- 8.73. New development should provide environmental net gains in terms of both green infrastructure and biodiversity. Proposals should demonstrate how the development would contribute towards new green infrastructure opportunities or enhance the existing green infrastructure network as part of the development. New development must also secure ecological enhancements as part of its design and implementation, and should provide a biodiversity net gain that is proportionate to the scale and nature of the proposal.
- 8.74. The application is supported by a Preliminary Ecological Appraisal (PEA) (Southern Ecological Solutions, March 2022), which has been reviewed by the Council's Senior Ecologist.
- 8.75. The PEA identified that further surveys were required for protected species, particularly dormouse and great crested newt. In accordance with the NPPF, ODPM Circular 06/2005 and Local Plan Policy SCLP10.1 the results of these surveys are required to inform the determination of this application and therefore they must be undertaken prior to a decision being made.
- 8.76. With regard to great crested newts, a Natural England District Level Licensing (DLL) scheme operates in Suffolk and therefore the applicant may wish to join this as an alternative to

undertaking further surveys and traditional mitigation measures. If this approach is taken an Impact Assessment and Conservation Payment Certificate (IACPC) signed by both Natural England and the applicant must be submitted prior to the determination of the application. During the application further information was provided in respect of ecology, and included confirmation that the site has now been accepted into Natural England's Great Crested Newt District Level Licensing (DLL) scheme and that further clarification has been provided on the timings for the dormouse survey (that, given the small amount of habitat to be impacted, it will be undertaken prior to works commencing).

- 8.77. This information resolves the points initially raised by the Ecologist, who has not raised an objection to the proposed development, subject to the necessary mitigation and enhancement measures being secured by condition (outlined in detail in section 11 of this report).
- 8.78. Furthermore, proposals for development should protect and enhance the tranquillity and dark skies across the plan area. Exterior lighting in development should be appropriate and sensitive to protecting the intrinsic darkness of rural and tranquil estuary, heathland and river valley landscape character. A lighting strategy for all external lighting has been requested by condition to ensure that the development does not adversely impact landscape character, dark skies or ecology.
- 8.79. The development is therefore considered to accord with SCLP10.1.

#### Residential Amenity

- 8.80. Local Plan Policy SCLP11.2 requires the Council to have regard to the following matters when considering the impact of new development on residential amenity:
- Privacy/overlooking;
  - Outlook;
  - Access to daylight and sunlight;
  - Noise and disturbance;
  - The resulting physical relationship with other properties;
  - Light spillage;
  - Air quality and other forms of pollution; and
  - Safety and security.
- 8.81. The detailed design and layout of the proposed development looks to respect existing boundaries and have close regard to any potential amenity impacts. Overlooking and/or overshadowing of neighbouring properties is largely prevented by maintaining sufficient back-to-back distances within the site and retaining existing and installing additional boundary planting.
- 8.82. The development would not result in a loss of outlook to any existing dwellings, as a result of the existing screening along the north and western site boundaries and distances between the existing and proposed development. The resulting physical relationship with other properties is also considered acceptable.
- 8.83. Concern has been raised about the increase in noise and light pollution from the amount of dwellings proposed. Although there will be short term disturbance during the

development of the site these impacts can be controlled and mitigated through a construction management plan secured by condition. Thereafter the amount of noise and light arising from the development is not considered to exceed that of associated with a residential use.

- 8.84. The third-party representations also raise the potential for noise complaints regarding the public house from future residents. Whilst the development would be directly north of the car park to the public house (Barley Mow), there would be a good degree of separation as the area of open space is to be located between the pub and the proposed dwellings. There are existing dwellings which would therefore be in closer proximity to the public house than the proposed development. To some degree, there would also be an element of buyer awareness in buying a dwelling in close proximity to a public house.
- 8.85. The design quality of the proposal is acceptable and is considered to provide a good standard of amenity for both existing and future residents.
- 8.86. The removal of some permitted development rights is considered appropriate in this instance to ensure that there are no additions to the development which could result in adverse harm to amenity. It is therefore recommended that permitted development rights are removed for upward extensions, alterations or additions to the roof, addition of porches or other extensions/alterations, addition of outbuildings and means of enclosure. It is also considered prudent to remove permitted development rights for hardstanding to ensure that there is no additional increase in flood risk from additional hardstanding which has not previously been accounted for in the drainage calculations.
- 8.87. In accordance with the above, the proposal is considered to accord with SCLP11.2.

#### Highways, Sustainable Transport and Public Rights of Way

- 8.88. Local Plan Policy SCLP7.1 relates to sustainable transport and seeks, amongst other things, to locate and design development so it can be accessed via multiple modes of transportation, and with safe and suitable access for all. Section 9 of the NPPF supports these policy requirements and promotes opportunities to walk, cycle or use public transport. Development proposals should be designed from the outset to incorporate measures that will encourage people to travel using non-car modes to access home, school, employment, services and facilities. As such development proposals will be supported where:
- Any significant impacts on the highways network are mitigated;
  - It is proportionate in scale to the existing transport network;
  - All available opportunities to enable and support travel on foot, by cycle or public transport have been considered and taken;
  - It is located close to, and provides safe pedestrian and cycle access to services and facilities;
  - It is well integrated into and enhances the existing cycle network including the safe design and layout of new cycle routes and provision of covered, secure cycle parking;
  - It is well integrated into, protects and enhances the existing pedestrian routes and the public rights of way network;

- It reduces conflict between users of the transport network including pedestrians, cyclists, users of mobility vehicles and drivers and does not reduce road safety; and
- The cumulative impact of new development will not create severe impacts on the existing transport network.

- 8.89. The site was allocated within the Local Plan, where the above criteria would have been considered at site selection. It is therefore broadly considered that the proposed development is of a scale which is proportionate to the highways network, without causing severe impacts when considered independently or cumulatively. The site's allocation also requires the provision of pedestrian connectivity from the site, southwards on Mow Hill to connect to the existing footway. However, consideration has been given to the details relating to highways matters proposed by the development.
- 8.90. Suffolk County Council (SCC) as Local Highways Authority (LHA) initially raised a holding objection, as further information was required. This included classification regarding the drainage adoption, as SCC will not adopt a drainage system that has private drainage included in the system, details of access road and access gradients with regard to drainage and future adoption, further details in respect of the visibility splays and information for the west-bound road between plots 26 and 7 as this appears to stop at the boundary.
- 8.91. SCC confirmed that garages of a size of 7.0m x 3.0m are considered large enough for the average sized family car and cycles, as well as some storage space, and will be considered a parking space. Any smaller and the garage could not be considered a cycle storage space and car parking space. For storage of 2 cars and cycles, the garage would need to be a minimum size of 7.0m x 6.0m to meet requirements set out in the Suffolk Guidance for Parking (as amended).
- 8.92. Similarly, visitor parking needs to be increased from six spaces to eight spaces to be compliant and should be evenly distributed throughout the site rather than located at entrance, near plot 1 and 2, and the end of the development, near plot 31.
- 8.93. The response also noted that the footway along the highway must be a minimum width of 2m wide with a dropped kerb crossing area provided, as outlined by criterion c of SCLP12.70, "*provision of a pedestrian connectivity southwards on Mow Hill.*" This is to encourage sustainable transport modes and facilitate safe access to facilities in the village and bus stops, in accordance with the NPPF (paragraphs 110a and b and 112 a, b and c). This site is required to provide at least a 2m footway to these facilities, provide safe passage across Mow Hill and tie into existing footways and widen where necessary.
- 8.94. During the application further information was provided, which confirmed the following in response to highways concerns:
- Appendix E of the Flood Risk Assessment identifies who will adopt each part of the proposed drainage system; this primarily shows that the main access road through the site will be to an adoptable standard; adoptable foul and surface water drainage will also be contained within the adoptable highway.
  - The garage to plot 7 was repositioned on the layout so that it was moved forward, to remove the opportunity of a second car overhanging onto the footpath.
  - The amendments made to the footways and the access are acceptable along with the changes made to visitor parking.



- Amended plans include a tangent for the swale crossovers.
- Junction radius updated in accordance with SCC requirements; site layout illustrates the required visibility splays and where vegetation will be removed (compliant with SCLP12.70 criterion b).
- Pedestrian crossing point added to amended plans.
- Internal footpaths width increased to 2m.
- Two additional visitor parking spaces added to the layout.

8.95. The development will provide a mix of parking within single or double garages and bay parking. The amount per plot varies depending on the number of bedrooms each of the dwellings will have. This is shown plot by plot as follows:

<u>Parking Schedule</u>			
Plot No.	House Type	Beds	Parking
1	1687	4	DG + 2 spaces
2	1764	4	DG+ 2 spaces
3	1550	3	SG + 2 spaces
4	1550	3	SG + 2 spaces
5	2048	4	DG + 2 spaces
6	2101	5	DG + 2 spaces
7	2048	4	DG + 2 spaces
8	859	2	2 spaces
9	859	2	2 spaces
10	859	2	2 spaces
11	859	2	2 spaces
12	859	2	2 spaces
13	904	2	2 spaces
14	631	1	1 spaces
15	631	1	1 spaces
16	1009	3	2 spaces
17	1009	3	2 spaces
18	777	3	2 spaces
19	777	3	2 spaces
20	754	2	2 spaces
21	754	2	2 spaces
22	1317	3	SG+ 2 spaces
23	754	2	2 spaces
24	754	2	2 spaces
25	1550	3	SG + 2 spaces
26	2159	4	DG + 2 spaces
27	2101	5	DG + 2 spaces
28	2159	4	DG + 2 spaces
29	1102	2	SG + 2 spaces
30	1102	2	SG + 2 spaces
31	1208	2	SG + 2 spaces
32	1208	2	DG + 2 spaces
Visitor Parking			8 spaces

8.96. The parking provision is considered acceptable and accords with the Suffolk Guidance for Parking and Local Plan Policy SCLP7.2.

8.97. As noted above, the amended site layout identifies the potential dropped kerb crossing points either side of the access point onto Mow Hill. The preamble to the site's allocation notes that a pedestrian crossing should be provided to access the footpath on the opposite side of Mow Hill, which provides walking access to the village's services and facilities. These crossing points will connect to the existing footway on the western side of Mow Hill. To the south, this will provide connectivity to the existing bus stops (a contribution

towards bus stop improvements has also been sought from the LHA; this is detailed in the financial contributions section of this report).

8.98. Extract from drawing 004 Rev D illustrating crossing points:



8.99. The provision of the pedestrian connectivity accords with SCLP12.70 criterion c. 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.

8.100. SCLP7.1 also states that in designing and assessing development proposals, the public rights of way network should be considered as a means of encouraging physical activity, providing access to the natural environment, supporting tourism, reducing travel by vehicular modes, reducing carbon emissions and (where relevant) aiding recreational avoidance of sensitive sites.

- 8.101. The amended plans also include a hoggin surfaced footpath connection point to the south of plot 5, which leads to Footpath 26/43, which was noted in the Parish Council's response. The link extends to the boundary of site currently and this should continue into the adjacent land to meet the public right of way, to be delivered in this single land ownership area under the s106 agreement.
- 8.102. SCC Public Rights of Way team has not objected to the proposed development and has provided a number of informatives which the applicant will need to comply with during construction.
- 8.103. The above amendments and additional information overcame the LHA's holding objection to the proposed development, to an extent that they were able to recommend conditions in the event planning permission was approved. These conditions include:
- Access laid out in accordance with SCC highways specification drawing DM10.
  - Gradient of access not steeper than 1 in 20 for the first 5m.
  - Removal of permitted development within the visibility splays and delivery of visibility splays prior to first use of the access.
  - Details of method to prevent surface water entering highway to be submitted.
  - Parking to be provided as per approved plan.
  - Details of electric vehicle charging points to be submitted.
  - Details of the areas to be provided for secure, covered and lit cycle storage to be submitted.
  - Details of the areas for the storage/presentation of recycling/refuse to be submitted.
  - Details of the new footway to be submitted and constructed to at least base course before the development is first occupied.
  - No dwelling occupied until the carriageways and footways serving the dwelling have been constructed to at least binder course level.
  - Details of the estate roads and footpaths (layout, levels, gradients, surfacing, lighting, traffic calming and surface water drainage) to be submitted.
  - Construction management plan to be submitted.
- 8.104. The proposal is therefore considered to accord with SCLP7.1 and SCLP7.2.

#### Flood Risk and Surface Water Drainage

- 8.105. The site is not located in flood zones 2 or 3. The site is within flood zone 1 which has a very low probability of flooding from rivers or the sea. An area of surface water flooding is recorded along in the south-eastern part of the site. Any development in this area of the site will need to demonstrate mitigation measures designed to alleviate the potential surface water flooding risks. This is required to be undertaken in accordance with the surface water management hierarchy.
- 8.106. The site is also at a higher level than the highway, and it is therefore essential that any development does not increase the potential risk of surface water flooding.
- 8.107. A site-specific Flood Risk Assessment (FRA), along with any mitigation is required by criterion f of SCLP12.70.

- 8.108. Officers note that there has been a lot of local concern raised in many of the representations received over flooding in this area.
- 8.109. Where possible, developments should use sustainable drainage systems to drain surface water. Local Plan Policy SCLP9.6 requires Developments of 10 dwellings or more, or non-residential development with upwards of 1,000 sqm of floorspace or on sites of 1 hectare or more, will be required to utilise sustainable drainage systems, unless demonstrated to be inappropriate. Sustainable drainage systems should:
- Be integrated into the landscaping scheme and green infrastructure provision of the development;
  - Contribute to the design quality of the scheme; and
  - Deliver sufficient and appropriate water quality and aquatic biodiversity improvements, wherever possible. This should be complementary of any local designations such as Source Protection Zones.
- 8.110. Runoff rates from new development must be restricted to greenfield runoff rates wherever possible. No surface water connections should be made to the foul system and connections to the combined or surface water system should only be made in exceptional circumstances where there are no feasible alternatives. Foul and surface water flows should also be separated.
- 8.111. Suffolk County Council (SCC) as Local Lead Flood Authority (LLFA) initially commented on the submitted Flood Risk Assessment (Ingent, 22 September 2021) and raised a holding objection, as amendment or further information was required, including:
- The proposal is served by closed, below-ground attenuation tanks and pipes and does not comply with policy SCLP9.6 of the Final Draft Suffolk Coastal Local Plan which gives preference to above ground SuDS. Therefore, the strategy should be revised to provide open, above ground SuDS.
  - Anglian Water should be contacted at earliest convenience to discuss maintenance and adoption of the proposed surface water drainage system. The system should be designed to manage both highway and roof runoff to ensure eligibility.
  - The proposed vortex flow control consists of a 52mm orifice. Details of the proposed granular filtering medium should be submitted for review, given the potential for debris congregation. This should be in the form of a cross-section.
  - Groundwater monitoring should be conducted to attain peak seasonal groundwater levels, particularly given that the development is within an area of Medium groundwater vulnerability. This information is required to support a full application, as per Appendix A of the Suffolk Flood Risk Management Strategy.
  - There are concerns regarding the level of cover associated with pipe number S1.007, given its location within the vehicular access and the shallow depth of the basin (0.4m).
  - FSR rainfall methodology has been used within the submitted MicroDrainage calculations. A means test should be undertaken, whereby both FSR and FEH methodology is used and the worst-case used for design purposes.
  - The outfall from the development is proposed within the 'existing ditch' on the South-Western border of the site. Surface water is then conveyed South, through a culvert and into the existing watercourse on the South side of The Street.

- Suffolk County Council Lead Local Flood Authority require assurance that there is a suitable connection in place. Photographs should be submitted to provide evidence that there is suitable connection between the existing ditch and watercourse.
- 8.112. The applicants have continuously engaged with the LLFA and provided further information during the application to overcome the holding objection. The LLFA subsequently removed their holding objection on 06 September 2022, having considered the following documents:
- Flood Risk Assessment 2140-570, Revision A 22 September 2021;
  - 2104-570 Mow Hill, Witnesham Suffolk: Technical Note on Planning Objection (undated – added to planning portal 11 July 2022); and
  - 2104-570 Mow Hill, Witnesham Suffolk: Technical Note on Planning Objection (undated – added to planning portal 01 August 2022).
- 8.113. The LLFA acknowledged the additional information and confirmed that the additional/amended details had overcome the concerns raised to a stage where any outstanding details can be submitted by condition, including;
- Details of the strategy to dispose of surface water to be submitted.
  - Surface water drainage verification report to be submitted within 28 days of practical completion of the last unit.
  - Construction surface water management plan.
- 8.114. During the final round of consultations, the LLFA confirmed that they had no further comments to make regarding the re-consultation and maintain their response submitted on 06 September 2022.

#### Sustainable Construction

- 8.115. The Local Plan states that all new developments of more than 10 dwellings should achieve higher energy efficiency standards that result in a 20% reduction in CO2 emissions below the Target CO2 Emission Rate (TER) set out in the Building Regulations.
- 8.116. All new residential development in the plan area should achieve the optional technical standard in terms of water efficiency of 110 litres/person/day. The use of locally sourced, reused and recycled materials, along with on-site renewable energy generation are encouraged in order to achieve environmental net gain in new build or conversion developments. Development proposals are also encouraged to set out measures for minimising waste arising from the construction process.
- 8.117. Proposals should improve the efficiency of heating, cooling and lighting of buildings by maximising daylight and passive solar gain through the orientation of buildings.
- 8.118. In addition to the requirements set out by Local Plan Policy SCLP9.2, East Suffolk Council has an adopted Sustainable Construction Supplementary Planning Document. This outlines conditions which should be included within the grant of consents to ensure that the new homes and buildings in the district are meeting the above standards. Where applicable these have been included with the officer's recommendation and subject to these being fulfilled, the development accords with SCLP9.2.

### Archaeology

- 8.119. The former Suffolk Coastal area has a rich, diverse and dense archaeological landscape with the river valleys, in particular, topographically favourable for early occupation of all periods. The distinctive character of the historic environment in the former Suffolk Coastal area includes outstanding coastal archaeology of all dates. The Suffolk Historic Environment Record provides information about archaeological sites throughout the Suffolk Coastal Local Plan area and is used to identify sites that may be at risk from development.
- 8.120. The site lies in an area of archaeological potential recorded on the County Historic Environment Record (HER). A recent archaeological evaluation undertaken within the site has identified archaeological features dating from the late Bronze Age to middle Iron Age (Historic Environment Record ref no. WTN 064). An archaeological excavation close to the site defined archaeological features dating from the Iron Age, Roman and late Saxon periods (WTN 032). Furthermore, the HER contains records for several finds scatters situated close to the site, with finds dating from Roman and Iron Age periods (WTN 003) and medieval period (WTN 014).
- 8.121. As a result, there is high potential for the discovery of additional 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.
- 8.122. In addition, Policy SCLP11.7 requires a full archaeological assessment of sites within potential areas of archaeological importance to describe the significance of any heritage assets affected and to ensure that provision is made for the preservation of important remains, particularly those that may be demonstrably of national significance.
- 8.123. Whilst there are no grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets, in accordance with the National Planning Policy Framework (Paragraph 205), 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. The relevant conditions have been included within the officer's recommendation; as such the proposal is considered to accord with SCLP11.7.

### Financial Contributions (CIL and S106)

- 8.124. The preamble to SCLP12.70 notes that early years provision is forecast to be over capacity in the Fynn Valley ward. It is anticipated that a new setting would be provided under allocation Policy SCLP12.24 Land at Humber Doucy Lane, however, as this allocation is to come forward during the later years of the Plan, a contribution towards expansion of the setting in Witnesham will be required through the Community Infrastructure Levy in order to increase provision in the Fynn Valley ward.
- 8.125. The East Suffolk & Ipswich Integrated Care Board (ICB previously the CCG) have indicated that additional enhancements will be required in Grundisburgh/Otley to meet the needs arising from new development. A contribution will be required through the Community

Infrastructure Levy, as detailed in the Infrastructure Delivery Framework and this will be subject to a bid from the ICB in the future.

- 8.126. Suffolk County Council have indicated that the Foxhall household waste recycling centre is overcapacity and under pressure due to the site size and access from the highway. As a result, a contribution is required through the Community Infrastructure Levy towards the expansion of the centre as identified in the Infrastructure Delivery Framework. Funding for this has already been awarded in September 2022 and the project is underway, accounting for the growth from this site.
- 8.127. Suffolk County Council have provided information relating to library improvements across the plan area. This site falls within the catchment of Ipswich library which has been identified as a library where improvements are necessary to enhance provision. A contribution through the Community Infrastructure Levy is required towards the improvement of library provision as identified in the Infrastructure Delivery Framework.
- 8.128. Suffolk County Council (SCC) have commented in respect of contributions which are required by the proposed development. These largely include matters which would be covered by Community Infrastructure Levy (CIL), however also include matters which will be subject to a section 106 agreement (S106).
- 8.129. SCC have confirmed that contributions towards primary, secondary and sixth form education expansion will be required by CIL, in addition to early years expansion, library improvements and waste infrastructure. Secondary school transport contributions (and monitoring fee) are sought by s106 agreement.
- 8.130. Following the removal of their holding objection, SCC as Local Highways Authority have also sought bus stop improvements, as the site will be served by the 118/119 bus services. This request seeks contributions for RTP1 screens, shelter and raised kerbs at the existing stops on Mow Hill/The Street. This is sought to encourage sustainable transport from the new development with the potential to reduce trips by the private motor vehicle.
- 8.131. In addition to the above, the site lies within the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) zone of influence (Zone B – within 13km of the Stour and Orwell Estuaries SPA; the Stour and Orwell Estuaries Ramsar Site; the Deben Estuary SPA; the Deben Estuary Ramsar Site and the Sandlings SPA).
- 8.132. The Conservation of Habitats and Species Regulations 2017 (“Habitats Regulations”) lays down the legislation on the conservation of natural habitats and of wild fauna and flora. The Habitats Regulations require the competent authority (in this instance, the Council) to determine whether the development is likely to have a significant effect on the interest features of European sites protected under the legislation and, if there would be, to carry out an Appropriate Assessment of the implications of the proposal for the site’s conservation objectives in accordance with the regulations.
- 8.133. The Recreational disturbance Avoidance and Mitigation Strategy has been prepared to provide a mechanism through which impacts from increased recreation can be avoided and mitigated via financial contributions towards the provision of strategic mitigation. Where mitigation is proposed to be provided through alternative mechanisms, applicants

will need to provide evidence to demonstrate that all impacts are mitigated for, including in-combination effects.

- 8.134. In order to mitigate the increased recreational disturbance impacts on European designated sites arising from new residential developments a financial contribution or mitigation measures are required for this development. The applicant has opted to pay the financial contribution, which is included within the s106 agreement, rather than an upfront payment. With this contribution secured, the proposal is considered acceptable in accordance with SCLP10.1.

## **9. Conclusion**

- 9.1. Paragraph 2 of the NPPF (2021) states that “Planning Law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise”. That section of the law is contained in S38(6) of the Planning and Compulsory Purchase Act 2004.
- 9.2. The starting point is therefore the adopted Development Plan (Suffolk Coastal Local Plan). The application site is allocated under Policy SCLP12.70 whereby the level and type of development proposed meets the criteria noted within that policy.
- 9.3. The proposed design and layout of the development is considered to be acceptable and would not result in adverse harm to the landscape or the setting of designated heritage assets. The public rights of network will not be obstructed by the proposed development, where the boundaries adjacent to the PROW network will be maintained by a management company (as applicable).
- 9.4. The proposal will provide suitable safe access and suitable parking provisions. The proposed development has been revised to provide a satisfactory drainage scheme which seeks to reduce surface water flood risk potential from the site.
- 9.5. The proposal is considered to represent a good quality sustainable development in accordance with the objectives of the National Planning Policy Framework and adopted Local Plan.
- 9.6. The development is therefore considered to accord with the aforementioned policies, the NPPF and is recommended for approval.

## **10. Recommendation**

- 10.1. AUTHORITY TO APPROVE with conditions (including but not limited to those summarised in section 11 of this report); and subject to final landscaping revisions, the completion of a S106 Legal Agreement to secure obligations including but not limited to:
- Affordable housing provision.
  - Contribution towards Habitats Regulations Mitigation (RAMS).
  - Open space (including management company) covering the site and adjacent farm access land up to and including the Public Right of Way.
  - A financial contribution towards school transport.
  - Bus stop improvements.



## **11. Recommended 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 the following:

Received 20 October 2022:

- WIT1 004 Rev D
- WIT1 005 Rev D
- WIT1 105 Rev B
- WIT1 106 Rev B
- WIT1 107 Rev A
- WIT1 117 Rev A
- WIT1 118 Rev A
- WIT1 125 Rev A
- WIT1 126 Rev A
- WIT1 127 Rev A
- WIT1 128 Rev A
- WIT1 129 Rev A

Received 19 August 2022:

- 7589/ASP3 D

Received 14 July 2022:

- WIT1-006 A
- WIT1-112 A
- WIT1-116 A
- WIT1-202 A
- WIT1-204 A
- WIT1-007
- WIT1-130

Received 11 March 2022:

- WIT1 003
- WIT1 101
- WIT1 102

- WIT1 103
- WIT1 104
- WIT1 108
- WIT1 109
- WIT1 110
- WIT1 111
- WIT1 113
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- WIT1 115
- WIT1 119
- WIT1 120
- WIT1 121
- WIT1 122
- WIT1 123
- WIT1 124
- WIT1 201
- WIT1 203
- WIT1 205
- WIT1 206
- WIT1 207
- WIT1 208
- WIT1 301
- WIT1 302
- WIT1 303
- WIT1 304
- WIT1 401

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

3. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed by the local planning authority.

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

4. Each section of the approved means of enclosure illustrated on the external works layout (005 Rev D) shall be erected prior to the occupation of the dwelling to which they specifically relate. The approved means of enclosure shall thereafter be retained in their approved form.

Reason: In the interests of visual and residential amenity.

5. Prior to the commencement of development, a scheme for the provision of fire hydrants shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented in its entirety prior to the first occupation of the dwellings. It shall thereafter be retained and maintained in its improved form.

Reason: In the interests of the safety of the future occupants of the hereby approved development.

6. 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 Policy SCLP11.7 of Suffolk Coastal Local Plan (2020) and the National Planning Policy Framework (2019).

7. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 6 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 Policy SCLP11.7 of Suffolk Coastal Local Plan (2020) and the National Planning Policy Framework (2019).

8. Prior to commencement of the hereby approved development, an Energy Statement shall be submitted to and approved in writing by the Local Planning Authority and include details demonstrating how a 20% reduction in CO<sub>2</sub> emissions below the Target CO<sub>2</sub> Emission Rate (TER) set out in Building Regulations is achieved. The identified measures shall be implemented in accordance with the approved statement, and thereafter be retained and maintained in their approved form.

Reason To ensure the finished development implements the approved sustainable measures to comply with Planning Policy SCLP9.2.

9. The following dwellings shall be constructed to meet the Requirements of M4(2) of Part M of the Building Regulations for accessible and adaptable dwellings and therefore retained in their approved form:

- Plot 4

- Plot 5
- Plot 7
- Plot 8
- Plot 9
- Plot 10
- Plot 11
- Plot 12
- Plot 13
- Plot 14
- Plot 15
- Plot 25
- Plot 31
- Plot 32

Reason: To ensure the development complies with Planning Policy SCLP5.8.

10. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking or re-enacting the said Order] no development of any kind specified in Part 1, Classes A, AA, B, C, D, E, F and Part 2 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 and the protection of the local environment.

11. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (PEA) (Southern Ecological Solutions, March 2022) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

12. No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: To ensure that nesting birds are protected.

13. Prior to any works above ground level, a "lighting design strategy for biodiversity" for the site shall be submitted to and approved in writing by the local planning authority. The strategy shall:
  - a) identify those areas/features on site that are particularly sensitive for biodiversity likely to be impacted by lighting and that are likely to cause disturbance in or around their breeding

sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

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

Reason: To ensure that impacts on ecological receptors from external lighting are prevented.

14. No development shall take place (including any demolition, ground works, site clearance or vegetation clearance) until the further surveys for badger and hazel dormouse identified in the Preliminary Ecological Appraisal (PEA) (Southern Ecological Solutions, March 2022) have been undertaken. The results of these surveys and details of any necessary additional mitigation measures shall be submitted to the Local Planning Authority prior to works commencing.

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

15. Prior to any works above ground level an Ecological Enhancement Strategy, in accordance with the measures identified in the Preliminary Ecological Appraisal (PEA) (Southern Ecological Solutions, March 2022) and addressing how ecological enhancements will be achieved on site, will be submitted to and approved in writing by the local planning authority. Ecological enhancement measures will be delivered and retained in accordance with the approved Strategy.

Reason: To ensure that the development delivers ecological enhancements.

16. 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. 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 BS10175:2011+A2:2017 and the Land Contamination Risk Management (LCRM)) 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.

17. All noisy construction activities (i.e. those audible beyond the site boundary) should be restricted to the following hours to minimise the potential for nuisance:

Monday - Friday: 7:30-18:00

Saturday: 8:00 - 13:00

Sundays/Bank Holidays: No noisy working

These restrictions also apply to deliveries/collections from site.

Reason: In the interests of residential amenity.

18. No development shall commence until a detailed Construction Method Strategy has been submitted to and approved by the Local Planning Authority. This statement shall set out how noise, dust, and light will be controlled so as to not cause nuisance to occupiers of neighbouring properties. Thereafter the approved construction statement shall be adhered to throughout the construction of the development.

Reason: To ensure minimal adverse impact on the public highway and neighbouring amenity during the construction phase.

19. Before the development hereby permitted is commenced a Construction Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. Construction of the development shall not be carried out other than in accordance with the approved plan. The Construction Management Plan shall include the following matters:

- a) parking and turning for vehicles of site personnel, operatives and visitors
- b) loading and unloading of plant and materials
- c) piling techniques (if applicable)
- d) storage of plant and materials
- e) provision and use of wheel washing facilities
- f) programme of site and all associated works such as utilities including details of traffic management necessary to undertake these works
- g) site working and delivery times
- h) a communications plan to inform local residents of the program of works
- i) provision of boundary hoarding and lighting
- j) details of proposed means of dust suppression
- k) details of measures to prevent mud from vehicles leaving the site during construction
- l) haul routes for construction traffic on the highway network and
- m) monitoring and review mechanisms.
- n) Details of deliveries times to the site during construction phase

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase. This is a pre-commencement condition because an approved Construction Management Plan must be in place at the outset of the development.

20. No other part of the development hereby permitted shall be commenced until the new access has been laid out and completed in all respects in accordance with drawing no. DM10 with an entrance width of 5.5 metres. Thereafter it shall be retained in its approved form.

Reason: To ensure the access is laid out and completed to an acceptable design in the interests of the safety of persons using the access and users of the highway.

21. 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 highway.

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

22. Before the access is first used visibility splays shall be provided as shown on Drawing No. 004-D with an X dimension of 2.4 metres and a Y dimension of 90 metres [tangential to the nearside edge of the carriageway] 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 to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

Reason: To ensure drivers of vehicles entering the highway have sufficient visibility to manoeuvre safely including giving way to approaching users of the highway without them having to take avoiding action and to ensure drivers of vehicles on the public highway have sufficient warning of a vehicle emerging in order to take avoiding action, if necessary.

23. Before the development is commenced details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway including any system to dispose of the water. 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.

24. The use shall not commence until the area(s) within the site shown on Drawing No. 004-D 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 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.

25. Before the development is commenced details of electric vehicle charging infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The approved

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

Reason: To ensure the provision of charging infrastructure for electric vehicles in accordance with Suffolk Guidance for Parking 2019.

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

Reason: To promote sustainable travel by ensuring the provision at an appropriate time and long-term maintenance of adequate on-site areas for the storage of cycles in accordance with Suffolk Guidance for Parking 2019.

27. Before the development is commenced, details of the areas to be provided for the storage and presentation for collection/emptying of refuse and 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 (or) the approved bin storage and presentation/collection area shall be provided for each dwelling prior to its first occupation and shall be retained thereafter for no other purpose

Reason: To ensure that space is provided for refuse and recycling bins to be stored and presented for emptying and left by operatives after emptying clear of the highway and access to avoid causing obstruction and dangers for the public using the highway.

28. Before the development is commenced details of a new footway shall be submitted to and approved in writing by the Local Planning Authority. The footway shall be laid out and constructed to base course before the development is first occupied and fully completed prior to the occupation of the dwellings hereby approved in accordance with the approved scheme. The footway shall be retained thereafter in its approved form.

Reason: In the interests of highway safety and sustainable development by providing a footway at an appropriate time where no provision may deter people from walking. This is a pre-commencement condition because insufficient details have been submitted at planning stage.

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

Reason: In the interests of highway safety to ensure that roads/footways are constructed to an acceptable standard.

30. 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.



Reason: In the interests of highway safety to ensure that satisfactory access is provided for the safety of residents and the public.

31. The strategy for the disposal of surface water (detailed Flood Risk Assessment 2140-570, Revision A 22 September 2021; 2104-570 Mow Hill, Witnesham Suffolk: Technical Note on Planning Objection (received 11 July 2022); and 2104-570 Mow Hill, Witnesham Suffolk :Technical Note on Planning Objection (received 01 August 2022) shall be implemented as approved in writing by the local planning authority (LPA). The strategy shall thereafter be managed and maintained in accordance with the approved strategy.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure that the proposed development can be adequately drained.

32. Within 28 days of practical completion of the last dwelling or unit, surface water drainage verification report shall be submitted to the Local Planning Authority, detailing and verifying that the surface water drainage system has been inspected and has been built and functions in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks in an agreed form, for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure that the surface water drainage system has been built in accordance with the approved drawings and is fit to be put into operation and to ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as required under s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk

<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-assetregister/>

33. No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the LPA. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP shall include: Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:- i. Temporary drainage systems ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses iii. Measures for managing any on or offsite flood risk associated with construction

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater <https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidanceon-development-and-flood-risk/construction-surface-water-management-plan/>

34. None of the trees or hedges shown to be retained on the approved plan 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.

35. No development shall commence or any materials, plant or machinery be brought on to the site until full details showing the position of fencing to protect all trees and hedgerows, shown to be retained on the approved plan, have been submitted to and approved in writing by the Local Planning Authority. The protective fencing shall comply with BS.5837 and be retained throughout the period of construction unless otherwise agreed in writing by the local planning authority.

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

36. The approved landscaping scheme shall be implemented not later than the first planting season following commencement of the development (or within such extended period as the local planning authority may allow) and shall thereafter be retained and maintained for a period of 5 years. Any plant material removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season and shall be retained and maintained.

Reason: To ensure the submission and implementation of a well-laid out scheme of landscaping in the interest of visual amenity.

## **12. 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. 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)
3. 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>

4. 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.

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. For further information please visit:

<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>

5. The Local Planning Authority recommends that developers of housing estates should enter into formal agreements with the Highway Authority under Section 38 of the Highways Act 1980 in the interests of securing the satisfactory delivery, and long term maintenance, of the new streets.

For further information please visit: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>

Please note that this development may be subject to the Advance Payment Code and the addition of non statutory undertakers plant may render the land unadoptable by SCC Highways for example flogas and LPG.

6. Acceptance of the road layout by the highway authority during the planning process does not guarantee meeting the Section 38 of the Highways Act 1980 adoption criteria. It is recommended that the applicant refers to the current adoption criteria:

7. Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991
8. Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017
9. Any works to a main river may require an environmental permit.
10. 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.
11. 1. PROW are divided into the following classifications:
  - o Public Footpath - only for use on foot or with a mobility vehicle
  - o Public Bridleway - use as per a public footpath, and on horseback or by bicycle
  - o Restricted Byway - use as per a bridleway, and by a 'non-motorised vehicle', e.g. a horse and carriage
  - o Byway Open to All Traffic (BOAT) - can be used by all vehicles, in addition to people on foot, mobility vehicle, horseback and bicycleAll currently recorded PROW are shown on the Definitive Map and described in the Definitive Statement (together forming the legal record of all currently recorded PROW). There may be other PROW that exist which have not been registered on the Definitive Map. These paths are either historical paths that were not claimed under the National Parks and Access to the Countryside Act 1949 or since, or paths that have been created by years of public use. To check for any unrecorded rights or anomalies, please contact [DefinitiveMaps@suffolk.gov.uk](mailto:DefinitiveMaps@suffolk.gov.uk)
2. The applicant, and any future owners, residents etc, must have private rights to take motorised vehicles over a PROW other than a BOAT. To do so without lawful authority is an offence under the Road Traffic Act 1988. Any damage to a PROW resulting from works must be made good by the applicant. Suffolk County Council is not responsible for the maintenance and repair of PROW beyond the wear and tear of normal use for its classification and will seek to recover the costs of any such damage it is required to remedy. We do not keep records of private rights and suggest that a solicitor is contacted.
3. The granting of planning permission IS SEPARATE to any consents that may be required in relation to PROW. It DOES NOT give authorisation for structures such as gates to be erected on a PROW, or the temporary or permanent closure or diversion of a PROW. Nothing may be done to close, alter the alignment, width, surface or condition of a PROW, or to create a structure such as a gate upon a PROW, without the due legal process being followed, and permission being granted from the Rights of Way & Access Team as appropriate. Permission may or may not be granted depending on all the circumstances. To apply for permission from Suffolk County Council (as the highway authority for Suffolk) please see below:
  - o To apply for permission to carry out work on a PROW, or seek a temporary closure - <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/rights-and-responsibilities/> or telephone 0345606 6071. PLEASE NOTE that any damage to a PROW resulting from works must be made good by the applicant. Suffolk County Council is not responsible for the maintenance and repair of PROW beyond the wear and tear of normal use for its classification and will seek to recover the costs of any such damage it is required

to remedy. o To discuss applying for permission for structures such as gates to be constructed on a PROW - contact the relevant Area Rights of Way Team <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/public-rights-of-way-contacts/> or telephone 0345 606 6071.

4.To apply for permission for a PROW to be stopped up or diverted within a development site, the officer at the appropriate borough or district council should be contacted at as early an opportunity as possible to discuss the making of an order under s257 of the Town and Country Planning Act 1990 - <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/public-rights-of-way-contacts/> PLEASE NOTE that nothing may be done to stop up or divert the legal alignment of a PROW until the due legal process has been completed and the order has come into force.

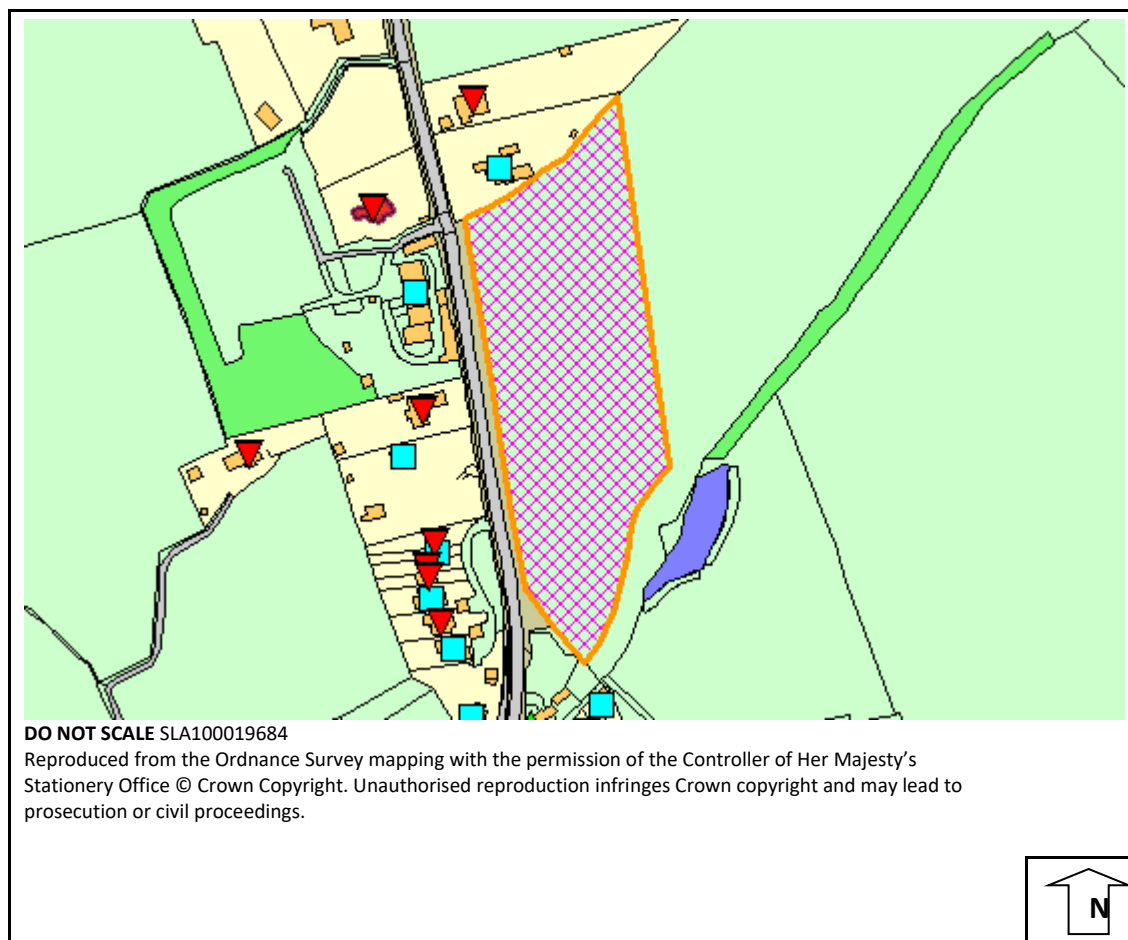
5.Under Section 167 of the Highways Act 1980 any structural retaining wall within 3.66 metres of a PROW with a retained height in excess of 1.37 metres, must not be constructed without the prior written approval of drawings and specifications by Suffolk County Council. The process to be followed to gain approval will depend on the nature and complexity of the proposals. Construction of any retaining wall or structure that supports a PROW or is likely to affect the stability of the PROW may also need prior approval at the discretion of Suffolk County Council. Applicants are strongly encouraged to discuss preliminary proposals at an early stage.

In the experience of the County Council, early contact with the relevant PROW officer avoids problems later on, when they may be more time consuming and expensive for the applicant to address. More information about Public Rights of Way can be found at [www.suffolk.gov.uk/roads-andtransport/public-rights-of-way-in-suffolk/](http://www.suffolk.gov.uk/roads-andtransport/public-rights-of-way-in-suffolk/)

### **13. Background information**

See application reference DC/22/0998/FUL on [Public Access](#)

## Map



## Key



Notified, no comments received



Objection



Representation



Support