



## Planning Committee South

Members are invited to a **Meeting of the Planning Committee South** to be held in the Deben Conference Room, East Suffolk House, Melton on **Tuesday, 28 November 2023 at 2.00pm**

This meeting will be broadcast to the public via the East Suffolk YouTube Channel at [https://youtube.com/live/c\\_ncVMz3hkl?feature=share](https://youtube.com/live/c_ncVMz3hkl?feature=share)

### Members:

Councillor Mark Packard (Chair), Councillor John Fisher (Vice-Chair), Councillor Tom Daly, Councillor Mike Deacon, Councillor Katie Graham, Councillor Colin Hedgley, Councillor Debbie McCallum, Councillor Mike Ninnmey, Councillor Rosie Smithson.

An Agenda is set out below.

<b>Part One – Open to the Public</b>		<b>Pages</b>
<b>1</b>	<b>Apologies for Absence and Substitutions</b>	
<b>2</b>	<b>Declarations of Interest</b> Members and Officers are invited to make any declarations of interests, and the nature of that interest, that they may have in relation to items on the Agenda and are also reminded to make any declarations at any stage during the Meeting if it becomes apparent that this may be required when a particular item or issue is considered.	
<b>3</b>	<b>Declarations of Lobbying and Responses to Lobbying</b> To receive any Declarations of Lobbying in respect of any item on the agenda and also declarations of any response to that lobbying.	
<b>4</b>	<b>Minutes</b> To confirm as a correct record the minutes of the meeting held on 24 October 2023.	<b>1 - 8</b>
<b>5</b>	<b>East Suffolk Enforcement Action - Case Update ES/1745</b> Report of the Head of Planning and Coastal Management.	<b>9 - 23</b>
<b>6</b>	<b>DC/22/1351/FUL - Butley Priory, Abbey Road, Butley, IP12 3NR ES/1746</b> Report of the Head of Planning and Coastal Management.	<b>24 - 39</b>

<b>Part One – Open to the Public</b>		<b>Pages</b>
<b>7</b>	<b>DC/20/5260/FUL - Butley Abbey Farm, Abbey Farm Lane, Butley, IP12 3NP ES/1747</b> Report of the Head of Planning and Coastal Management.	<b>40 - 77</b>
<b>8</b>	<b>DC/20/5261/LBC - Butley Abbey Farm, Abbey Farm Lane, Butley, IP12 3NP ES/1748</b> Report of the Head of Planning and Coastal Management.	<b>78 - 90</b>
<b>9</b>	<b>DC/23/1138/OUT - Red House Farm, Bridge Road, Levington, IP10 0LZ ES/1749</b> Report of the Head of Planning and Coastal Management.	<b>91 - 145</b>
<b>10</b>	<b>DC/23/3492/FUL - Hungarian Lodge, High Street, Ufford, Woodbridge, IP13 6EL ES/1750</b> Report of the Head of Planning and Coastal Management.	<b>146 - 161</b>
<b>11</b>	<b>DC/23/3464/FUL - The Old Bakery, Helmingham Road, Otley, Ipswich, IP6 9NS ES/1751</b> Report of the Head of Planning and Coastal Management.	<b>162 - 170</b>

<b>Part Two – Exempt/Confidential</b>	<b>Pages</b>
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**There are no Exempt or Confidential items for this Agenda.**

**Close**



Chris Bally, Chief Executive

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## Speaking at Planning Committee Meetings

Interested parties who wish to speak will be able to register to do so, using an online form. Registration may take place on the day that the reports for the scheduled meeting are published on the Council's website, until 5.00pm on the day prior to the scheduled meeting.

To register to speak at a Planning Committee, please visit <https://www.eastsuffolk.gov.uk/speaking-at-planning-committee> to complete the online registration form. Please contact the Customer Services Team on 03330 162 000 if you have any queries regarding the completion of the form.

Interested parties permitted to speak on an application are a representative of Town / Parish Council or Parish Meeting, the applicant or representative, an objector, and the relevant ward Members. Interested parties will be given a maximum of three minutes to speak and the intention is that only one person would speak from each of the above parties.

If you are registered to speak, can we please ask that you arrive at the meeting **prior to its start time (as detailed on the agenda)** and make yourself known to the Committee Clerk, as the agenda may be re-ordered by the Chairman to bring forward items with public speaking and the item you have registered to speak on could be heard by the Committee earlier than planned.

Please note that any illustrative material you wish to have displayed at the meeting, or any further supporting information you wish to have circulated to the Committee, must be submitted to the Planning team **at least 24 hours** before the meeting.

For more information, please refer to the Code of Good Practice for Planning and Rights of Way, which is contained in the East Suffolk Council Constitution (<http://www.eastsuffolk.gov.uk/assets/Your-Council/East-Suffolk-Council-Constitution.pdf>).

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**Unconfirmed**



Minutes of a Meeting of the **Planning Committee South** held in the Deben Conference Room, East Suffolk House, Melton, on **Tuesday, 24 October 2023 at 2.00pm.**

**Members of the Committee present:**

Councillor Tom Daly, Councillor Mike Deacon, Councillor John Fisher, Councillor Colin Hedgley, Councillor Debbie McCallum, Councillor Mike Ninnmey, Councillor Mark Packard, Councillor Rosie Smithson

**Other Members present:**

Councillor Sarah Plummer

**Officers present:**

Jamie Behling (Assistant Planner), Sarah Davis (Democratic Services Officer (Scrutiny and Member Development)), Matt Makin (Democratic Services Officer (Regulatory)), Rachel Smith (Principal Planner (Development Management, Central Area Lead)), Dominic Starkey (Assistant Enforcement Officer (Development Management)), Ben Woolnough (Planning Manager (Development Management, Major Sites and Infrastructure))

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**1 Apologies for Absence and Substitutions**

Apologies were received from Councillor Katie Graham; Councillor Sarah Plummer attended the meeting as her substitute.

**2 Declarations of Interest**

Councillor Mike Deacon declared an Other Registerable Interest in item 6 of the agenda as a member of Felixstowe Town Council.

Councillor Rosie Smithson declared an Other Registerable Interest in item 6 of the agenda as a ward member for Western Felixstowe.

**3 Declarations of Lobbying and Responses to Lobbying**

No declarations of lobbying were made.

**4 Minutes**

On the proposition of Councillor Hedgley, seconded by Councillor Fisher, it was by a unanimous vote

## RESOLVED

That the minutes of the meeting held on 22 August 2023 be agreed as a correct record and signed by the Chair, subject to the following amendment:

- Page 5, paragraph 7 - amend the first line to read "Councillor Fisher highlighted how beneficial the site visit had been and added that he[...]".

## 5 East Suffolk Enforcement Action - Case Update

The Committee received report **ES/1706** of the Head of Planning and Coastal Management, which provided a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action has either been sanctioned under delegated powers or through the Committee up until 21 September 2023. At that time there were 22 such cases.

The Chair invited the Assistant Enforcement Officer (Development Management) to comment on the report. The Assistant Enforcement Officer noted that since the publication of the report, there were further updates on two cases;

- Case A.5 (Land at Garage Block North Of 2, Chepstow Road, Felixstowe) - an appeal has been submitted and the case will be updated accordingly ahead of the next report to the Committee.
- Case B.2 ( 6 Upper Olland Street, Bungay) - the case had been heard at the High Court and fines and fees had been issued.

The Chair invited questions to the officers. In response to a question from Councillor McCallum regarding a case not included in the report, the Assistant Enforcement Officer agreed to contact her outside of the meeting.

There being no further questions the Chair sought a proposer and seconder for the recommendation set out in the report. On the proposition of Councillor Deacon, seconded by Councillor McCallum, it was by a unanimous vote

## RESOLVED

That the outstanding enforcement matters up to 21 September 2023 be noted.

## 6 DC/23/3039/FUL - Office, Wardens House, View Point Road, Felixstowe, IP11 3TW

The Committee received report **ES/1707** of the Head of Planning and Coastal Management, which related to planning application DC/23/3039/FUL. The application sought planning permission for the installation of 14 solar panels to the southeast and southwest roof pitches of Landguard Bungalow, View Point Road, Felixstowe.

The application was before the Committee for determination as it was considered that the Council had an interest in the site; although the Council was not the owner of the site nor the applicant it leased the building as accommodation for its Landguard Ranger.

The Committee received a presentation from the Planning Manager (Development Management, Major Sites and Infrastructure), on behalf of the case officer for the application. The site's location was outlined and the Committee received aerial photographs of the site and the wider area. The Planning Manager highlighted the proximity of a Grade I listed structure, Landguard Fort, and a scheduled monument.

The Committee was apprised of extant planning permission on the site granted under application DC/22/2466/FUL, for a replacement extension, and the Planning Manager explained that the proposed installation of solar panels related to both the existing and planned extension.

The Planning Manager displayed the existing and proposed roof plans and highlighted the planned positioning of the solar panels. The Committee was also shown the existing and proposed elevations along with photographs showing views towards the site from various locations and directions.

The recommendation to approve the application was outlined to the Committee.

There being no questions to officers or public speaking, the Chair invited the Committee to debate the application that was before it. Councillor Deacon said he was very familiar with the site, which he considered was located within an incredible landscape, and was convinced that the proposals would not be detrimental to the area.

There being no further debate the Chair sought a proposer and seconder for the recommendation to approve the application. On the proposition of Councillor Deacon, seconded by Councillor Hedgley, it was by a unanimous vote

## **RESOLVED**

That the application be **APPROVED** subject to the following conditions:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.

2. The development hereby permitted shall not be carried out other than in complete accordance with Drawing Nos. 03313-01 Rev D4, 03313-02, 03313-03, 03313-04 Rev D4 and 03313-05 Rev D2, all received on 2 August 2023.

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

3. Within six months of the cessation of the use of the solar panels, the PV panels and any associated equipment and cabling shall be removed from the site and the site made good.

Reason: In the interests of amenity and the protection of the local environment.

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. Certain species, including bats and nesting birds, receive legal protection, primarily under the Conservation of Habitats and Species Regulations (2017) (as amended) and the Wildlife and Countryside Act (1981) (as amended). Should a protected species be encountered during development work must stop immediately and advice on how to proceed be sought from a suitably qualified ecologist.

## **7 DC/23/2979/FUL - Stones Throw Cottage, 19 Station Road, Woodbridge, IP12 4AU**

The Committee received report **ES/1708** of the Head of Planning and Coastal Management, which related to planning application DC/23/2979/FUL. The application sought planning permission to construct two small flat roofed extensions onto the rear and side of Stones Throw Cottage, Station Road, Woodbridge.

As the applicant was a member of East Suffolk Council the application was before the Committee for determination in accordance with the scheme of delegation set out in the East Suffolk Council Constitution.

The Committee received a presentation from the Assistant Planner, who was the case officer for the application. The Committee was advised that the application had been submitted in concert with a listed building consent application, which was also on the meeting agenda for consideration.

The site's location was outlined and the proposed block plan was displayed. The Committee also received the existing and proposed floor plans and elevations.

The Assistant Planner displayed photographs demonstrating a variety of views from within the application site showing the host dwelling, garden, and the existing rear extension. The Committee was also shown photographs taken from the rear garden of a neighbouring dwelling towards the application site; the Assistant Planner outlined the concerns received from said neighbour regarding loss of light and residential amenity.

The material considerations were summarised as residential amenity, heritage, and design. The recommendation to approve the application was set out.

The Chair invited questions to the officers. Councillor Hedgley sought more detail on the objections received from the neighbour; the Assistant Planner advised that the new extensions would move the eaves height of the host dwelling closer to the shared boundary and that officers were of the view that given the size and scale of the host dwelling the proposals would not cause a loss of light to the neighbouring property.

Councillor McCallum noted that the existing terrace looked into the neighbouring garden and sought clarity of the position of the eaves of the new extension. The Assistant Planner explained that the eaves of the new extension would be the same height as those of the existing extension and would be 0.8 metres away from the boundary at the nearest point; he added that there would be no extension of the existing terrace and that the neighbour's privacy would not be impacted by the new development.

The Assistant Planner confirmed to Councillor Smithson that there would be no direct route from the garden to the front of the property that would not require entering the property, and suggested that the applicant's agent could expand on this.

In response to Councillor Ninnmey, the Assistant Planner explained that both the applicant and the neighbour maintained shrub planting on the boundary, which could be removed if they so wished.

The Chair invited Mr McNeil, the applicant's agent, to address the Committee. Mr McNeil said that the primary aim of the proposals was to provide sanitary facilities, habitable space and a link to the garden room at the rear of the garden. Mr McNeil said the proposals had been designed to be located in the most appropriate area and in accordance with the existing external drainage. Mr McNeil noted that a bin store would be maintained as part of the development.

Mr McNeil considered the proposed development made best use of available space, highlighting that the garden room was already a much-used facility and would be directly accessible from the host dwelling. Mr McNeil said the proposed extension would not significantly impact light or residential amenity and that the existing roof terrace would not be extended. Mr McNeil added that the development would be relatively unseen from the front of the property.

The Chair invited questions to Mr McNeil. In response to Councillor Plummer, Mr McNeil confirmed that access to the rear garden from the front of the property would be via the interior of the dwelling.

The Chair invited the Committee to debate the application that was before it. Councillor McCallum proposed that the application be approved as recommended, noting that there were no grounds to refuse it on. The proposal was seconded by Councillor Hedgley.

Councillor Ninnmey highlighted that there was an increasing need for people to relocate sanitary facilities to the ground floor and asked if there was a specific policy relating to this issue. The Planning Manager replied that there was no specific policy and that officers looked at adaptation planning applications, such as the one being considered, as favourably as possible in accordance with national and local planning policies.

There being no further debate, the Chair moved to a vote and it was unanimously

**RESOLVED**



That the application be **APPROVED** subject to the following conditions:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.

2. The development hereby permitted shall be completed in all respects strictly in accordance with 631-01 Rev B received 28/07/2023, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

3. Prior to commencement of any works, details in respect of the following shall be submitted to and approved in writing by the Local Planning Authority:

(i) Details of the external materials to be used for the extensions.

(ii) Details of all new windows to include: appearance; position within opening; method of opening; materials and finish; heads and cills; type of glazing; glazing bar profiles; and ironmongery.

(iii) Details of all new external and internal doors to include: appearance; materials and finish; frame and architrave; type of glazing; panel profiles; and ironmongery.

The work shall be carried out in accordance with the approved details.

Reason: In order to safeguard the special architectural or historic interest of the building.

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.

## **8 DC/23/2980/LBC - Stones Throw Cottage, 19 Station Road, Woodbridge, IP12 4AU**

The Committee received report **ES/1709** of the Head of Planning and Coastal Management, which related to planning application DC/23/2980/LBC. The application sought listed building consent to construct two small flat roofed extensions onto the rear and side of Stones Throw Cottage, Station Road, Woodbridge.

As the applicant was a member of East Suffolk Council the application was before the Committee for determination in accordance with the scheme of delegation set out in the East Suffolk Council Constitution.

The Assistant Planner, who was the case officer for the application, referred to the presentation given in respect of DC/23/2979/FUL, which had been approved by the Committee earlier in the meeting, and explained it was also relevant to the application for listed building consent. The Committee was advised that the listed building application only considered the impact of the works on the listed building.

The recommendation to approve the application was outlined to the Committee.

There being no questions to the officers the Chair invited Mr McNeil, the applicant's agent, to address the Committee. Mr McNeil said he had nothing further to add to his address on the previous application for planning permission.

There being no questions to Mr McNeil or any debate on the application, the Chair sought a proposer and seconder for the recommendation to approve the application. On the proposition of Councillor McCallum, seconded by Councillor Hedgley, it was by a unanimous vote

## **RESOLVED**

That the application be **APPROVED** subject to the following conditions:

1. The works to which this consent relates must be begun not later than three years from the date of this notice.

Reason: In accordance with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. The works to which this consent relates shall be carried out in complete accordance with 631-01 Rev B received 28/07/2023 for which consent is hereby granted, or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

3. Prior to commencement of any works, details in respect of the following shall be submitted to and approved in writing by the Local Planning Authority:

- (i) Details of the external materials to be used for the extensions.
- (ii) Details of roof/wall junctions of the extensions with the existing building to show method of attachment and flashings.
- (iii) Details of all new windows to include: appearance; position within opening; method of opening; materials and finish; heads and cills; type of glazing; glazing bar profiles; and ironmongery.
- (iv) Details of all new external and internal doors to include: appearance; materials and finish; frame and architrave; type of glazing; panel profiles; and ironmongery.
- (v) Details of proposed services, including new openings.

The work shall be carried out in accordance with the approved details.

Reason: In order to safeguard the special architectural or historic interest of the building.

The meeting concluded at 2.35pm.

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Chair



## Planning Committee South

**Title of Report:**

East Suffolk Enforcement Action – Case Update

**Meeting Date**

28 November 2023

**Report Author and Tel No**

Mia Glass  
01502 523081

Is the report Open or Exempt?

Open

## REPORT

The attached is a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action has either been sanctioned under delegated powers or through the Committee up until 26 October 2023. At present there are 19 such cases.

Information on all cases has been updated at the time of preparing the report such that the last row in the table for each item shows the position at that time. Officers will provide a further verbal update should the situation have changed for any of the cases.

Members will note that where Enforcement action has been authorised the Councils Solicitor shall be instructed accordingly, but the speed of delivery of response may be affected by factors which are outside of the control of the Enforcement Service.

The cases are organised into categories based upon current status:

A. Cases on which a formal enforcement notice has been served, and the compliance period is still ongoing. *4 current cases*

B. Cases on which a formal enforcement notice has been served and is now the subject of an appeal. *8 current cases*

- C. Cases on which a formal enforcement notice has been served, upheld on appeal, and is now within a compliance period. *1 current case*
- D. Cases on which a formal enforcement notice has been served, upheld on appeal/no appeal submitted and is currently the subject of court action. *1 current cases*
- E. Cases on which a formal enforcement notice has been served, upheld on appeal/no appeal submitted and now in the period for compliance following court action. *0 current case*
- F. Cases on which a formal enforcement notice has been served, upheld on appeal, and the period for compliance following court action has now expired, so further legal proceedings are being considered and/or are underway. *4 current cases*
- G. Cases on which a formal enforcement action has been placed on hold or where it is not currently expedient to pursue. *1 current case*

## RECOMMENDATION

That the outstanding enforcement matters up to 26 October 2023 be noted.

### A. Cases on which a formal enforcement notice has been served, and the compliance period is still ongoing.

A.1

<b>LPA Enforcement Case Reference</b>	ENF/21/0290/USE
<b>Location / Address</b>	141 Kirton Road, Trimley St Martin
<b>North or South Area</b>	South
<b>Date of Report of Breach</b>	17.06.2021
<b><u>Nature of Breach:</u></b> Change of use of cartlodge to a shop.	
<b><u>Summary timeline of actions on case</u></b> <b>19/01/2023</b> –Enforcement Notice served. Comes into effect on the 20/02/2023 <b>20/02/2023</b> – Extension of time agreed to 20/10/2023	
<b><u>Current Status/Position</u></b> In compliance period.	
<b>Date by which Compliance expected (or prosecution date)</b>	20/10/2023

A.2

<b>LPA Enforcement Case Reference</b>	ENF/22/0133/USE
<b>Location / Address</b>	Patience Acre, Chenerys Loke, Weston
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	22.04.2022

<b><u>Nature of Breach:</u></b> Residential occupation of holiday let	
<b><u>Summary timeline of actions on case</u></b> <b>28/03/2023</b> –Breach of Condition Notice served. Comes into effect on the 27/04/2023. There is an ongoing appeal against refusal of planning application, DC/22/3482/FUL, therefore extended compliance given. <b>05/07/2023</b> - appeal against refusal of planning application refused.	
<b><u>Current Status/Position</u></b> In compliance period.	
<b>Date by which Compliance expected (or prosecution date)</b>	27/04/2024

A.3

<b>LPA Enforcement Case Reference</b>	ENF/21/0460/DEV
<b>Location / Address</b>	21 Mill View Close, Woodbridge
<b>North or South Area</b>	South
<b>Date of Report of Breach</b>	13.10.2021
<b><u>Nature of Breach:</u></b> Erection of large fence	
<b><u>Summary timeline of actions on case</u></b> <b>06/07/2023</b> –Enforcement Notices served. Comes into effect on the 06/08/2023	
<b><u>Current Status/Position</u></b> In compliance period.	
<b>Date by which Compliance expected (or prosecution date)</b>	06/11/2023

A.4

<b>LPA Enforcement Case Reference</b>	ENF/2018/0476/USE
<b>Location / Address</b>	Part Os 1028 Highgate Lane Dallinghoo
<b>North or South Area</b>	South
<b>Date of Report of Breach</b>	15.11.2018
<b><u>Nature of Breach:</u></b> Siting of a converted vehicle for residential use	
<b><u>Summary timeline of actions on case</u></b> <b>11/09/2023</b> –Enforcement Notice served. Comes into effect on the 11/10/2023	
<b><u>Current Status/Position</u></b> In compliance period.	
<b>Date by which Compliance expected (or prosecution date)</b>	11.04.2024

**B. Cases on which a formal enforcement notice has been served and is now the subject of an appeal**

B.1

<b>LPA Enforcement Case Reference</b>	ENF/2019/0307/COND
<b>Location / Address</b>	The Southwold Flower Company, Land at Wangford Rd/Reydon Lane, Reydon
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	16.07.2019
<b>Nature of Breach:</b> Breach of conditions, 2, 4 and 8 of Planning Permission DC/18/0335/FUL	
<b>Summary timeline of actions on case</b>	
<p><b>21/10/2021</b> – Enforcement Notice served. Date effective 25/11/2021. 3/5 months for compliance, requiring the building to be converted to be in full compliance with the permission within 5 months. To cease all retail sales from the site and to submit a scheme of landscaping within 3 months.</p> <p><b>07/12/2021</b> - Appeal started. Written Representations Process. PINS Reference APP/X3540/C/21/3287645</p> <p><b>21/01/2022</b> - Statements submitted to Planning Inspectorate by 21/01/2022.</p> <p><b>01/02/2022</b> - final comments date for comments on Appeal</p> <p><b>28/06/2023</b> – Site visit for appeal 3<sup>rd</sup> August 2023</p> <p><b>16/10/2023</b>- Appeal allowed, granted application with conditions.</p>	
<b>Current Status/Position</b>	
Case closed	
<b>Date by which Compliance expected (or prosecution date)</b>	n/a

B.2

<b>LPA Enforcement Case Reference</b>	ENF/20/0131/LISTL
<b>Location / Address</b>	6 Upper Olland Street, Bungay
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	15.04.2020
<b>Nature of Breach:</b> Unauthorised works to a Listed Building (Installation of roller shutter and advertisements)	
<b>Summary timeline of actions on case</b>	
<p><b>17/03/2022</b> - Listed Building Enforcement Notice served and takes effect on 18/04/2022. 3 months for compliance.</p> <p><b>19/04/2022</b> - Appeal start date. Written Representations Procedure PINS Reference APP/X3540/F/22/3297116</p> <p><b>07/06/2022</b> – Statement submitted</p> <p><b>28/06/2022</b> – final comments due.</p>	

<b><u>Current Status/Position</u></b> Awaiting Planning Inspectorate Appeal Decision	
<b>Date by which Compliance expected (or prosecution date)</b>	Dependant upon date and outcome of Appeal Decision

B.3

<b>LPA Enforcement Case Reference</b>	ENF/21/0121/USE
<b>Location / Address</b>	The Pastures, The Street, North Cove
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	17.03.2021
<b><u>Nature of Breach:</u></b> Material change of use of Land to a storage use, including the stationing of static and touring caravans for residential use and the storage of vehicles, lorry backs, and other items.	
<b><u>Summary timeline of actions on case</u></b> <b>03/11/2022</b> – Enforcement Notice served. Comes into effect on the 05/12/2022. 4 months for compliance <b>14/11/2022</b> - Pre-start letter from Planning Inspectorate <b>14/12/2022</b> - Appeal started. Written Representations Process, statement due by 6 <sup>th</sup> February 2023. PINS Reference APP/X3540/C/22/3312353	
<b><u>Current Status/Position</u></b> Awaiting Planning Inspectorate Decision.	
<b>Date by which Compliance expected (or prosecution date)</b>	Dependent upon date and outcome of Appeal Decision

B.4

<b>LPA Enforcement Case Reference</b>	ENF/21/0201/DEV
<b>Location / Address</b>	39 Foxglove End, Leiston
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	26.04.2021
<b><u>Nature of Breach:</u></b> Artificial hedge, support structure and fencing which is over 2m in height	
<b><u>Summary timeline of actions on case</u></b> <b>28/11/2022</b> – Enforcement Notice served. Comes into effect on the 06/01/2023. 2 months for compliance <b>09/01/2023</b> - Pre-start letter from Planning Inspectorate	
<b><u>Current Status/Position</u></b> Awaiting start date from Planning Inspectorate.	
<b>Date by which Compliance expected (or prosecution date)</b>	Dependent upon date and outcome of Appeal Decision

B.5



<b>LPA Enforcement Case Reference</b>	ENF/22/0158/DEV
<b>Location / Address</b>	11 Wharton Street, Bungay
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	20.05.2022
<b>Nature of Breach:</b> Without Listed Building Consent the unauthorised installation of an exterior glazed door located in front of the front door.	
<b>Summary timeline of actions on case</b> <b>28/11/2022</b> – Listed Building Enforcement Notice served. Comes into effect on the 06/01/2023. 3 months for compliance <b>09/01/2023</b> – Pre-start letter from Planning Inspectorate <b>31/01/2023</b> –Start letter received from Planning Inspectorate, statements required by 14 <sup>th</sup> March 2023.	
<b>Current Status/Position</b> Awaiting start date from Planning Inspectorate.	
<b>Date by which Compliance expected (or prosecution date)</b>	Dependent upon date and outcome of Appeal Decision

B.6

<b>LPA Enforcement Case Reference</b>	ENF/23/0073/DEV
<b>Location / Address</b>	15 Worell Drive, Worlingham
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	06.03.2013
<b>Nature of Breach:</b> Erection of a fence over 1m adjacent to a highway	
<b>Summary timeline of actions on case</b> <b>06/07/2023</b> –Enforcement Notices served. Comes into effect on the 06/08/2023 <b>01/08/2023</b> - Appeal submitted, awaiting start date. <b>09/10/2023</b> - Notice withdrawn, after further consideration of the recent appeal decision at 26 Highland Drive, Worlingham, granting permission.	
<b>Current Status/Position</b> Case closed	
<b>Date by which Compliance expected (or prosecution date)</b>	n/a

B.7

<b>LPA Enforcement Case Reference</b>	ENF/21/0006/DEV
<b>Location / Address</b>	Land at Garage Block North Of 2, Chepstow Road, Felixstowe, Suffolk
<b>North or South Area</b>	South
<b>Date of Report of Breach</b>	06.01.2021
<b>Nature of Breach:</b> Erection of large fence	

<b><u>Summary timeline of actions on case</u></b> <b>08/08/2023</b> –Enforcement Notice served. Comes into effect on the 08/09/2023 <b>18/10/2023</b> - Appeal submitted, statements due 29 <sup>th</sup> November 2023.	
<b><u>Current Status/Position</u></b> Awaiting start date from Planning Inspectorate.	
<b>Date by which Compliance expected (or prosecution date)</b>	Dependent upon date and outcome of Appeal Decision

B.8

<b>LPA Enforcement Case Reference</b>	ENF/22/0247/USE
<b>Location / Address</b>	Part Land East Of Mariawood, Hulver Street, Henstead
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	15.11.2018
<b><u>Nature of Breach:</u></b> Siting of mobile home	
<b><u>Summary timeline of actions on case</u></b> <b>21/09/2023</b> –Enforcement Notice served. Comes into effect on the 21/10/2023 <b>23/10/2023</b> - Appeal submitted, awaiting start letter.	
<b><u>Current Status/Position</u></b> Awaiting start date from Planning Inspectorate.	
<b>Date by which Compliance expected (or prosecution date)</b>	Dependent upon date and outcome of Appeal Decision

**C. Cases on which a formal enforcement notice has been served, upheld on appeal, and is now within a compliance period**

C.1

<b>LPA Enforcement Case Reference</b>	ENF/21/0411/COND
<b>Location / Address</b>	Paddock 2, The Street, Lound
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	17.09.2021
<b><u>Nature of Breach:</u></b> Change of use of land for residential use and stationing of mobile home	
<b><u>Summary timeline of actions on case</u></b> <b>16/06/2022</b> – Enforcement Notice served. Took effect on 18/07/2022. 4 months for compliance <b>26/08/2022</b> – Appeal Start Date. Written Representations Procedure PINS Reference APP/X3540/C/22/3303066 <b>07/10/2022</b> – Appeal statement submitted. <b>28/10/2022</b> – any final comments on appeal due. <b>11/09/2023</b> - Appeal dismissed. 4 months for compliance.	
<b><u>Current Status/Position</u></b> In compliance period following appeal.	
<b>Date by which Compliance expected (or prosecution date)</b>	12/01/2024

**D. Cases on which a formal enforcement notice has been served, upheld on appeal/no appeal submitted and is currently the subject of court action.**

D.1

<b>LPA Enforcement Case Reference</b>	ENF/20/0404/USE
<b>Location / Address</b>	200 Bridge Road, Lowestoft
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	24.09.2020
<b><u>Nature of Breach:</u></b> Change of use of land for the storage of building materials	
<b><u>Summary timeline of actions on case</u></b> <b>19/01/2023</b> –Enforcement Notice served. Comes into effect on the 20/02/2023 <b>26/06/2023</b> –Site visited, notice not complied with, case will be passed to the legal team for further action. <b>23/10/2023</b> - Court found defendant guilty and fined a total of £4400.	
<b><u>Current Status/Position</u></b> With Legal Team.	
<b>Date by which Compliance expected (or prosecution date)</b>	Depending on legal process.

**E. Cases on which a formal enforcement notice has been served, upheld on appeal/no appeal submitted and now in the period for compliance following court action**

**F. Cases on which a formal enforcement notice has been served, upheld on appeal, and the period for compliance following court action has now expired, so further legal proceedings are being considered and/or are underway.**

F.1

<b>LPA Enforcement Case Reference</b>	EN08/0264 & ENF/2013/0191
<b>Location / Address</b>	Pine Lodge Caravan Park, Hazels Lane, Hinton
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	20.10.2008
<b>Nature of Breach:</b>	
Erection of a building and new vehicular access; Change of use of the land to a touring caravan site (Exemption Certificate revoked) and use of land for the site of a mobile home for gypsy/traveller use. Various unauthorised utility buildings for use on caravan site.	
<p><b>15/10/2010</b> – Enforcement Notice served  <b>08/02/2010</b> - Appeal received  <b>10/11/2010</b> - Appeal dismissed  <b>25/06/2013</b> - Three Planning applications received  <b>06/11/2013</b> – The three applications refused at Planning Committee.  <b>13/12/2013</b> - Appeal Lodged  <b>21/03/2014</b> – Enforcement Notices served and became effective on 24/04/2014  <b>04/07/2014</b> - Appeal Start date - Appeal to be dealt with by Hearing  <b>31/01/2015</b> – New planning appeal received for refusal of Application DC/13/3708  <b>03/02/2015</b> – Appeal Decision – Two notices quashed for the avoidance of doubt, two notices upheld. Compliance time on notice relating to mobile home has been extended from 12 months to 18 months.  <b>10/11/2015</b> – Informal hearing held  <b>01/03/2016</b> – Planning Appeal dismissed  <b>04/08/2016</b> – Site re-visited three of four Notices have not been complied with.  <b>21/04/2017</b> - Trial date. Two charges relating to the mobile home, steps and hardstanding, the owner pleaded guilty to these to charges and was fined £1000 for failing to comply with the Enforcement Notice plus £600 in costs. The Council has requested that the mobile home along with steps, hardstanding and access be removed by 16/06/2017.  <b>19/06/2017</b> – Site re-visited, no compliance with the Enforcement Notice.  <b>14/11/2017</b> – Full Injunction granted for the removal of the mobile home and steps.  <b>21/11/2017</b> – Mobile home and steps removed from site. Review site regarding day block and access after decision notice released for enforcement notice served in connection with unauthorised occupancy /use of barn.  <b>27/06/2018</b> – Compliance visit conducted to check on whether the 2010.  <b>06/07/2018</b> – Legal advice sought.  <b>10/09/2018</b> – Site revisited to check for compliance with Notices.  <b>11/09/2018</b> – Case referred back to Legal Department for further action to be considered.</p>	

<p><b>11/10/2018</b> – Court hearing at the High Court in relation to the steps remain on the 2014 Enforcement Notice/ Injunction granted. Two months for compliance (11/12/2018).</p> <p><b>01/11/2018</b> – Court Hearing at the High Court in relation to the 2010 Enforcement Notice. Injunctive remedy sought. Verbal update to be given. Injunction granted. Three months given for compliance with Enforcement Notices served in 2010.</p> <p><b>13/12/2018</b> – Site visit undertaken in regards to Injunction served for 2014 Notice. No compliance. Passed back to Legal for further action.</p> <p><b>04/02/2019</b> – Site visit undertaken to check on compliance with Injunction served on 01/11/2018</p> <p><b>26/02/2019</b> – case passed to Legal for further action to be considered. Update to be given at Planning Committee</p> <p><b>27/03/2019</b> - High Court hearing, the case was adjourned until the 03/04/2019</p> <p><b>03/04/2019</b> - Officers attended the High Court, a warrant was issued due to non-attendance and failure to provide medical evidence explaining the non-attendance as was required in the Order of 27/03/2019.</p> <p><b>11/04/2019</b> – Officers returned to the High Court, the case was adjourned until 7 May 2019.</p> <p><b>07/05/2019</b> – Officers returned to the High Court. A three month suspended sentence for 12 months was given and the owner was required to comply with the Notices by 03/09/2019.</p> <p><b>05/09/2019</b> – Site visit undertaken; file passed to Legal Department for further action. Court date arranged for 28/11/2019.</p> <p><b>28/11/2019</b> - Officers returned to the High Court. A new three month suspended sentence for 12 months was given and the owner was required to comply in full with the Injunctions and the Order of the Judge by 31/01/2020</p>	
<p><b><u>Current Status/Position</u></b>  Site visited. Case currently with the Council’s Legal Team for assessment.  Charging orders have been placed on the land to recover costs.</p>	
<p><b>Date by which Compliance expected (or prosecution date)</b></p>	<p>Dependent upon potential Legal Process</p>

F.2

<b>LPA Enforcement Case Reference</b>	ENF/2017/0170/USE
<b>Location / Address</b>	Land Adj to Oak Spring, The Street, Darsham
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	11.05.2017
<p><b><u>Nature of Breach:</u></b>  Installation on land of residential mobile home, erection of a structure, stationing of containers and portacabins</p>	
<p><b><u>Summary timeline of actions on case</u></b>  <b>16/11/2017</b> – Authorisation given to serve Enforcement Notice.  <b>22/02/2018</b> – Enforcement Notice issued. Notice came into effect on 30/03/2018 and had a 4 month compliance period. An Appeal was then submitted.</p>	

<p><b>17/10/2019</b> – Appeal Decision issued by PINS. Enforcement Notice relating to the Use of the land quashed and to be re-issued as soon as possible, Notice relating to the operational development was upheld with an amendment.</p> <p><b>13/11/2019</b> – Enforcement Notice served in relation to the residential use of the site. Compliance by 13/04/2020. Appeal then received in relation to the Enforcement Notice for the residential use</p> <p><b>16/06/2020</b> – Submission of Appeal Statement</p> <p><b>11/08/2020</b> - Appeal dismissed with some amendments.</p> <p><b>11/12/2020</b> - Compliance with notice required. Site visit subsequently undertaken. Enforcement Notices had not been complied with so case then pass to Legal Department for further action.</p> <p><b>25/03/2021</b> - Further site visit undertaken. Notices not complied with, file passed to Legal services for further action.</p> <p><b>2022</b> - Application for an Injunction has been made to the High Court.</p> <p><b>06/10/2022</b> - Hearing in the High Court granted and injunction with 5 months for compliance and costs of £8000 awarded.</p> <p><b>08/03/2023</b> - Site visit conducted; injunction not complied with therefore matter passed to legal for further action.</p> <p><b>30/03/2023</b> - appeal submitted to High Court against Injunction – awaiting decision from Court.</p> <p><b>10/07/2023</b> -Injunction appeal failed, 2 weeks given to comply with Injunction by 10am on 24<sup>th</sup> July.</p> <p><b>25/07/2023</b>-Site Visit conducted; injunction not complied with. Information sent to legal team.</p>	
<p><b><u>Current Status/Position</u></b> With Legal Team</p>	
<p><b>Date by which Compliance expected (or prosecution date)</b></p>	<p>24<sup>th</sup> July 2023</p>

F.3

<b>LPA Enforcement Case Reference</b>	ENF/21/0051/USE
<b>Location / Address</b>	Land West Of Guildhall Lane, Wrentham
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	10.02.2021
<p><b><u>Nature of Breach:</u></b> Change of use and unauthorised operational development (mixed use including storage of materials, vehicles and caravans and residential use /erection of structures and laying of hardstanding)</p>	
<p><b><u>Summary timeline of actions on case</u></b> <b>10/03/2022</b> - Enforcement Notices served and takes effect on 11/04/2022. 4 months for compliance.</p>	

<p><b>25/08/2022</b> - Site visit to check for compliance with Notices. File has been passed to the Legal Dept for further action.</p> <p><b>19/12/2022</b> – Court date set following non compliance at Ipswich magistrates for 30<sup>th</sup> January 2023.</p> <p><b>30/01/2023</b>- Court over listed and therefore case relisted for 27<sup>th</sup> March 2023</p> <p><b>27/03/2023</b>- Defendant did not attend, warrant issued, awaiting decision from court.</p> <p><b>31/07/2023</b>- Defendant attended court, plead guilty to all charges and was fined £5134.78 in total.</p>	
<p><b><u>Current Status/Position</u></b> Considering legal options following court appearance</p>	
<p><b>Date by which Compliance expected (or prosecution date)</b></p>	<p>Depending on legal advice</p>

F.4

<p><b>LPA Enforcement Case Reference</b></p>	<p>ENF/21/0441/SEC215</p>
<p><b>Location / Address</b></p>	<p>28 Brick Kiln Avenue, Beccles</p>
<p><b>North or South Area</b></p>	<p>North</p>
<p><b>Date of Report of Breach</b></p>	<p>29.09.2021</p>
<p><b><u>Nature of Breach:</u></b> Untidy site</p>	
<p><b><u>Summary timeline of actions on case</u></b>  <p><b>07/02/2022</b> - S215 (Land adversely affecting amenity of Neighbourhood) Notice served - compliance due by 11/06/2022</p> <p><b>17/06/2022</b> - Site visit undertaken to check compliance. Site remains untidy. Internal discussion to be held regarding further action. File passed to Legal Department for further action.</p> <p><b>21/11/2022</b>– Attended court, defendant plead guilty, fined £120 and ordered to pay £640 costs and £48 victim surcharge. A Total of £808. Has until 24<sup>th</sup> February 2023 to comply with notice.</p> <p><b>10/03/2023</b>- Site visit conducted, notice not complied with. Matter passed to Legal for further action.</p> <p><b>23/10/2023</b>- Courts decided to adjourn the case for 3 months, to allow further time for compliance. Therefore, a further court date set for 15<sup>th</sup> January 2024.</p> </p>	
<p><b><u>Current Status/Position</u></b> In court compliance period</p>	
<p><b>Date by which Compliance expected (or prosecution date)</b></p>	<p>15<sup>th</sup> January 2024</p>



**G. Cases on which a formal enforcement action has been placed on hold or where it is not currently expedient to pursue**

G.1

<b>LPA Enforcement Case Reference</b>	ENF/2015/0279/DEV
<b>Location / Address</b>	Land at Dam Lane Kessingland
<b>North or South Area</b>	North
<b>Date of Report of Breach</b>	22/09/2015
<p><b><u>Nature of Breach:</u></b> Erection of outbuildings and wooden jetties, fencing and gates over 1 metre adjacent to highway and engineering operations amounting to the formation of a lake and soil bunds.</p>	
<p><b><u>Summary timeline of actions on case</u></b>  <b>22/09/2015</b> - Initial complaint logged by parish.  <b>08/12/2016</b> - Case was reopened following further information  <b>01/03/2017</b> - Retrospective app received.            Following delays in information requested, on 20/06/2018, Cate Buck, Senior Planning and Enforcement Officer, took over the case, she communicated and met with the owner on several occasions.  <b>05/09/2018</b> - Notice served by recorded delivery.  <b>18/06/2019</b> - Appeal started. PINS Reference APP/T3535/C/18/3211982  <b>24/07/2019</b> – Appeal Statement Submitted  <b>05/02/2020</b> - Appeal dismissed. Compliance with both Notices by 05/08/2020  <b>03/03/2021</b> - Court hearing in relation to structures and fencing/gates Case adjourned until 05/07/2021 for trial. Further visit due after 30/04/21 to check for compliance with steps relating to lake removal.  <b>30/04/2021</b> - Further legal advice being sought in relation to the buildings and fencing. Extension of time given until 30/04/21 for removal of the lake and reverting the land back to agricultural use due to Licence being required for removal of protected species.  <b>04/05/2021</b> - Further visit conducted to check for compliance on Notice relating to the lake. No compliance. Case being reviewed.  <b>05/07/2021</b> – Court hearing, owner was found guilty of two charges and had already pleaded guilty to one offence. Fined £550 and £700 costs  <b>12/07/2021</b> – Letter sent to owner giving until the 10<sup>th</sup> August 2021 for the structures to be removed  <b>13/08/2021</b> - Site visited and all structures had removed from the site, but lake remains</p>	
<p><b><u>Current Status/Position</u></b> On Hold. Ongoing consideration is taking place in respect of the compliance with the enforcement notice for removal of the lake. This is due to the possible presence of protected species and formation of protected habitat. Consideration is also required in respect of the hydrological implications of removal of the lake. At present, with the removal of structures and no harmful use taking place, the lake removal is not an immediately urgent action.</p>	

<b>Date by which Compliance expected (or prosecution date)</b>	31/12/2023
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## Committee Report

**Planning Committee South - 28 November 2023**

**Application no** DC/22/1351/FUL

**Location**

Butley Priory  
Abbey Road  
Butley  
Suffolk  
IP12 3NR

**Expiry date** 16 June 2022

**Application type** Full Application

**Applicant** Greenwell Farms (trading as Butley Priory)

**Parish** Butley

**Proposal** Continuation of use of property as a wedding & events venue with accommodation on a permanent basis

**Case Officer** Rachel Smith  
07887 452719  
rachel.smith@eastsoffolk.gov.uk

## **1. Summary**

- 1.1 The application seeks full planning permission for the continued use of Butley Priory as a wedding venue with some accommodation.
- 1.2 The application is being presented to Planning Committee South for determination at the request of the Head of Planning and Coastal Management given the scale of development cumulatively with proposals at Butley Abbey Farm (DC/20/5260/FUL and DC/20/5261/LBC).
- 1.3 The application is recommended for approval. While some concerns have been raised with regards to noise in respect of residential amenity and the tranquillity of the Area of Outstanding Natural Beauty, there are economic and heritage benefits which outweigh the aforementioned concerns, particularly when controlled by proposed conditions.

## **2. Site Description**

- 2.1 The application site comprises Butley Priory, a Grade I Listed Building located in the Parish of Butley, within the Countryside (as set out in the Local Plan) and within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB).
- 2.2 The Priory, former gatehouse to Butley Abbey, has been restored and used as a wedding/events venue since 2005. It is accessed via a private drive to the north with a formal front lawn area and a secluded walled garden to the rear.

## **3. Proposal**

- 3.1 The application seeks full planning permission to use Butley Priory and its grounds as an events venue and holiday accommodation. The application states that the property was previously run by Butley Priory Ltd. however they went into liquidation in November 2020 following the Pandemic. Since then, the applicant who is the owner of the site, has taken on the business and continues to manage events from the site (albeit currently without any planning permission in place).
- 3.2 The planning history of the site relevant to the proposals is set out below:
- 3.3 C05/1892 - Change of use of part of premises to allow wedding functions and public entertainment events to be held.  
Permitted subject to the following restrictions:
  - Temporary permission ending 31 September 2007
  - Events to end 11.30pm except for New Years Eve (end time 01.00 New Years Day)
  - No more than 100 attendees
  - No amplified music other than from within the Great Hall or Drawing Room
  - No marquees other than during July and August when one marquee is permitted
  - No more than 2 events per week during July and August
  - No more than 35 events per calendar year
  - No fireworks or pyrotechnics

- 3.4 C07/0405 - Variation of conditions 01 and 05 of planning permission C05/1892 to allow marquee to be used during the additional months of June and September and for the period of the planning permission to expire in 2013 (in lieu of 2007). Permitted subject to the above restrictions but amended as follows:  
 - Temporary permission ending 31 September 2013  
 - No marquees other than during June, July, August and September
- 3.5 C13/1229 - Variation of Condition 1 of Planning Permission C07/0405 for the period of Planning Permission to expire 2018 in lieu of 2013 (Original Consent C05/1892). Permitted subject to an expiry date of 19 August 2018
- 3.6 The site has been continuing to operate post-2018 without consent. This application is being presented for consideration alongside applications DC/20/5260/FUL and DC/20/5261/LBC relating to the redevelopment of Butley Abbey Farm immediately adjacent to the site (to the south). The applicant owns both sites and it is the intention that the wider site could be used to expand and improve the facilities available for larger events or that two events could be run simultaneously. The proposed conditions include reference to certain restrictions following seven years from the date of this permission. Currently, a marquee is brought on to site as required, arranged by clients, to hold bigger events as capacity within the Priory itself is limited. If/when the barn conversion is completed, the proposal is such that marquees would no longer be an option at the Priory. Given the amount of work required in conversion of the barns and the time this is likely to take, it is not unrealistic to expect that this may not be ready for use until at least five years from the date of permission. The seven year timeframe is therefore considered reasonable to allow for some flexibility in construction but to ensure that two larger events cannot occur simultaneously longer term, nor can amplified music beyond 9.00pm be played outside of the Priory building while another event may be taking place within the barns.

#### 4. Consultees

##### Third Party Representations

- 4.1 13 letters of support have been received from third parties. These are from those who are employed at the site, either directly or indirectly, and recognise the economic benefits of the continuation of the events business.

#### Parish/Town Council

Consultee	Date consulted	Date reply received
Butley Parish Council	6 May 2022	21 July 2022
Summary of comments:		
The Parish Council would like to submit the following comments in respect of this planning application:-		

1. The nearest housing is not the one referred to and the applicant has totally overlooked the rented /tied property. These people are also residents.

2. There is a duty to monitor the noise and there has to be a protocol that is followed which measures and determines the level of sound.

This protocol should include the measures to be taken in case of a problem.

3. There needs to be cooperation between the management and the local community with regard to traffic flow.

Consultee	Date consulted	Date reply received
Butley Parish Council		30 July 2022

I understand the consultation response period has expired for the above mentioned planning application but the Parish Council would be extremely grateful if you would take the following comments into consideration when making your decision in respect of the above mentioned planning application:- If ESC were minded to grant planning permission the Parish Council would request they impose the following planning conditions to mitigate the impact of the proposal on the local community:-

- Measures for sound attenuation to be put in place;
- Limit on hours of operation say until 22:00 hours on weekdays and Sundays and say 23:00/24:00 hours on Saturdays;
- Limit on vehicle numbers to minimise noise and emissions and reduce carbon footprint - the applicant's traffic report mentions use of 3 private hire buses to limit vehicles (otherwise estimated it will generate 80 cars);
- Given the proposal relates to a listed building of archaeological significance we support Suffolk County Council's Archaeological Services reservations and enquire as to what increased maintenance measures will be undertaken to safeguard its preservation and enhancement? The applicant's archaeological assessment consisting of a few trial trenches does not seem sufficiently thorough;
- Given the proposal relates to use of a listed building of considerable archaeological significance, the Parish council request increased arrangements for local school children or local community access visits be available.

Consultee	Date consulted	Date reply received
Butley Parish Council	16 June 2023	14 July 2023

Summary of comments:

(1) With regard to the Sharps Redmore Noise Report dated 14/6/23, specifically the Monitoring Positions shown in Figure 3.1 appear to have failed to monitor noise levels in the populated parts of Butley village and surroundings, in particular, Short Walk, the Street, Mill Lane, Orford Road and Woodbridge Road where residents have already been disturbed by significant noise emanating from events at the Priory.

Noise levels also seem to vary according to wind direction and other environmental factors-how has this been factored in?

(2) This is a highly relevant consideration which has not been addressed and to which the Local Planning Authority should have regard in weighing up its decision to grant planning permission.

(3) Paragraph 4.1 of that report falsely asserts that there have been no noise complaints for 15 years.

(4) It is only correct that there were minimal noise complaints until 3 years ago when the Priory had new owners, and since then, there have been a number of noise nuisances caused to local residents about which complaints have been made.

(5) There appears to have been a number of events held on land adjacent to the Priory which have caused noise nuisance most recently on 1st July. What controls will be put in place to prevent this in future?

The Parish Council therefore objects to the proposal on the grounds of detriment to the residential amenity and asks that if despite this objection, the Local Planning Authority is inclined to grant planning permission, that such permission be subject to conditions limiting the hours of operation to between 08:00 and 22:00 Sunday to Friday and 23:00 on Saturday, and the implementation of stringent noise mitigation measures with strict limits on the noise levels to reduce noise levels to below 40 Db. The following observations still also apply:-

1. The nearest housing is not the one referred to and the applicant has totally overlooked the rented /tied property. These people are also residents.
2. There is a duty to monitor the noise and there has to be a protocol that is followed which measures and determines the level of sound. This protocol should include the measures to be taken in case of a problem.
3. There needs to be cooperation between the management and the local community with regard to traffic flow.

If ESC were minded to grant planning permission the Parish Council would request they impose the following planning conditions to mitigate the impact of the proposal on the local community:-

- Measures for sound attenuation to be put in place;
- Limit on hours of operation say until 22:00 hours on weekdays and Sundays and say 23:00/24:00 hours on Saturdays;
- Limit on vehicle numbers to minimise noise and emissions and reduce carbon footprint - the applicant's traffic report mentions use of 3 private hire buses to limit vehicles (otherwise estimated it will generate 80 cars);
- Given the proposal relates to a listed building of archaeological significance we support Suffolk County Council's Archaeological Services reservations and enquire as to what increased maintenance measures will be undertaken to safeguard its preservation and enhancement? The applicant's archaeological assessment consisting of a few trial trenches does not seem sufficiently thorough;
- Given the proposal relates to use of a listed building of considerable archaeological significance, the Parish council request increased arrangements for local school children or local community access visits be available.

## Non statutory consultees

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	6 May 2022	No response

Summary of comments:  
None received

Consultee	Date consulted	Date reply received
East Suffolk Ecology	6 May 2022	30 May 2022

Summary of comments:  
Comments included in report

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	6 May 2022	No response

Summary of comments:  
None received

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	6 May 2022	24 June 2022

Summary of comments:  
Comments included in report

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	6 May 2022	No response

Summary of comments:  
None received

Consultee	Date consulted	Date reply received
SCC Highways Department	6 May 2022	12 May 2022

Summary of comments:  
  
Does not wish to restrict the grant of permission due to the application not having a detrimental effect upon the adopted highway.



Consultee	Date consulted	Date reply received
Historic England	6 May 2022	26 May 2022

Summary of comments:

Historic England did not specifically comment on this application however commented on the accompanying Listed Building Consent application. The LBC application is not required as no works to the building are proposed however the comments have relevance to this application.

Historic England has no objection to the application on heritage grounds, but recommend the Council include conditions specifying specific periods during which the marquee can be erected and ensuring its dismantling outside those periods in order to conserve the setting and significance of the listed building.

Consultee	Date consulted	Date reply received
National Amenity Societies	6 May 2022	No response

Summary of comments:

None received

Consultee	Date consulted	Date reply received
SCC Coasts And Heaths Project	1 July 2022	21 July 2022

Summary of comments:

No objection in principle for the continuation of this use on a permanent basis.  
Concerns regarding opening until 02.00am. A license has recently been granted for events until 01.00am. Extending the hours to 02.00am, even occasionally, raises concerns about the impact on tranquillity levels in the AONB.

Tranquillity is a special quality of the Suffolk Coast & Heaths AONB. The Campaign to Protect Rural England has identified noise as a contributing factor to the loss of tranquillity. In this instance noise sources would be generated by music from the events and from traffic travelling to and from the venues particularly late at night.

Concerns on assumptions in noise report e.g 100 guests and end time 11pm however it is now proposed to be up to 200 in a marquee and end time of 1.00am.

Concern over noise from events in the marquee and from traffic if two events are happening simultaneously.

A noise management plan should be prepared.

Consultee	Date consulted	Date reply received
SCC Coasts And Heaths Project	22 December 2022	24 January 2023

Summary of comments:

The noise assessment has been updated to reflect the larger number of guests i.e. 200 in the marquee. A traffic impact assessment has also been undertaken to determine the cumulative traffic impacts of 330 guests visiting events held simultaneously at Butley Priory and Butley Abbey Farm. Following a review of this information the AONB team accepts that tranquillity levels will unlikely be significantly eroded if this proposal is approved.

The AONB team fully support efforts to reduce traffic levels visiting the site i.e. coaches and it is hoped that the use of the coaches will continue to be encouraged as part of good event management.

The updated noise assessments shows that noise levels will fall within acceptable limits. The AONB team accept that impacts on tranquillity levels are therefore unlikely to be significant. The updated Noise Assessment Report recommends the implementation of several mitigation measures in section 4.2- 4.3. If the LPA is minded to approve this scheme the recommendations in the report should be secured via a condition.

The updated Noise Assessment includes a Noise Management Plan.

The AONB team consider that the following matters should be conditioned as part of any approval granted.

- restrictions on the size of events, type and number of events that can be held at the site annually
- restrictions on time that events should end (this should be consistent with the licencing times)
- restrictions on noise linked to events at the site
- restrictions on the use fireworks and balloons as part of events to conserve tranquillity levels

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	22 December 2022	No response

Summary of comments:

None received

Consultee	Date consulted	Date reply received
SCC Coasts And Heaths Project	16 June 2023	No response

Summary of comments:

None received

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	16 June 2023	14 September 2023

Summary of comments:

Further to the consultation request regarding the above venue, I have the following comment to make:

- The site is in an area with very low background noise, particularly in the evenings.

The introduction of commercial noise to such an area has a significant impact of the character of the area.

- An event held on 5th August was moved from the marquee into the priory itself due to bad weather. I can confirm that no complaints were received on this occasion. I would suggest that, given the character of the area and the low background noise level, outdoor music is not appropriate at this venue. I would welcome continued used of the building for events but with a restriction on outdoor music.

### Reconsultation consultees

Consultee	Date consulted	Date reply received
Butley Parish Council	1 July 2022	22 July 2022

Summary of comments:

The Parish Council have concerns in respect of this planning application, as follows:-

1. The nearest housing is not the one referred and it appears the applicant has totally overlooked the rented /tied property. These people are also residents.

2. There is a duty to monitor the noise and here has to be a protocol that is followed which measures and determines the level of sound.

The protocol should include the measures to be taken in case of a problem.

3. There needs to be cooperation between the management and the local community with regard to traffic flow.

It is also unclear as to how many events will be held at one time and the number of people attending the site.

Traffic and serious highways issues still remain a serious concern.

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	1 July 2022	No response
Summary of comments: None received		

## Publicity

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

Category	Published	Expiry	Publication
Listed Building	5 May 2022	26 May 2022	East Anglian Daily Times

## Site notices

General Site Notice	Reason for site notice: Listed Building Date posted: 18 May 2022 Expiry date: 10 June 2022
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## 5. Planning policy

National Planning Policy Framework 2023

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)

SCLP4.5 - Economic Development in Rural Areas (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

SCLP11.2 - 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)

## 6. Planning Considerations

- 6.1. The site lies within the Countryside, outside of any defined Settlement Boundary as set out in Policy SCLP3.2 (Settlement Hierarchy) of the Local Plan. The Settlement Hierarchy sets

out what level and type of development might be appropriate at different levels within the hierarchy. Within the Countryside, opportunities are more limited however some employment, retail and housing development is permitted where it is in accordance with other policies in the Local Plan. While the proposal does not involve 'employment' (former B1, B2 and B8) uses, it does provide some employment. Policy SCLP4.5 relates to Economic Development in Rural Areas and is generally supportive of small-scale business opportunities where they provide some local employment, subject to there not being any wider landscape, highway or amenity concerns.

### Heritage

- 6.2. Butley Priory is a Grade I Listed Building and therefore the impact of any development on the special character of the building itself, or its setting, is of significant importance.
- 6.3. Previous consents have included a condition in relation to the use of a marquee within the grounds. Originally a marquee was only permitted during July and August (2005) and later this was extended to include June to September (inclusive). Historic England (in response to the subsequently withdrawn application DC/22/1352/LBC) commented that they have no objection in principle to the proposal however would have concerns if the marquee became a permanent feature in the immediate setting of the Priory. It is understood from the applicant that whereas the previous operator of the venue had a marquee on site for the duration of the months it was permitted, the current operator does not own a marquee and any guests who wish to use such a structure must hire this independently. It is also understood that these are usually erected for no more than 48 hours at a time. Given the proposed limitations on the use of marquees for amplified music referred to below and the potential implications on the setting of the Priory if a marquee was erected on a more permanent basis, it is considered that a time limit on the number of days permitted to coincide with the number of events permitted is reasonable.
- 6.4. The Priory, which is listed at Grade I, originated as part of a mediaeval monastery and following the dissolution was adapted over several centuries and contains important work from the 16th, 17th and 18th centuries. It stands within grounds which contained important archaeological evidence of the monastic period, and which make a major contribution to its historic significance. There is no requirement for alterations to the fabric of the building to provide accommodation for guests contained in the application.
- 6.5. The National Planning Policy Framework (NPPF) identifies that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations (paragraph 189). It also sets out the desirability of preserving and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation (paragraph 197). It continues that great weight should be given to the conservation of heritage assets, and the more important the asset, the greater that weight should be, paragraph 199. It states that any harm should require a clear and convincing justification, paragraph 200. Where a proposal would result in harm, this should be weighed against the public benefit the proposal would deliver, paragraph 202. Paragraph 206 states that local planning authorities should look for opportunities for new development within Conservation Areas and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its

significance) should be treated favourably. Restricting the time that a marquee may be erected on site would ensure the setting of the Heritage Asset is safeguarded such that the application meets the requirements of paragraphs 7, 8, 199 and 200 of the NPPF.

- 6.6. Given the Priory building itself is modest in size, relative to its use as an events venue, it is understood why, for some events, additional space within a marquee may be preferred. The marquee therefore contributes to the economic viability of the site, which, in turn, helps to ensure the longer-term conservation of the Heritage Asset. Any harm arising to the setting of the building is therefore outweighed by the heritage benefits. Though the erection of the marquee results in a low level of less than substantial harm to the setting, and hence significance, of the building, this is outweighed by the heritage benefits it accrues.

#### Landscape

- 6.7. The application site lies within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB), a nationally important landscape. While the application does not propose any physical works, there are impacts of the proposed use on the wider landscape.
- 6.8. As Butley Priory has been used as a wedding/events venue over the past 15 years, the AONB team has no objection in principle to the continuation of this use on a more permanent basis. There are, however, concerns in relation to the proposed hours for events. The increased length of events proposed has raised concerns in respect of tranquillity. Tranquillity is a special quality of the Suffolk Coast & Heaths AONB. The Campaign to Protect Rural England has identified noise as a contributing factor to the loss of tranquillity. In this instance noise sources would be generated by music from the events and from traffic travelling to and from the venues, particularly late at night.
- 6.9. Previously events were permitted until 23:30 hours with the exception of New Years Eve. The application was originally submitted seeking an end time of 02.00 for events however a recent license application permits events until 01.00. This applicant has therefore agreed that the proposed end time can match this.
- 6.10. Previously, the permitted number of guests at events at the Priory was restricted to 100. This application has been submitted seeking to increase this to 130 in the Priory and up to 200 within a marquee. Consideration of the impact of this increase in guests, with the potential for additional guests to be on the neighbouring Abbey Farm site (if consented) was considered in the submitted noise report, considering the impact of music as well as noise and disturbance from traffic. The AONB team concluded that tranquillity levels will unlikely be significantly eroded if this proposal is approved however supports efforts to reduce traffic levels visiting the site i.e. coaches. The updated noise assessment shows that noise levels will fall within acceptable limits. Noise mitigation measures are proposed to be conditioned.

#### Residential Amenity

- 6.11. There are no residential dwellings in the immediate vicinity of the site and the closest are within the applicant's ownership. While some of these are rented out to third parties, the occupiers of these are made aware of the existing business operations at the Priory prior to tenancy agreements being signed. There have however been some complaints to the

Council's Environmental Protection Team regarding noise from music at night during the summer of 2022 and 2023. During the summer of 2023 the Council's Environmental Protection Officers visited surrounding properties on a few different occasions and were able to take noise readings from within the gardens of nearby dwellings and from within properties. The results of these were that the levels of noise disturbance were not so significant to result in a statutory noise nuisance, however, concern was raised that amplified music from within the marquee was noticeable, particularly given the low background noise levels in this rural location. There was no concern with regards to amplified music from within the building (given the sound insulation provided by the walls).

- 6.12. The impact of sound from amplified music in the marquee can therefore result in a disturbance to nearby residents. While it is recognised that this is a rural area with low levels of background noise and there would be an impact on the residential amenity enjoyed by some local residents, this impact needs to be considered as part of the wider application. Given the economic benefits of the proposal and the conservation benefits of ensuring the continued use of the Priory building, it is considered that, subject to some controlling conditions regarding the number of events, hours of opening, and the overall time limit on this element of the permission, the impact on residential amenity is not so significant to warrant a reason for refusal on that basis.
- 6.13. The Parish Council has raised concerns that the noise assessment did not assess impacts within the more populated parts of the village. While this is noted, Environmental Protection's monitoring took place at locations closer to the noise source where the impacts from noise would be more noticeable. Given that no statutory noise nuisance was observed at these locations, it follows that this would not be an issue at properties noticeably further away.

#### Ecology

- 6.14. The application site is located in an area of ecological value, with a number of records of protected species and UK Priority species (under Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006)) in the vicinity, along with a number of sites designated for their local, national and international nature conservation importance. The closest of these sites is Water Wood County Wildlife Site (CWS) which is located immediately to the west of the site, the closest European designated site is the Sandlings SPA which is approximately 730m to the west of the application site. The local planning authority is not aware of any previous ecological concerns being raised with the operation of the site, and as the proposal is for a continuation of an existing use (with slight amendments which it is understood reflect the current use of the site), it is not considered likely to result in any significant adverse ecological impacts.

#### Holiday Accommodation

- 6.15. The Priory, as well as being available for events, is also available to hire as self-contained holiday accommodation. It is understood that this use has been operational at the site for some time and is not a new use. The Local Plan is supportive of the provision of accommodation for tourists providing that there are no adverse impacts on the locality, particularly in respect of the natural landscape which is one of the main attractions bringing tourists to the local area. Providing holiday accommodation within existing

buildings is generally supported by the Local Plan and in this case, the holiday accommodation is provided alongside the events use which together help to ensure the longer-term conservation of the Heritage Asset. As the holiday accommodation has not been formally considered as part of the wider use of the site previously, it is considered reasonable to impose an occupancy restriction, mainly in the interests of the protection of residential amenity as permanent residential use alongside the events use would not result in adequate living conditions for future residents.

## **7. Conclusion**

- 7.1. Butley Priory has been running as an events venue for a number of years and while it currently has no valid planning permission, the impacts of the use are known. The continued renewal of earlier permissions and this application indicate that the applicant is operating a successful business from the site and, with the exception of some noise complaints more recently, the local planning authority is unaware of any other complaints relating to its operation.
- 7.2. While the proposal does have impacts in terms of the setting of the Listed Building, the tranquillity of the AONB and residential amenity, it is considered that the proposed controlling conditions limit any adverse impacts to an acceptable level and that the benefit of the business providing and facilitating local employment as well as ensuring the maintenance and upkeep of the Listed Building weigh in favour of the application.

## **8. Recommendation**

- 8.1. Approve, subject to controlling conditions as below.

### **Conditions:**

1. The development hereby permitted shall be carried out in all respects strictly in accordance with Site Plan LP\_10A received 13 October 2023, Noise Report dated 14 June 2023, Noise Management Plan received 29 June 2023, Highways Technical Note received 22 December 2022 and floor plans received 5 April 2022 for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

2. There shall be no amplified music (live or recorded) and/or amplified speech (or singing) on the application site from outside of the Priory building itself after 9.00pm except for on a maximum of 12 occasions per calendar year.

There shall be no amplified music after 9.00pm from outside of the Priory building after seven years from the date of this permission.

Any amplified music from outside of the Priory building itself shall be limited to a maximum of 75dB at source with the exception of the aforementioned 12 occasions per calendar year when amplified music from outside of the Prior must not exceed 95dB.

Reason: In the interest of amenity and protection of the local environment.



3. No events and/or weddings shall be carried out on site other than between the hours of 0900 and 01.00 the following day.

Reason: In the interests of amenity and the protection of the local environment.

4. There shall be no more than 200 persons attending any wedding and/or event on the application site for seven years from the date of this permission. After seven years from the date of this permission, there shall be no more than 100 persons attending any wedding and/or event on the application site.

Reason: In the interests of amenity and the protection of the local environment to also consider the cumulative impact of events at neighbouring Butley Abbey farm.

5. There shall be a maximum of one event marquee on the site at any one time for a maximum of 84 days in any calendar year. The site owners shall keep a log of all dates a marquee is erected on site which shall be made available to the local planning authority on request.

Reason: In the interests of amenity and the preservation of the setting of the Listed Building.

6. All event management to be carried out in accordance with the Noise Management Plan received 29 June 2023.

Reason: In the interest of amenity and protection of the local environment.

7. The only residential occupation of Butley Priory shall be for holiday letting accommodation and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987). The duration of occupation by any one person, or persons, of the holiday home shall not exceed a period of 56 days in total in any one calendar year, unless the Local Planning Authority agrees in writing to any variation.

The owners/operators of the holiday units hereby permitted shall maintain an up-to-date Register of all lettings, which shall include the names and addresses of all those persons occupying the units during each individual letting. The said Register shall be made available at all reasonable times to the Local Planning Authority.

Reason: To ensure that the development is occupied only as bona-fide holiday accommodation, having regard to the tourism objectives of the Local Plan and in the interests of residential amenity.

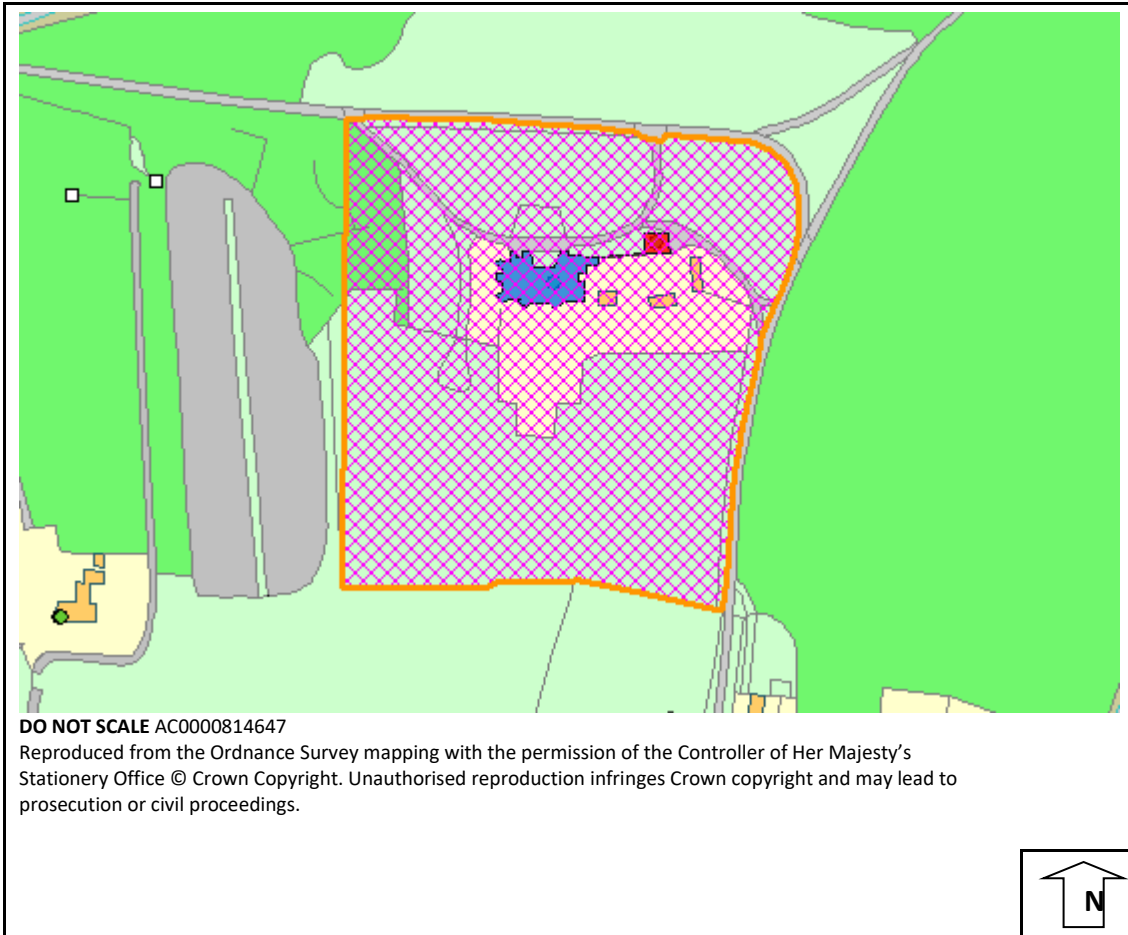
#### **Informatives:**

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.





#### **Background information**

See application reference DC/22/1351/FUL on [Public Access](#)

## Map



## Key

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



## Committee Report

**Planning Committee South** – 28 November 2023

**Application no** DC/20/5260/FUL

**Location**

Butley Abbey Farm  
Abbey Farm Lane  
Butley  
Suffolk  
IP12 3NP

**Expiry date** 4 March 2021

**Application type** Full Application

**Applicant** Greenwell Farms

**Parish** Butley

**Proposal** Phased redevelopment of Redundant Agricultural Buildings to 3no. Holiday Lets, Events Centre, Manager's Accommodation & Office Accommodation. Includes erection of 1no. Holiday Let & erection of Cartlodge & Store infill. Repairs and alterations to existing buildings. Construction of ancillary car parking for all uses & footpath connections to Butley Priory.

**Case Officer** Rachel Smith  
07887 452719  
[rachel.smith@eastsoffolk.gov.uk](mailto:rachel.smith@eastsoffolk.gov.uk)

## **1. Summary**

- 1.1. The application site is located in the countryside within the Parish of Butley and the Suffolk Coast and Heaths Area of Outstanding Natural Beauty. The proposal involves the conversion of a number of farm buildings at Butley Abbey Farm to be used as an events venue and holiday accommodation in connection with the existing venue at Butley Priory to the north of the application site. An associated Listed Building Consent application is also being considered (DC/20/5261/LBC) as well as an application relating to the use of Butley Priory as an events venue following the expiration of previous planning permissions (DC/22/1351/FUL).
- 1.2. The application is being presented to Planning Committee South for determination at the request of the Head of Planning and Coastal Management given the local interest in the application and the scale of development relative to its location. The Parish Council and Ward Member also object to the application.
- 1.3. The proposal would result in the re-use of a number of redundant farm buildings, including Listed Buildings. The re-use of these buildings would help to ensure their maintenance and management into the future which has a conservation benefit, alongside the economic benefit of the proposed business. Overall, the benefits of the scheme are considered to outweigh the disbenefits which consist of the impact on the landscape and the qualities of the Area of Outstanding Natural Beauty. The application is therefore recommended for approval, subject to controlling conditions.

## **2. Site Description**

- 2.1. The application site is located in the Countryside within the Parish of Butley, to the south of the core of the village. It is also located within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB). The site is accessed via an existing farm track off Church Road which serves a mix of agricultural buildings, both modern and traditional, and residential dwellings. There are two pairs of semi-detached dwellings to the north of the access track which are outside of the site boundary, as is the Grade II Listed Butley Abbey Farmhouse which is located adjacent to the south of the application site. In between these properties are a number of agricultural buildings including stores, former stables and piggeries. The refectory barn towards the eastern side of the group is also individually Listed as Grade II in addition to a further barn forming the northern part of the courtyard buildings. Other historic buildings on the site are considered to be curtilage listed.
- 2.2. The application site lies to the south of Butley Priory itself which is an established events location and is owned by the applicant of this proposal. It is proposed that the application site is used in conjunction with Butley Priory.

## **3. Proposal**

- 3.1. The application proposes the redevelopment of redundant agricultural buildings to provide an events centre, holiday lets, manager's accommodation and an office. A number of more modern agricultural buildings would be demolished to enable the complete redevelopment of the site. A sunken car park would be provided to the eastern side of the site, close to the highway access. A footpath link is provided to the north of the site to link it with Butley Priory.

- 3.2. The overall proposal includes the following:
- Conversion of refectory barns and attached piggery buildings to an events centre, to include catering area.
  - Demolition of later addition to refectory barn and piggeries.
  - Conversion of 2no. outbuildings to form 3no. holiday let accommodation.
  - Demolition of 1no. outbuilding and replacement with single storey contemporary building for 1no. holiday let accommodation.
  - Demolition of 2 no. modern agricultural buildings.
  - Rebuild of infill element of cartlodge to provide additional parking, store and holiday let accommodation.
  - Provision of a sunken parking area to the east of the site.
  - Demolition of modern Dutch barn to form parking area.
  - Partial conversion of east end of stables to office accommodation to support the events centre and holiday lets.
  - Conversion of two storey element of stables for manager's accommodation for the running of the site.
  - New footpath links to Butley Priory.
- 3.3. The application (and the associated Listed Building Consent application) also includes repairs and alterations to existing buildings to facilitate the conversions.
- 3.4. Note: Any references within comments received to the addition of two dwellings (one pair of semi-detached properties) relates to an element of the proposal which was originally included within the application, but which has since been removed.

#### **4. Consultees**

##### **Third Party Representations**

- 4.1. 14 letters from third parties have been received on the application. 10 of these object to the proposals and 4 are made in support.
- 4.2. The objections raise the following points:
- Noise pollution from vehicles accessing the site, large numbers of people on the site and from music associated with such events.
  - It would harm tranquillity of the AONB.
  - It would have an unacceptable impact on local communities.
  - Increased use and disturbance would adversely affect wildlife.
  - Proposals would result in light pollution, detrimental to the dark skies of the AONB.
  - Existing rural road network is not sufficient to cope with increased vehicular movements and would result in a danger to highway users, particularly pedestrians and cyclists.
  - More renewable energy provision should be included.
- 4.3. The letters of support give the following reasons:
- Will bring attractive, historic buildings back to life through restoration.
  - Will provide employment locally.
  - It would be a sustainable agricultural diversification project.
  - There would be no significant additional impact in addition to the existing venue.
  - It would increase public access to historic buildings.

- It would provide excellent facilities for holiday lets and events.
- Infrastructure for events is already in place and expansion would enhance the venue.
- Maintenance and preservation of the buildings is important.

### Parish/Town Council

Consultee	Date consulted	Date reply received
Butley Parish Council	12 January 2021	11 February 2021
<p>Summary of comments:</p> <p>I confirm the Parish Council held an Extraordinary Parish Council meeting on Thursday 4th February 2021 to consider the above-mentioned Planning Applications. I am writing to confirm the Parish Council CANNOT SUPPORT the applications submitted for the development of the Abbey Farm due to the following reasons:- Noise/Sound Pollution, Traffic Safety, Light Pollution and Habitat.</p> <p>The size of the car park and facilities with all the flow of traffic also seems disproportionate to the idea of peace and quiet in an AONB.</p> <p><b>Noise</b> There appears to be inadequate/no controls over the site in terms of Noise, Sound &amp; Light Pollution. Before any serious consideration can be given to the plans the Parish Council would need to see a computerised model of how the music/sound generated would project itself onto the surrounding countryside to prevent significant sound problems for the villages of Butley, Capel and Boyton. An analysis of the light pollution based on occupation of all elements of the plan, not just the events centre but also associated buildings and the car park.</p> <p><b>Traffic Safety</b> The Parish Council wish to highlight that during the summer months the local roads can have up to 70 tractors a day (surveyed 2020) plus other large agricultural and ancillary vehicles passing the proposed entrance – currently one of a few passing places along this stretch of road. A proper traffic survey needs to be carried out which shows how the arrival of over 100 cars over a short period of time would be accommodated, as the volume of event traffic from staff, caterers, musicians, florists etc, as well as guests, is not suitable for these small roads. The Parish Council note that SCC Highways have objected to the applications as there was not 4 metres of passing available. The preferred access for traffic is the lower end of Clumps Road which is a single track of less than 3 metres with minimal passing places meaning cars having to reverse to allow passing. This would cause a lot of damage to the verges and bring more mud onto the road.</p> <p>Whilst event traffic will mostly be going in the same direction on entry and later exit, that does not take into account local residents using the same road or the farming activities at the junction just next to Butley Priory. There are no footpaths along this road which is used regularly by walkers and cyclists.</p>		

Should any system of one-way traffic include using the entrance by the Gatehouse as part of the system? This would certainly be a safer route for entry and minimise the problems on the Abbey Farm corner for exit.

It should be noted that most guests will not be local and will be unused to very narrow lanes with potentially large farm equipment in the middle of the road.

Signage should be put in place to ensure traffic does not go along the Quiet Lane in error.

#### Habitat

A proper Habitats Assessment must be carried out to preserve the local species (Bats, Swallows etc.).

#### Local Economy

The Parish Council note there is no local benefit to the local economy except for occasional cleaning and catering jobs, whilst increasing the carbon footprint massively.

#### Layout, Density, Design/Appearance, Character

There will be a significant increase in the carbon footprint of the area, with many more car movements in what is an AONB.

Any residents already renting properties at the site and who are displaced as a consequence of this development will struggle to find replacement local rented accommodation.

Actions the Parish Council would require to see before seriously considering the development are as follows:-

- Definition of the number of events in any given year. Weddings, corporate events and parties to be given as a total figure. The use of the two sites (events centre and the Gatehouse to be consolidated.)
- Restrictions on timing of all events including licensing and music.
- Noise restrictions in terms of decibels, direction, timing and location, based on the feedback from the computerised sound model which is to be provided.
- A proper traffic survey as to how hundreds of cars are going to arrive and leave along the lanes around the Abbey as well as the ancillary lorries needed for the catering and entertainment sector.
- Adequate solution to the access and egress of the site and the location of all guests and ancillary transport providing catering, catering staff and equipment.
- Adequate solution for the approach to the site by this traffic. At present the suggestion is along The Clumps which is not more than 3 metres wide in places, while Highways consider 4 metres inadequate on the site itself!!
- Construction of a minimum of 3 passing bays on The Clumps is imperative for any solution using this lane.
- Restrictions on the use of fireworks and balloons as part of events given the closeness to forested areas.
- Adequate habitat protection measures for wildlife, especially bats and swallows. Habitat protection needs to be defined in terms of measures to be carried out and who would monitor these.
- The 2 new infill buildings should be designated as affordable.

I trust that you will take the above comments into consideration

Consultee	Date consulted	Date reply received
Butley Parish Council	1 July 2022	22 July 2022
<p>Summary of comments:</p> <p>The Parish Council still continue to Object to this application on the grounds previously sent. They would like the applicants to confirm if they envisage the whole site (Gatehouse and Abbey Farm) being used for one wedding, or if they think there will be two weddings/parties running at the same time - one in the Gatehouse and one at the Farm.</p> <p>Serious concerns are still being raised locally regarding noise and traffic at the site.</p> <p>I trust the above comments will be taken into consideration.</p>		

Consultee	Date consulted	Date reply received
Boyton Parish Council	N/A	10 February 2021
<p>Summary of comments:</p> <p>Boyton Parish Council held an extraordinary meeting to consider planning application DC/20/5260/FUL at Butley Abbey Farm. All members of the public present at this meeting who expressed an opinion were in objection to the development. As a result, the Parish Council also voted to object to the planning application. We explain the material considerations leading us to this objection below. Essentially, we feel the development of a large events centre is out of keeping with this quiet, rural AONB, will have unacceptable impacts upon local communities and wildlife, and so should not be approved. In case it should be deemed essential that the application be approved, we have also detailed a number of conditions that may mitigate these issues. To be clear, we are supportive of attempts to retain and revitalise historic buildings in this area, for example as housing, holiday lets, or offices. Our concerns are instead regarding the proposed events centre, specifically:</p> <ol style="list-style-type: none"> <li>1. Noise and light. These are inevitable impacts from any events centre in a quiet, dark rural area (particularly an AONB). Boyton residents and the area's wildlife are already impacted by the events held at Butley Priory (further from Boyton than the proposed events centre), which can be very clearly heard in summer – until late in the evenings at times. The proposed events centre includes a courtyard marked for outside weddings. While surrounded on three sides, the other side is partially open to the south, in the direction of our village. Regardless of any restrictions upon noise, this will inevitably have an impact on our village and the intervening countryside.</li> <li>2. Traffic. We note that the Local Plan states "the Local Plan has a role to ensure that farm diversification does not have an adverse impact on nearby villages or the local road network through traffic generation and parking arrangements in rural areas" (Para 4.41) and the related Policy SCLP4.7 states that proposals for farm diversification will be supported where "...The proposal does not compromise highway safety to the local road network or free flow of traffic..." At the same time, the Highway Authority have stated that in rural areas they will only comment on safety issues in relation to the NPPF, because there "is not a defined methodology for assessing the capacity of the rural road network". As such, the practice of the Highway Authority is to not comment on traffic issues in rural areas unless they directly relate to safety. We believe there to</li> </ol>		



be both traffic and road safety issues related to this application. The addition of 113 parking spaces in this development suggests a venue with a considerably higher capacity than the 150 people which have been publicly stated. Regardless, the addition of 113 vehicles to the small country roads of the area will cause significant traffic congestion issues, and thus reduce road safety. Many roads near the venue are actually or essentially single-track roads, already busy with local and farm traffic, and near or at capacity. In summer, when the events centre is expected to be most popular, road capacity is put under even more pressure from local and national tourists. It is unlikely that traffic pressures from the events centre will be localized – the aim is for visitors to stay in on-site accommodation, before/after which they will likely explore local attractions, such as the increasingly popular Boyton Marshes. This poses specific safety concerns, since (a) key roads between the events centre and Boyton are currently or proposed Quiet Lanes, popular with walkers and cyclists, and (b) Boyton itself is an extended village along a narrow, single track road along which people regularly walk.

Should it be deemed essential that the application is approved, we request a number of conditions which could help to mitigate impacts, namely (not in a specific order): i. Restricting events to one per week. We do not feel this would be onerous, given that this is the maximum likely viable in any case for a primarily wedding-focused venue. ii. Requiring events to take place only at Butley Priory or Butley Abbey Farm each week, not at both venues (i.e., a maximum of one event each week across the two venues). iii. Restricting the maximum size of such events to 150 attendees, as stated publicly by the applicant. In combination with the above two conditions, this would still result in a 50% rise in attendee volume. iv. Banning the use of outdoor marquees and outdoor music at Butley Priory and Butley Abbey Farm. Such a measure, if fully implemented across both venues, may even result in a net benefit to current noise levels. We understand from the applicant that he would support such a measure. v. Restricting the timing of events, particularly music, into the evening (e.g., to finish by 11pm/midnight on Friday/Saturday, and earlier on weekdays). vi. Requiring measures to limit noise leakage from the events centre, including self-closing doors, internal air conditioning, and speakers facing away from the adjoining courtyard. vii. Reducing the current planned number of car parking spaces to a number more appropriate for a venue intended for 150 people. Most wedding attendee vehicles are multiple occupancy, and this should only be further encouraged to reduce local traffic/road safety impacts and broader climate change impacts. viii. Careful low lighting, directed inwards and downwards. ix. Banning fireworks and floating (e.g., helium-filled) balloons from events at Butley Priory and Butley Abbey Farm.

### Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	12 January 2021	3 February 2021
<p>Summary of comments:</p> <p>SCC as LHA recommends a holding refusal until such time as the development proposals are successfully amended to include the necessary improvements, to the highway access and egress arrangements, that are required to safely accommodate the intensification of use likely to result from the development.</p> <p>The highway access/egress improvements would be expected to address:</p>		

- that the roadway to/from the sunken car park area scales at only 4.0m width, which is not enough for two vehicles to safely manoeuvre past each other. An exiting vehicle would baulk an entering vehicle with the resulting obstruction and/or manoeuvring likely to result in an unacceptable safety impact on the adjacent public highway;
- that the roadway (Abbey Farm Lane) that leads past the existing cart lodge scales at only 3.2m, again not enough width for two vehicles to pass with a similar impact on highway safety; and
- the potential for conflict between traffic meeting at the junction of the two access roadways (which again would be likely to lead to an unacceptable impact on highway safety).

Having separate IN and OUT access/egress points for the sunken car park area might contribute to a successful reduction in the potential for traffic conflict resulting from the intensification of use from the development.

Note: Abbey Farm Lane is a private road and Hollesley Road is a classified road maintainable at public expense.

### Non statutory consultees

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	12 January 2021	21 January 2021

#### Summary of comments:

Given the high potential, the age (1930s) of previous investigation and the proposed development area within the site of the Abbey itself, I recommend that, in order to establish the full archaeological implications of this area and the suitability of the site for the development, the applicant should be required to provide for an archaeological evaluation (targeted trenching) of the site prior to the determination of any planning application submitted for this site, to allow for preservation in situ of any features of national importance that might be defined (and which are still currently unknown).

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	12 January 2021	1 February 2021

#### Summary of comments:

Comments included in report.

Consultee	Date consulted	Date reply received
SCC Coasts And Heaths Project	N/A	3 February 2021

#### Summary of comments:

The site is located wholly within the Suffolk Coast & Heaths Area of Outstanding Natural Beauty (AONB), a nationally designated landscape. The proposal should have regard to paragraphs 170 and 172 of the National Planning Policy Framework.

The proposal has the potential to deliver benefits but also raises issues of concern for the AONB team. In terms of benefits, the restoration of many of the existing buildings forming the Butley Abbey Farm complex will result in visual enhancements within the AONB which is supported by the AONB Management Plan 2018-2023. The materials palette selected for the restoration of the former piggeries, stables, cartlodge and the Grade II listed Reredorter Barn seems to be appropriate.

Restoration proposals for the thatched Reredorter Barn includes the inclusion of a relatively large glazed link on the northern elevation towards the western end of the barn. The LPA should be satisfied that this will not result in significant light spillage into the surrounding AONB.

Part of the scheme involves the conversion of the thatched Reredorter Barn for use as an events centre. Impacts from lighting and noise arising from such events could significantly impact on the highly tranquil nature of this part of the AONB.

This response is a holding objection but if the Local Planning Authority are minded to approve the scheme we suggest the following conditions:

- restrictions on the size, type and number of events
- restrictions on noise linked to events at the site
- restrictions on the use fireworks and balloons as part of events
- requirement for a detailed hard and soft landscape scheme
- requirements for a detailed lighting scheme
- ecological enhancements in accordance with the submitted Ecology Report

Consultee	Date consulted	Date reply received
East Suffolk Ecology	4 February 2021	24 February 2021
Summary of comments: Comments included in report		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	4 February 2021	23 February 2021
Summary of comments: Comments included in report		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	4 February 2021	23 February 2021
Summary of comments:		

No objection in principle to the application as stated however the development as described has the potential to cause nuisance in terms of noise and this will need to be addressed. Whilst the priory and events marquee to the front are not subject to this application there is a clear relationship between this development and the current permitted uses of the site which should be considered.

Noise

The events centre that is the subject of this application has the potential to cause noise nuisance through its use. The applicant should undertake a noise impact assessment to consider the uses of the premises, their potential to cause impact and any mitigation measures that may be necessary, it would be prudent to undertake this as part of the detailed design stage so that any mitigation required can be designed into the structures.

Noise from events has the potential to cause nuisance and one of the primary and most effective ways of controlling noise from events is through effective management of those events, I would request that once the noise impact assessment is undertaken it is used to inform the production of a wider noise management plan to be used by the applicant as a basis to prevent nuisance. This noise management plan should consider all aspects of noise on site including where applicable but not restricted to hours of use/noisy activities, frequency of events, indoor amplified music, outdoor music, fireworks and general use of/movement around and entering and leaving the site. It would be prudent for the applicant to consider the site as a whole including areas not subject to this application, but I am unable to require this.

Consultee	Date consulted	Date reply received
Ward Councillor	N/A	11 February 2021

Summary of comments:

CLlr James Mallinder

First I would like to confirm my support for the position of Butley Parish council. They called an extraordinary planning meeting to discuss this application, which was well attended by the parish. Thus their conclusions are well considered and have taken into account the views of all attendees.

When supporting or objecting to any application I must always respond to the needs and impact of the local community . Reuse of farm buildings, local employment and a number of environmentally positive infrastructure and design elements should clearly be highlighted and are a credit to these designs. However the size of such a development is a concern to not only local residents but also its place in the local environment.

Butley Abbey Farm is situation in the middle of the AONB in a rural isolated location with no infrastructure near by. An area that needs special protection to maintain its unique position in our environment and the corresponding biodiversity . Roads are narrow with some damage due to large farming equipment along with substantial flooding concerns , via Capel St Andrew and Butley. The proximity to Butley river and Rendlesham forest cause additional concerns for further disturbance. Clearly the number of carparking spaces, with the majority of visitors arriving and leaving at the same time is not acceptable due to safety concerns - an issue highways response

also highlighted. In the running of such avenue there are legitimate concerns of further light and noise pollution not only disturbing wildlife but will have a negative impact to residents nearby in private and rented accommodation as well as the village of Butley.

Wedding and event venues often erect marquees and with covid restrictions and smoking outside there are considerable fear events will certainly have an outside element again causing corresponding issues. Our local plan clearly has a clear a dark sky policy and this application will need to meet this policy. Although there are positives to this application, to fully support I require a reduction in the size and a number of conditions - to limit number of events per week, hours of usage and a restriction in outside events from music to not allowing the use of any fireworks, bonfires or sky lanterns.

### Reconsultation consultees

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	15 July 2021	23 July 2021
<p>Summary of comments:</p> <p>Previous recommendation remains unchanged. Trial trenching in advance of determination has taken place. Awaiting reporting that will enable an informed recommendation.</p>		

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	22 September 2021	23 September 2021
<p>Summary of comments:</p> <p>This large site has very high archaeological potential. The farm is built directly on the site of the former Augustinian Abbey (BUT 002) which at the height of its prosperity in the 1320s was the second wealthiest monastic house in East Anglia. Pre-determination evaluation was carried out on the recommendation of SCCAS.</p> <p>As a result, there is high potential for the discovery of below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.</p> <p>There are no grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets. However, in accordance with the National Planning Policy Framework (Paragraph 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.</p>		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	16 July 2021	3 August 2021
Summary of comments: Comments included in report		

Consultee	Date consulted	Date reply received
SCC Highways Department	16 July 2021	29 September 2021

Summary of comments:

Recommend permission be refused for the following reasons:  
Some previous comments have been addressed.  
The car park access is still very close the junction of Church Road and should be set back 15m from the junction.  
Visibility splays have not been clearly shown on the plan, and due to the intensification and change of user type of this part of the access, they are required in order to assess whether they are suitable.

Has a transport assessment or transport statement been submitted to assess whether there are any extra trips on the highway network, and any impact assessed and mitigated for? What are the opportunities for sustainable transport modes and is there more cycle parking provision proposed that for the holidays lets? for staff and visitors?

Before the objection can be removed, the following should be addressed and accepted by the LPA and HA in order for us to assess the compliance to NPPF paragraphs 110b & 111,

- Transport assessment/statement on highway impact.
- Visibility splays for access(es) due to intensification.
- Relocated junction access to allow safe turning movements from the main road (Church Road).

Consultee	Date consulted	Date reply received
SCC Highways Department	27 January 2022	24 February 2022

Summary of comments:

Removal of holding objection. Now recommends a number of conditions.

Consultee	Date consulted	Date reply received
SCC Highways Department	17 January 2023	21 February 2023

Summary of comments:

With the additional information contained with the technical note 2001-421/TN01 dated 21 January 2022. and technical note dated 13th December 2022, my holding objections have been mitigated with the below conditions.

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	22 September 2021	19 October 2021

Summary of comments:

The noise report reference 2120235 suggests that an acceptable noise level at nearby receptors can be achieved with appropriate mitigation and design of the barn. At this stage, recommendations have been made but the exact measures to achieve this have not been included. Suggest condition which ensures that appropriate measures to mitigate any noise impacts are required.

Consultee	Date consulted	Date reply received
Environmental Protection	1 July 2022	14 July 2022

Summary of comments:

Concern over errors in noise assessment and therefore they cannot be accepted as they stand.

Consultee	Date consulted	Date reply received
AONB Unit	1 July 2022	21 July 2022

Summary of comments:

The proposal has the potential to deliver benefits but also raises issues of concern for the AONB team.

In terms of benefits, the restoration of many of the existing buildings forming the Butley Abbey Farm complex i.e., redundant barns, piggeries and stables and the demolition of modern redundant agricultural buildings will result in visual enhancements within the AONB which is supported by the Suffolk Coast & Heaths AONB Management Plan 2018-2023. The materials palette selected for the restoration of the former piggeries, stables, cartlodge and the Grade II listed Reredorter Barn are considered appropriate. Restoration proposals for the thatched Reredorter Barn includes the inclusion of a relatively large glazed link on the northern elevation towards the western end of the barn. The LPA should be satisfied that this is appropriate from a heritage perspective.

It is proposed to use the converted thatched Reredorter Barn as an events centre. The events centre is proposed for use for weddings and corporate events. A potential conflict arises between the use of the barn for large scale events and impacts on the nationally designated landscape. Potential impacts from noise from music and traffic could significantly impact on the highly tranquil nature of this part of the AONB and the surrounding countryside.

The AONB team is satisfied that noise from events in the barn at this site are unlikely to significantly impact on tranquillity levels. Should two events run simultaneously the use of the marquee at the Priory site should be restricted to help protect amenity and tranquillity levels.

The AONB team’s concerns about loss of tranquillity linked to increased traffic remains a concern. The AONB team has concerns about the cumulative impacts of traffic from these proposals on the local highway network and on tranquillity levels in the AONB around Butley and the surrounding area.

One potential way to mitigate cumulative traffic impacts would be to limit by condition the number of days that events could be held simultaneously at Butley Abbey Farm and Butley Priory throughout the year.

If the Local Planning Authority is minded to approve the above scheme, the AONB team consider that the following matters need should be conditioned:

- restrictions on the size of events, type and number of events that can be held at the site annually
- restrictions on time that events should end
- restrictions on noise linked to events at the site
- restrictions on the use fireworks and balloons as part of events
- requirement for a detailed hard and soft landscape scheme
- requirements for a detailed lighting scheme
- ecological enhancements in accordance with the Ecology Report dated March 2021.

Consultee	Date consulted	Date reply received
AONB	17 January 2023	24 January 2023

Summary of comments:

The noise assessment has been updated to reflect the larger number of guests i.e. 200 in the marquee. A traffic impact assessment has also been undertaken to determine the cumulative traffic impacts of 330 guests visiting events held simultaneously at Butley Priory and Butley Abbey Farm. Following a review of this information the AONB team accepts that tranquillity levels will unlikely be significantly eroded if this proposal is approved.

The AONB team fully support efforts to reduce traffic levels visiting the site i.e. coaches and it is hoped that the use of the coaches will continue to be encouraged as part of good event management. The updated noise assessments shows that cumulative noise levels will fall within acceptable limits. The AONB team accept that impacts on tranquillity levels are therefore unlikely to be significant.



The updated Noise Assessment Report recommends the implementation of several mitigation measures in section 4.2- 4.3. If the LPA is minded to approve this scheme the recommendations in the report should be secured via a condition and implemented in full to conserve tranquillity levels in the Suffolk Coast Heaths. The updated Noise Assessment includes a Noise Management Plan. While this is helpful, your LPA should be satisfied that no further specific measures are needed to control noise, given the sensitivity and tranquillity of the AONB in which the site sits.

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	22 September 2021	
Summary of comments:		
Comments made in relation to DC/20/5261/LBC are included in the report.		

## Publicity

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

Category	Published	Expiry	Publication
Listed Building	14 January 2021	4 February 2021	East Anglian Daily Times

## Site notices

General Site Notice	Reason for site notice: Listed Building Date posted: 22 January 2021 Expiry date: 12 February 2021
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## 5. Planning policy

National Planning Policy Framework 2023

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)

SCLP4.5 - Economic Development in Rural Areas (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP4.6 - Conversion and Replacement of Rural Buildings for Employment Use (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP4.7 - Farm Diversification (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP5.3 – Housing Development in the Countryside (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP5.5 – Conversion of Buildings in the Countryside for Housing (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP6.1 - Tourism (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP6.3 - Tourism Development within the AONB and Heritage Coast (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP6.5 - New Tourist Accommodation (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)

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)

Historic Environment Supplementary Planning Document (June 2021)

## 6. Planning Considerations

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise. The development plan in this case is the Suffolk Coastal Local Plan 2020 which was adopted on 23 September 2020. There is no 'made' Neighbourhood Plan for Butley.
- 6.2. As the application includes a number of different elements as part of the wider redevelopment of the site, there are a number of relevant planning policies that need to be considered in relation to the acceptability of the principle of the development. While different policies relate to different parts of the scheme, there is also a need to consider these in a more holistic approach given the plan for the site as a whole.
- 6.3. In relation to the Settlement Hierarchy, the site is located in the Countryside. SCLP3.2 sets out that "the development requirements in the Countryside will come forward through Neighbourhood Plans and windfall sites in accordance with other policies in this Local Plan." Table 3.4 of the Local Plan sets out what level of development may be suitable for areas within each level of the hierarchy. In the case of 'Countryside', this is as follows:

### Employment

Conversion and replacement of rural buildings for employment uses (Policy SCLP4.6)

Farm diversification (Policy SCLP4.7)

Development within existing Employment Areas (Policy SCLP4.1)

New employment uses where need is demonstrated (Policy SCLP4.2)

### Retail

Protection of local shops (Policy SCLP4.12)

### Housing

New housing within clusters of existing dwellings (Policy SCLP5.4)

Affordable housing on exception sites (Policy SCLP5.11)

Conversions of agricultural buildings / replacement dwellings (Policy SCLP5.3)

Rural workers' dwellings (Policy SCLP5.6)

- 6.4. Part 4 of the Local Plan is related to the Economy. Economic Growth is a key aim of the Council and the Local Plan aims to support this, enabling economic investment into the area and enabling businesses to establish, thrive and expand. When referring to employment sites and employment uses in this part of the Local Plan, this is generally referring to the (former) use classes B1, B2 and B8. While the application proposal would result in some employment opportunities, and, for example, does include a small office area (former B1 use), the overall use of the site is not an 'employment' site. Therefore, while elements of these policies may be relevant and useful to understand their aims and objectives in a broader sense, they are not directly related to the proposal (such as SCLP4.2 New Employment Development).
- 6.5. Policy SCLP4.5 relates to Economic Development in Rural Areas more generally. This supports proposals that "grow and diversify the rural economy, particularly where this will secure employment locally, enable agricultural growth and diversification and other land based rural businesses". The policy requires such proposals to comply with the following:

"a) They accord with the vision of any relevant Neighbourhood Plan in the area;  
 b) The scale of the enterprises accords with the Settlement Hierarchy;  
 c) The design and construction avoids, or adequately mitigates, any adverse impact on the character of the surrounding area and landscape, the AONB and its setting or the natural or historic environment;  
 d) Small scale agricultural diversification schemes make good use of previously developed land; and  
 e) The proposed use is compatible with the surrounding employment uses in terms of car parking, access, noise, odour and other amenity concerns."  
 It also states that "Proposals will be expected to provide additional community, cultural or tourism benefits where opportunities exist."

- 6.6. In relation to this application, there is no Neighbourhood Plan in place for Butley. The scale of the development, its design and visual impact on the local area and the wider impact on the character and appearance of the AONB and farm diversification are discussed further below in relation to other, more specific policies on those matters. There are no other employment uses surrounding the site however access, noise and other amenity/environmental considerations are also discussed further. The inclusion of the restoration of listed buildings, provision of an events space and holiday accommodation are all also supported in principle by this policy.
- 6.7. SCLP4.6 relates to the conversion of rural buildings to employment use. As mentioned above, although the use proposed is not considered to be an 'employment' (former 'B' class) use, it will provide some employment and the principles of what is acceptable through conversion is also broadly relevant. Such proposals are acceptable where:  
 "a) The business use is of a scale and character that is appropriate to its location in accordance with the Settlement Hierarchy;  
 b) The proposal does not have an unacceptable impact on highway safety, local roads or the living conditions of local residents and exploits opportunities to make the location more sustainable by walking, cycling or public transport;  
 c) The proposal would not conflict with neighbouring uses;  
 d) The proposal is complementary to the setting of any historic or architecturally important buildings and reflects the form and character of the existing buildings; and  
 e) The design and construction avoids, or adequately mitigates, any adverse impact on the character of the surrounding landscape, the AONB and its setting, or the natural or historic environment."
- 6.8. These requirements are all detailed later in this report however, in principle, the policy supports such uses through conversion.
- 6.9. Policy SCLP4.7 relates to farm diversification. Although there is mention within the application, and within comments received in response to the application, it is not a farm diversification project. Although the buildings are former agricultural buildings and the site and wider area has been used for agricultural purposes (and still is in relation to some areas), a true farm diversification proposal to which this policy relates is where a proposal is designed to support the continued viability of the farm. This is not the case in this instance and therefore this policy is not relevant.

## Housing

- 6.10. The application proposes one unit of manager accommodation. While generally new housing should be located within defined Settlement Boundaries (SCLP3.3), Policy SCLP5.3 sets out some exceptions to this general rule where housing in the Countryside may be acceptable. This includes, among others, "e) Conversion of an existing building (in accordance with Policy SCLP5.5)". As the proposed manager's accommodation would be accommodated within part of the existing stable building to the north west of the site, Policy SCLP5.5 is most relevant in this case.
- 6.11. Policy SCLP5.5 relates to the conversion of redundant buildings in the countryside for housing. To be acceptable, it requires that the following criteria are met:  
"a) The building is redundant;  
b) The building provides a positive contribution to the landscape;  
c) The conversion does not require significant alteration;  
d) The design maintains or enhances the structure, form and character of the rural building;  
e) The design of the conversion, including any necessary works to the curtilage, does not have a harmful effect on the character of the landscape;  
f) Any impacts on the natural environment are adequately mitigated for;  
g) The conversion enhances the immediate setting of the area; and  
h) The site is served by an appropriate existing access."
- 6.12. The stable building is currently redundant and a curtilage listed building. While not of the same historical interest as a number of the other buildings and structures on and around the site, it is valued as part of the group. It is therefore considered to make a positive contribution to the landscape. The design of the accommodation is considered acceptable (as detailed below) and would, as part of the wider site redevelopment, enhance the immediate area (as detailed in the landscape considerations below). While a use such as this may not meet a functional need for manager's accommodation on site, given it is considered that the proposal is in compliance with SCLP5.5, there are no objections in this instance. While Policy SCLP5.5 does not require the occupancy of dwellings permitted under this policy to be restricted, in this case, it is described as being manager's accommodation and given its location within the wider site, without its own private curtilage detailed and in close proximity to the business/events use, it is considered appropriate to limit its occupation in the interests of residential amenity.

## Tourism

- 6.13. The Local Plan is generally supportive of tourism given the economic benefits that it can bring to the area. It recognises that the area succeeds in attracting visitors for a variety of reasons, but the character and appeal of its landscapes, villages and market towns is of fundamental importance. Therefore, it is also important that development does not detract from these qualities. In this instance, the character and appearance of the listed buildings (and their setting) on and near the site are of importance, as is the wider AONB landscape. The use of the wider site as an events venue will likely bring in visitors to the area and in addition the proposal includes the provision of four units of holiday accommodation. While it is not known exactly how the holiday accommodation will be managed and its main use is likely to be in conjunction with events at the site or at the

neighbouring Butley Priory, it provides the opportunity to also be let out to private individuals.

- 6.14. SCLP6.3 relates to Tourism Development within the AONB. This policy is supportive of such development where it:
- "a) Enhances the long term sustainability of the area;
  - b) Is of a scale and extent that does not have a significant adverse impact on the primary purpose of the AONB designation;
  - c) Is well related to existing settlements and / or supporting facilities;
  - d) Avoids, prevents or mitigates for adverse impacts on the natural environment;
  - e) Supports the conservation and enhancement of the natural beauty and special qualities of the AONB and its setting;
  - f) Is of the highest design standards and where appropriate reuses existing buildings;
  - g) Promotes innovative, contemporary design in appropriate locations;
  - h) Minimises light pollution from artificial light sources and ensures the retention of dark skies;
  - i) Avoids locations sensitive to the exposed nature of the AONB and Heritage Coast; and
  - j) Demonstrates sustainable aspects of the development during construction and throughout the life of the development. Renewable energy provision is strongly encouraged."
- 6.15. Although the application site is not well related to existing settlements, the wider redevelopment of the site, which includes the events centre and accommodation, as well as links within the adjacent events venue at Butley Priory does mean there are some shared/supporting facilities. Consideration of the proposal in terms of design, heritage and landscape impact are discussed below, however, the principle of the reuse of existing buildings such as in this application is supported.
- 6.16. Proposals for new tourist accommodation are also considered against policy SCLP6.5. This policy supports proposals for new tourist accommodation where:
- "a) The demand or need for tourist accommodation is clearly demonstrated;
  - b) They are of a high standard of design;
  - c) They are of a scale appropriate to the nature of the site and its setting;
  - d) They do not have a material adverse impact on the AONB or its setting, Heritage Coast or estuaries;
  - e) Covered cycle storage, proportionate to the size of the site is provided on site;
  - f) The road network is able to accommodate the volume of traffic generated without having a significant adverse impact on the free flow of traffic and highway safety;
  - g) Ancillary facilities to support the tourist uses are provided on the site where required; and
  - h) Flood adaptation and mitigation measures are included where required."
- 6.17. It goes on to state that "Tourist accommodation comprising permanent buildings will only be permitted:
- Within the Settlement Boundaries;
  - Through the conversion of buildings of permanent structure where they lie outside the Settlement Boundary;
  - On medium and large scale sites where commercial, recreational or entertainment facilities are provided on site; or

- Where such development forms part of a comprehensive masterplan which supports wider landscape and ecological gain."

- 6.18. Two of the proposed units of holiday accommodation would be provided through the conversion of existing buildings. A third would be provided as part conversion and part extension and a fourth would be a new building (following the demolition of existing buildings). As stated above, the principle of new buildings for tourist accommodation in the Countryside are supported where they are provided as a conversion. Generally new tourist accommodation in the Countryside within permanent buildings would not be supported unless it complied with one of the bottom two criteria listed above, such as on larger sites or as part of a comprehensive masterplan. In this case, the two units proposed to be provided by conversion are considered to be in compliance with this policy. The third unit to be provided by part conversion and part extension is also generally in compliance with this policy given the existing building would provide kitchen, living area and a bedroom and bathroom with just additional bedroom/bathroom spaces provided in the extension, which is of an acceptable design and layout. The fourth unit would be a new building, following the demolition of another existing building, and while a replacement building is not permitted by the policy, this does help to alleviate visual impact. The proposal is also part of a masterplan for the wider site and although it is not a development of a large-scale tourism site (the resulting development with existing related accommodation resulting in seven units), it is linked to the events venue and facilities at Butley Priory. In addition, the demolition of existing modern agricultural buildings, the restoration of historic buildings and their re-use ensuring longer term retention, and associated landscaping that can be achieved through such a development, does have some positive cultural and landscape benefits. The proposed new build holiday accommodation is therefore not considered to be contrary to the overall aims of Policy SCLP6.5.

#### Heritage

- 6.19. The proposal is for the redevelopment of the Butley Abbey Farm site, which includes the Grade II listed 'Butley Abbey and Priory' (former frater), 'Butley Abbey and Priory Reredorter (Refectory)', Abbey Farm and the Ruins of Abbey Church. The site is historically linked to the Augustinian Butley Abbey, whose Gatehouse still exists to the north and is listed at Grade I. This large-scale redevelopment has the potential to affect the significance of all these assets individually, as well as the significance of the group.
- 6.20. Butley Abbey Farm is an agricultural site centred around the C18 farmhouse, however it incorporates the remains of C13 abbey buildings, namely the former frater/refectory and rere-dorter (latrines). These remains were incorporated into the later farm buildings and are therefore referred to as the Refectory Barn and the Rere-dorter Barn. Many of the other historic farm buildings appear to date from the period between 1845-1888, as do the pair of cottages opposite the church ruins. The most recent additions to the site (mid/late-C20) are modern steel barns and Covey Cottages at the entrance to the site.
- 6.21. The Butley Abbey Gatehouse is in use as a small events centre and holiday accommodation. The re-development would support this use. Due to the complexity of the site and of the buildings, a more in-depth analysis of the Refectory Barn in particular would have been expected. The assessment in the HIA seems limited by the fact that the interior was not accessed. Nonetheless, it is considered there is enough information in the application on which to base assessment of the proposal.

### Principle of development

- 6.22. The principle of conversion would be accepted if it provides a sustainable use for the buildings, and if the physical changes associated with the conversion would preserve the significance of the listed buildings. Bringing redundant historic buildings into sustainable use could be considered a heritage benefit. The Grade I listed Gatehouse is already in small event and holiday let use, therefore bringing the Abbey Farm site into this use to supplement those functions appears to be a good approach. Event use is also generally an appropriate use for large agricultural buildings, as this requires large open space rather than the subdivision that is needed for residential use, for example.

### Works to the Refectory Barn and attached piggeries

- 6.23. The Refectory Barn is a large brick and stone structure, with attached single-storey piggery barns. The main barn was likely built in the C18, but incorporates parts of the C13 refectory. Its character is that of a large post-medieval agricultural barn which has been altered extensively over the course of the C19 and C20, and it is difficult to tell its connections to the historic abbey site without pre-existing knowledge. The main barn is formed of two main spaces which are not connected internally. The piggeries are attached to the main barn on the west and east gables, and on the south elevation. Historic OS maps show that there were buildings in these locations since at least 1881, likely built with a timber frame or the same red brick that was used on the main barn. However, it appears that these were either gradually or entirely replaced in the C20 with blockwork, and there is little to no historic fabric visible. The exceptions to this are the two-storey red brick and weatherboarded range on the eastern gable and the red brick structure attached to the north-east corner of the barn, which has lost its roof.
- 6.24. The proposed use for the Refectory Barn is as event space, with associated amenities and staff and kitchen areas. The larger space of the barn would be opened up and connected internally to the smaller space adjacent to the west. The existing flint and rubble porch would be extended to make it symmetrical, and a glazed gallery would be created to the front.
- 6.25. The Structural Report confirms that the building is in reasonable condition and capable of conversion, with the typical amount of necessary repairs and strengthening works expected for a barn conversion. The existing floor structure appears to be crudely inserted across historic window openings and is supported by brick columns and timber pylons. This structure would be removed to open up the space to the roof, which would allow the full volume and roof structure to be appreciated. While it is likely that the Medieval refectory would have had multiple floors, there is little evidence of this, and it appears more reflective of the historic agricultural use of the barn to have this be one open space. The existing blocked window openings would be re-opened and the large windows on the south elevation would be enlarged to insert a glazed double door.
- 6.26. Several new door openings would be created to connect the internal spaces of the main barn space and the piggeries. This would cause the loss of some historic fabric. Based on site photographs, the areas where door openings are proposed appear to be part of the



C18 or C19 construction, but this should be clarified in a detailed heritage assessment of the building, to be made before any works commence. Notwithstanding this, the number of new doorways is limited, only to facilitate circulation, and the locations where new doorways are proposed are considered appropriate (in existing recesses or where there are existing door lintels). The minor loss of fabric would therefore be considered acceptable. Additionally, some demolition of external structures is proposed; namely the red brick building on the north-eastern corner, the piggery buildings on the central courtyard, and parts of the western piggeries. The red brick Victorian building has some remaining historic value as a part of the C19 expansion to the farm and its removal would be considered to cause some harm. On the other hand, the central piggery buildings have no heritage significance. Overall, the demolition of these elements would better reveal the form of the Refectory Barn and on balance this would be considered acceptable. The alterations to the interior of the piggeries would not affect the significance of the listed building, as this would not affect historic fabric.

- 6.27. The proposed elevational treatment would have a positive impact on the external appearance of the Barn and piggeries. Cladding the blockwork piggeries with horizontal weatherboarding would be an enhancement. The new windows would have similar frames with two simple vertical glazing bars. The elevations of the main barn have a mix of materials and detailing, so tying together the elevational treatment by using similar window frames is a positive approach. Additionally, there is a recurring motif of a pointed arch in the larger glazed doors and the gallery. This would make reference to the Medieval history of the site, but still reads as a modern detail, rather than a pastiche.
- 6.28. Overall, the proposed conversion of the Refectory Barn and attached piggeries would preserve those elements of the barn that contribute to its significance and provide an enhancement of the external appearance of the group. Minimal harm would be caused by the loss of Victorian brickwork where the north-eastern building would be removed and where doorways would be created, however, in balancing this against the heritage benefit of better revealing the form of the main barn and bringing the building into sustainable use, it is considered acceptable, subject to further information to be submitted at conditions stage.

#### Conversion of eastern barns to holiday lets and erection of new holiday let unit

- 6.29. On the eastern part of the site are the Rere-dorter Barn and historic outbuildings. The Reredorter Barn contains C13 fabric of the Butley Abbey latrines, but was constructed around the same time as the Refectory Barn. It is not a part of the current proposal and is proposed to be retained unaltered. The attached outbuilding on the north gable and detached outbuildings to the north-east are proposed to be converted into holiday lets, and the cart lodge is proposed to be reattached with a section of infill building. These outbuildings appear to have C19 origins, but like the piggeries, some areas have been rebuilt in blockwork. The structural report notes that the buildings are in reasonable condition and are capable of conversion with minor repairs. The north-eastern outbuilding is an L-shape; the range that is parallel to the access is still mostly built of brick, whereas the southern wing has been entirely rebuilt in blockwork. This southern wing is proposed to be removed and replaced with a new single-storey building. The significance of this wing lies in how it reflects the positioning of an earlier building belonging to the Victorian farmstead, rather than in its fabric, therefore its removal and replacement would not be resisted.

- 6.30. The design of the proposed new building and of the cart lodge infill are modern takes on traditional weatherboarded agricultural buildings, which positively relates the new buildings to the historic buildings, while expressing themselves as modern. The new window frames to the existing buildings reflect those used on the Refectory Barn, which ties the designs of the different parts of the site together. Internally, the historic outbuildings which are to be retained do not have much historic character. They have been used to house animals and have blockwork enclosures. The proposed new internal layout of these buildings would therefore not have a negative impact on their significance.

#### Conversion of stables

- 6.31. The stables are a long red brick building dating to the C19, which is partly single-storey and partly two-storey. It appears to be one of the least altered C19 buildings on the site. The proposal is to convert the two-storey part of the building to a manager's residence and a section of the single-storey part to office space, with the centre stable section retained unaltered.
- 6.32. The proposed alterations to support the conversion would be relatively minor. Existing window and door openings would be used, and the layout of spaces internally would not have a major impact on the character of the building.

#### Site works and impacts on setting

- 6.33. New soft and hard landscaping is proposed alongside the conversion of the historic buildings, to tidy up the site and connect it to the Gatehouse. The layout of surface treatments as shown on the proposed site plan would be acceptable subject to details of materials.
- 6.34. Demolition of the modern barns on the site would better reveal the form of the C18 and C19 farmstead, and would have a positive impact on the setting of the listed buildings. Parking is proposed to the east of the site, close to the entrance. This carpark would accommodate 80 cars and be sunken to counteract the slight slope of the land. An area of parking this large would have a visual impact on the setting of the historic farmstead and in views from across the landscape to the east, however this would be limited by lowering the ground level and additional landscaping as screening.

#### Landscape

- 6.35. The site is located within the AONB which is a nationally designated landscape. The NPPF seeks to preserve and enhance valued landscapes by, among other things, preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by unacceptable levels of noise pollution. It also requires that great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues.
- 6.36. It is welcome that much of the scheme involves the restoration of many of the existing buildings forming the Butley Abbey Farm complex i.e. redundant barns, piggeries and stables. The demolition of modern redundant agricultural buildings is also welcome, and

both will result in visual enhancements within the AONB which is supported by the Suffolk Coast & Heaths AONB Management Plan 2018-2023. The material palette selected for the restoration of the former piggeries, stables and the Grade II listed Refectory and Reredorter Barns raises no issues of concern.

- 6.37. The main areas of potential impact on surrounding landscape character and visual amenity are likely to arise from the proposed new car park area, and from external lighting. The car park is proposed to be located on the site of a redundant farm building complex, the removal of which in itself may be regarded as a gain for landscape character enhancement. The events carpark that will replace this building will be at a reduced land level compared to the existing barn floor level which will help with the reduction of its appearance in the landscape, as will the retention of a short section of hedgerow and a tree near to the road junction. The application indicates that additional planting around and within the carpark is proposed. While a large car park such as that proposed (80 spaces) is uncommon in a rural location, given the building that it would replace is currently more dominant in the landscape and that the car park would be situated at a lower level, with existing and proposed planting (to be conditioned), it is considered that this element would not, overall, have an adverse impact on the character or appearance of the wider AONB landscape.
- 6.38. Another aspect of potential concern in relation to landscape character is external lighting. Details will be sought by condition, with the principal aim being to minimise upward light spill, and also to a degree, lateral light spill, in order to reduce the impact of the lighting on the dark skies of the AONB landscape; dark skies being one of the defining special qualities of the more deeply rural areas of the AONB. The main areas of glazing on the buildings are on the north elevation of the Refectory barn.
- 6.39. The AONB team raised some concerns about the impact that the likely level traffic potential will have on the local highway network and on tranquillity levels in the AONB. The Suffolk Coast and Heaths AONB Unit acknowledge that one of the defining features of the AONB is tranquillity. Tranquillity is categorised by areas of semi-natural habitat, a general absence of developments and apparent lack of human activity. Tranquillity is considered to be a state of calm, quietude and is associated with a feeling of peace. It is a perceptual quality of the landscape, and is influenced by things that people can both see and hear in the landscape around them. While an event venue will inevitably result in a number of people and activity at the site which would not be expected in agricultural use, the application proposes mitigation to ensure that any disturbance does not have a significant adverse effect on tranquillity in this location. While an intensity in use is inevitable, there are existing residential dwellings immediately adjacent to the site (five in number) and the existing agricultural buildings will produce some noise and disturbance from their operations. The area is therefore not one of the most tranquil prior to any further development.
- 6.40. Following the submission of the application at the neighbouring Butley Priory, a revised noise assessment was submitted to consider the cumulative impact of potential events at both venues in relation to guest numbers and from amplified music. The report was also updated to reflect the larger number of guests proposed at the Priory. A traffic impact assessment was also undertaken to determine the cumulative traffic impacts of 330 guests visiting events held simultaneously at Butley Priory and Butley Abbey Farm. Following a review of this information, the AONB team accepts that tranquillity levels will unlikely be

significantly eroded if this proposal is approved. The AONB team fully support efforts to reduce traffic levels visiting the site i.e. coaches, and it is hoped that the use of the coaches will continue to be encouraged as part of good event management. The updated noise assessment shows that cumulative noise levels will fall within acceptable limits to conserve tranquillity, subject to the implementation of mitigation measures as set out in section 4.2- 4.3 of the Noise Assessment.

### Highways

- 6.41. The Parish Council, local Ward Member and a number of letters from third parties have raised concerns regarding the highway implications of the proposal, concerned that the local, narrow, rural roads are not suitable for potentially a large number of additional vehicles using them, in addition to existing traffic and agricultural vehicles. Suffolk County Council Highways Authority were also originally concerned and required a number of changes to the proposal. These included amendments to improve the highway access and egress arrangements such that the intensification of use can be achieved safely, such as widening of the roadways to enable two vehicles to pass. Further requested amendments included moving the car park access away from the Church Road junction, identifying acceptable visibility splays and provision of a transport statement. Following receipt of the Transport Technical note, the Highways Authority removed their objection and recommended controlling conditions including bus stop provision/improvements to promote and facilitate access to sustainable transport modes and to provide safe and suitable access for all users in accordance with the NPPF.
- 6.42. While it is recognised that developments should encourage and promote public transport and walking/cycling or other sustainable travel options, the overall acceptability of a development involves considering a number of elements. In this case, while it is acknowledged that the proposals would provide improved public transport infrastructure, it is not considered that the development would likely result in any significant increase in bus passengers to the site given the nature of the use, the likely times that the demand would be (evenings/weekends), that the service is very limited (but unlikely to warrant an improved service), that the venue propose to offer bus/coach transport for events from Woodbridge arranged specifically for events, and the built infrastructure would be out of character with the rural area. For these reasons it is considered that, in this instance, this element of the Highways Authority's suggestions should not be imposed.
- 6.43. The application also makes reference to the existing accommodation and events venue at neighbouring Butley Abbey (in the same ownership as the application site). It is understood at this venue, private coaches/buses are used for event guests, bringing them from local centres or public transport nodes as required by each event. The technical note also references a traffic count carried out on the highway near Butley Prior on a day with an event and the number of vehicular movements would indicate that the users of the site do not all travel by private vehicle. The application indicates that this bus/coach provision would also be provided/encouraged for events at Butley Abbey Farm.

### Ecology

- 6.44. Any new residential development within the 13km Zone of Influence of protected European sites requires consideration of the potential recreational pressure on these sites as a result of increased visitor disturbance. As set out in the emerging Suffolk Recreational

Disturbance Avoidance and Mitigation Strategy (RAMS), Local policy SCLP10.1 seeks to support Article 6(3) of the Habitats Directive where proposals that would cause a direct or indirect adverse effect (alone or combined with other plans or projects) to the integrity of internationally and nationally designated areas will not be permitted unless prevention, mitigation and where appropriate compensation measures are provided such that net impacts are reduced to a level below which the impacts no longer outweigh the benefits of development. As such, the Council will require a proportionate financial contribution of £321.22 per dwelling to RAMS. The necessary contribution has been made for five units (4 x holiday lets, 1 x manager's accommodation).

- 6.45. An Ecology Report (MHE Consulting, March 2021) covering the whole site was submitted during the course of the application and the Council's Ecologist is satisfied with the findings of the consultant. In the absence of appropriate mitigation, the proposed development will result in the loss of multiple roosts of four species of bat (including maternity roosts of common pipistrelle and Natterer's bats), loss of nesting sites for a number of breeding bird species (including barn owl and kestrel) and the loss of a small area of woodland on the south edge of House Covert. Disturbance of nocturnal species such as bats may also occur during operation of the site, particularly as a result of increased external lighting. The Ecology Report describes appropriate mitigation and compensation measures to address these impacts and these would be a condition of any approval. Given the ecological sensitivity of the site, a number of detailed conditions are suggested, listed as conditions 6-10 below.

#### Residential Amenity

- 6.46. Concern has been raised regarding the potential impact from noise and it has been raised that local residents in Boyton can hear noise from existing events at the neighbouring Butley Priory. The applicant has had a noise impact assessment carried out to consider the uses of the premises, their potential to cause impact and any mitigation measures that may be necessary. The noise report suggests that an acceptable noise level at nearby receptors can be achieved with appropriate mitigation and design of the barn. At this stage, recommendations have been made but the exact measures to achieve this have not been included in the report and therefore a condition is suggested which ensures that appropriate measures to mitigate any noise impacts are required.
- 6.47. Noise from events has the potential to cause nuisance and one of the primary and most effective ways of controlling noise from events is through effective management of those events. The noise impact assessment can be used to inform the production of a wider noise management plan as a basis to prevent nuisance and this will be controlled by condition. It is considered that the provision of on-site manager's accommodation and office space for employees will help to ensure that an agreed plan is implemented and enforced.
- 6.48. The number of events and timing of events has also been raised as a cause for concern among locals with suggestions that these be limited. As referred to in the report for DC/22/1351/FUL relating to use of the Priory, concern has recently been raised regarding music from the marquee on this site. Following these complaints, the Council's Environmental Protection Team has carried out monitoring of events in the area this year and concluded that amplified music from the marquee does cause a disturbance to some local residents, however, that amplified music from within the Priory building itself does

not. Amplified music from events within the proposed barn is therefore unlikely to have a significant impact on noise at neighbouring properties (particularly those outside of the applicant's ownership) and this is corroborated by the submitted noise report. It is however considered necessary to ensure amplified music is restricted to within this space. While the use of the site for functions would be noticeable by local residents, the nature of the impact, such as vehicles arriving and leaving and people walking and talking within the site, is not considered to cause any significant impact on residential amenity.

## **7. Conclusion**

- 7.1. The proposal would result in the conversion and longer-term retention of a number of listed buildings and the overall scheme would improve their setting with the removal of a number of more modern, unsympathetic structures. The site lies within the AONB and again the removal of the more modern agricultural buildings and the majority of the works being limited to conversion would ensure that there would be little adverse impact on the visual appearance of the landscape. The proposed use of the site as an events space with associated holiday accommodation is considered to be an appropriate use of the site and overall, compliant with the Local Plan.
- 7.2. The main areas of concern relate to potential impacts of the use of the events centre, once operational, in terms of the number of people at the site and the impact on the local highway network. While these concerns are appreciated, a number of conditions are proposed to limit these impacts.

## **8. Recommendation**

- 8.1. Approve, subject to controlling conditions as below.

### **Conditions:**

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

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

2. The development hereby permitted shall be completed in all respects strictly in accordance with drawing nos. PA\_21, PA\_29, PA\_41, PA\_42, PA\_44, PA\_45, PA\_46, 2001-421-001A and 8301-05, -06, -07, -08 and -09 received 24 December 2020, Ecological Report received 23 March 2021, PA\_24B, PA\_36A, PA\_37A, PA\_38A and noise report received 10 September 2021, 2001-421/TP01 received 24 January 2022, drawing nos. PA-23D, PA-26D, PA-40C, PA-43A, PA-47A and PA-50 received 5 April 2022 and highways technical note dated 13 December 2022 for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

3. No work shall commence on each element referenced below until details of the following have been submitted to and approved in writing by the local planning authority:

- (i) manufacturer's details of the proposed external cladding and roofing materials
  - (ii) proposed brick boundary walls and gates
  - (iii) section and elevations of the proposed fenestration and doors
  - (iv) section drawings through the proposed wall, roof and floor structure of the Refectory Barn and stables to include details of any proposed insulation and internal finishes.
  - (v) details of measures incorporated into the design of the Refectory Barn to minimise light spillage
  - (vi) detail section drawings through the eaves and verges of the new proposed holiday let building and cart lodge infill.
- Thereafter, all work must be carried out using the approved materials and in accordance with the approved details.

Reason: To ensure that any new detailing and materials will not harm the traditional/historic character of the building: the application does not include the necessary details for consideration.

4. No development shall take place 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 (2021).

5. 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 4 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 (2021).

6. No development shall take place until the role and responsibilities and operations to be overseen by an appropriately competent person (e.g. an ecological clerk of works) have been submitted to and approved in writing by the local planning authority. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

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

7. The development shall not in any circumstances commence unless the local planning authority has been provided with either:
  - a. a licence issued by Natural England pursuant to The Conservation of Habitats and Species Regulations (2017) (as amended) authorising the specified development to go ahead or demonstration that the appropriate Natural England Class Licence is in place to allow works to commence; or
  - b. a statement in writing from the relevant licensing body to the effect that it does not consider that the specified development will require a licence.

Reason: To ensure that the legislation relating to protected species has been adequately addressed as part of the implementation of the development.

8. No development shall take place (including any demolition, ground works or site clearance) until a Biodiversity Method Statement for the development has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:
  - a. purpose and objectives for the proposed works;
  - b. detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
  - c. extent and location of proposed works shown on appropriate scale maps and plans;
  - d. timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
  - e. persons responsible for implementing the works;
  - f. initial aftercare and long-term maintenance (where relevant);
  - g. disposal of any wastes arising from works.

The works shall be carried out strictly in accordance with the approved and shall be retained in that manner thereafter.

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

9. No removal of hedgerows, trees or shrubs, brambles, ivy and other climbing plants, or works to or demolition of buildings or structures that may be used by breeding birds 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.



10. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecology Report (MHE Consulting, March 2021) 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.

11. Prior to first use, 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 and also to control lighting to protect the dark skies character of the AONB.

12. If phases 1 to 4 of the development (as per the submitted All Phases of Works drawing ref. PA\_53 A) hereby approved do not commence (or, having commenced, are suspended for more than 12 months) within 2 years from the date of the planning consent, the approved ecological measures secured through Conditions 6 to 11 shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to i) establish if there have been any changes in the presence and/or abundance of protected and/or UK Priority species and ii) identify any likely new ecological impacts that might arise from any changes. Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement or resumption of development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Reason: To ensure that ecological mitigation measures are appropriately delivered based on up-to-date evidence.

13. Prior to use of the events centre hereby permitted, a noise management plan shall be submitted to and approved in writing by the local planning authority. The noise management plan should consider all aspects of noise on site including, where applicable, but not restricted to hours of use/noisy activities, frequency of events, indoor amplified music, outdoor music, fireworks and general use of/movement around and entering and

leaving the site. Thereafter, the noise management plan shall be implemented no later than first use of the events centre and compliance with it continued thereafter.

Reason: In the interests of amenity and the protection of the local environment.

14. Prior to the commencement of development, full details of all noise mitigation measures to be included within the development shall be submitted to and approved in writing by the local planning authority. All of the agreed mitigation measures shall be carried out in full and retained in their approved form thereafter.

Reason: The noise report suggests that an acceptable noise level at nearby receptors can be achieved with appropriate mitigation and design of the barn however at this stage, recommendations have been made but the exact measures to achieve this have not been included in the report. To ensure these are provided in the interest of amenity and protection of the local environment.

15. No other part of the development hereby permitted shall be occupied until the new access has been laid out and completed in all respects in accordance with drawing no. PA\_51 within technical note 2001-421/TN01 dated 21 January 2022. 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.

16. The use shall not commence until the areas within the site shown on drawing no.PA\_51 within technical note 2001-421/TN01 dated 21 January 2022 for the purposes of loading, unloading, manoeuvring and parking of vehicles have been provided and thereafter the areas shall be retained, maintained and used for no other purposes.

Reason: To ensure that sufficient areas for vehicles to be parked are provided in accordance with Suffolk Guidance for Parking 2019 where on-street parking and or loading, unloading and manoeuvring would be detrimental to the safe use of the highway.

17. Before the access is first used visibility splays shall be provided as shown on Drawing No.PA\_51 within technical note 2001-421/TN01 dated 21 January 2022 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.

18. Within 3 months of commencement of development, precise details of a scheme of landscape works (which term shall include tree and shrub planting, grass, earthworks, driveway construction, parking areas patios, hard surfaces etc, and other operations as

appropriate) at a scale not less than 1:200 along with a landscaping implementation phasing plan shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure that there is a well laid out landscaping scheme in the interest of visual amenity.

19. The approved landscaping scheme shall be implemented in accordance with the approved landscaping phasing plan (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.

20. Prior to first use of any part of the development hereby permitted, a management plan for maintenance of all external parts of the site (to include, but not be limited to, the access drive, landscaped areas, car parking areas, courtyard spaces etc.) shall have been submitted to and approved in writing by the local planning authority. The maintenance plan should include, long term design objectives, management responsibilities and a scheme of maintenance for both the hard and soft landscaped areas for a period of at least 20 years. The schedule should include details of the arrangements for its implementation. The development shall be carried out in accordance with the approved management plan.

Reason: To ensure the access drive and landscaping areas are properly maintained in the interest of visual amenity.

21. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a site investigation consisting of the following components has been submitted to, and approved in writing by, the local planning authority:

As deemed necessary following the desk study and site reconnaissance an intrusive investigation(s), including:

- the locations and nature of sampling points (including logs with descriptions of the materials encountered) and justification for the sampling strategy;
- an explanation and justification for the analytical strategy;
- a revised conceptual site model; and
- a revised assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

All site investigations must be undertaken by a competent person and conform with current guidance and best practice, including: BS 10175:2011+A1:2013 and CLR11.

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.

22. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a detailed remediation method statement (RMS) has been submitted to, and approved in writing by, the LPA. The RMS must include, but is not limited to:
- details of all works to be undertaken including proposed methodologies, drawings and plans, materials, specifications and site management procedures;
  - an explanation, including justification, for the selection of the proposed remediation methodology(ies);
  - proposed remediation objectives and remediation criteria; and
  - proposals for validating the remediation and, where appropriate, for future maintenance and monitoring.
- The RMS must be prepared by a competent person and conform to current guidance and best practice, including CLR11.

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.

23. Prior to any occupation or use of the approved development the RMS approved under condition 22 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

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.

24. A validation report must be submitted to and approved in writing by the LPA prior to any occupation or use of the approved development. The validation report must include, but is not limited to:
- results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met;
  - evidence that any RMS approved in pursuance of conditions appended to this consent has been carried out competently, effectively and in its entirety; and
  - evidence that remediation has been effective and that, as a minimum, the site will not qualify as contaminated land as defined by Part 2A of the Environmental Protection Act 1990.

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.

25. 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 BS 10175:2011+A1:2013 and CLR11) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

Where remediation is necessary a detailed remediation method statement (RMS) must be prepared, and is subject to the approval in writing of the Local Planning Authority. The RMS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The approved RMS must be carried out in its entirety and the Local Planning Authority must be given two weeks written notification prior to the commencement of the remedial works.

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

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

26. No events and/or weddings shall be carried out on site other than between the hours of 0900 and 01.00 the following day.

Reason: In the interests of amenity and the protection of the local environment.

27. There shall be no more than 200 persons attending any wedding and/or event on the application site at any one time.

Reason: In the interests of amenity and the protection of the local environment.

28. There shall be no amplified music (live or recorded) and/or amplified speech (or singing) on the application site other than within the events space within the Refectory barn.

Reason: To avoid noise pollution in the locality.

29. There shall be no more than 75 events per annum held within the Refectory barn continuing beyond 9.00pm.

Reason: In the interests of amenity and the protection of the local environment.

30. The holiday letting units hereby permitted shall be used for holiday letting accommodation only and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987). The duration of occupation by any one person, or persons, of any of the holiday units shall not exceed a period of 56 days in total in any one calendar year, unless the Local Planning Authority agrees in writing to any variation. The owners/operators of the holiday units hereby permitted shall maintain an up-to-date Register of all lettings, which shall include the names and addresses of all those persons occupying the units during each individual letting. The said Register shall be made available at all reasonable times to the Local Planning Authority.

Reason: To ensure that the development is occupied only as bona-fide holiday accommodation, having regard to the tourism objectives of the Local Plan and the fact that the site is outside any area where planning permission would normally be forthcoming for permanent residential development.

31. The hereby permitted manager's accommodation shall be occupied by a site manager or employee only and shall not be sold or let separately from the wider use of the site as an events centre with holiday accommodation.

Reason: To help ensure effective management of the site and in the interest of amenity; the application does not indicate how adequate levels of residential amenity may be achieved if the accommodation was not linked to wider use of the site.

32. Prior to occupation of any of the residential accommodation hereby approved, evidence of water efficiency standards shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure that the finished dwellings comply with Policy SCLP9.2 of the East Suffolk Council – Suffolk Coastal Local Plan (2020) and to ensure Building Control Officers and Independent Building Inspectors are aware of the water efficiency standard for the dwellings.

33. Prior to commencement of the hereby approved development, an Energy Statement shall be submitted to and approved in writing by the local planning authority. 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.

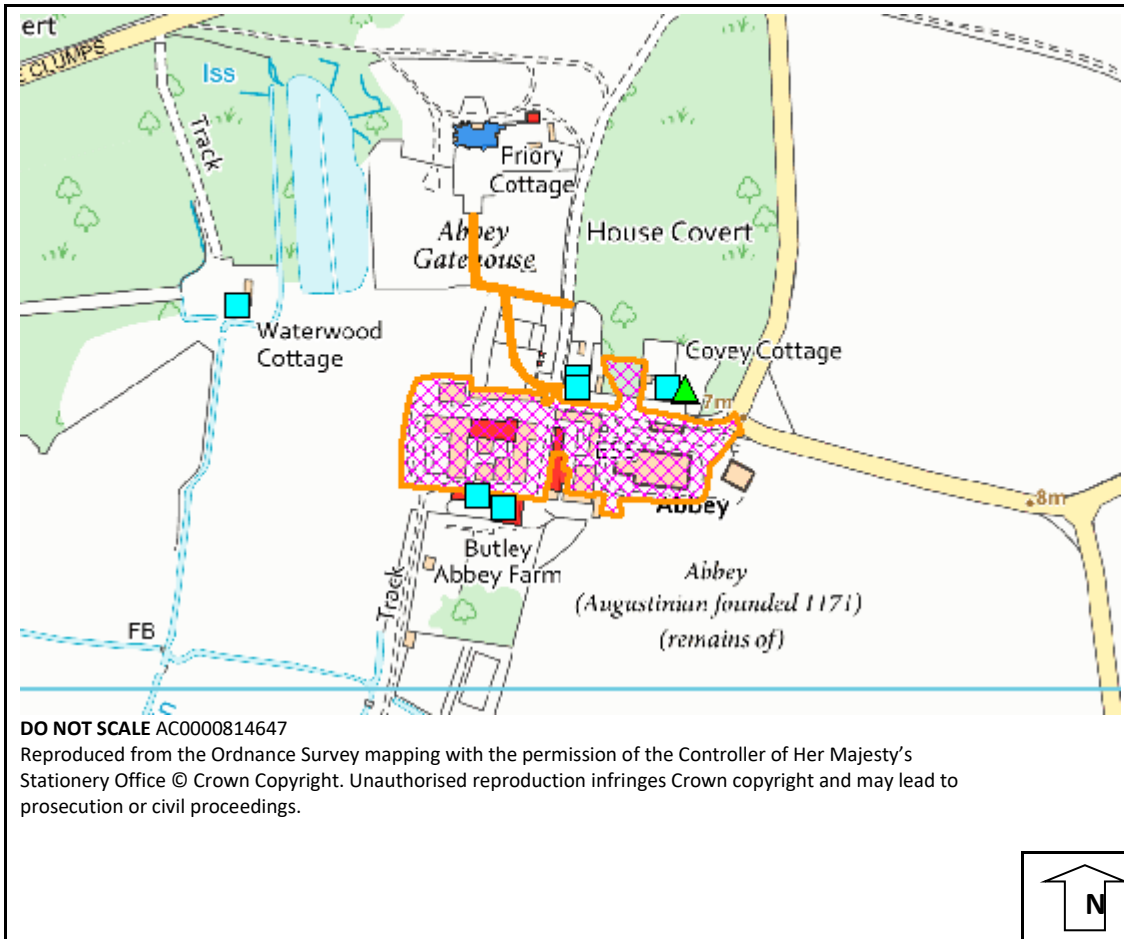
#### **Informatives:**

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 AONB team is working closely with Save Our Suffolk Swifts (SoS Swifts) project. SOS Swifts is a partnership project between the Suffolk Wildlife Trust and The Suffolk Bird group. It is requested that the SOS Swifts project is contacted for advice on the siting and installation of swift boxes and Swift callers which should also be installed to attract the swifts. The project can also advise on Barn Owl Boxes too. Further advice is available from <https://www.suffolkbirdgroup.org/sos-swifts>  
Note: Listed Building Consent may be required if fixing boxes to Listed Buildings.





## **Background information**

See application reference DC/20/5260/FUL on [Public Access](#)

## Map



## Key

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



## Committee Report

**Planning Committee South** – 28 November 2023

**Application no** DC/20/5261/LBC

**Location**

Butley Abbey Farm  
Abbey Farm Lane  
Butley  
Suffolk  
IP12 3NP

**Expiry date** 4 March 2021

**Application type** Listed Building Consent

**Applicant** Greenwell Farms

**Parish** Butley

**Proposal** Listed Building Consent - Redevelopment of Redundant Agricultural Buildings to 2no. Holiday Lets, Events Centre, Manager's Accommodation & Office Accommodation. Includes erection of 1no. Holiday Let & erection of Cartlodge & Store infill. Repairs and alterations to existing buildings.

**Case Officer** Rachel Smith  
07887 452719  
[rachel.smith@eastsoffolk.gov.uk](mailto:rachel.smith@eastsoffolk.gov.uk)

## **1. Summary**

- 1.1 The proposal is for Listed Building Consent for alterations to buildings at Butley Abbey Farm in relation to the redevelopment of the wider site, which includes the Grade II listed 'Butley Abbey and Priory' (former frater), 'Butley Abbey and Priory Reredorter (Refectory)', Abbey Farm and the Ruins of Abbey Church.
- 1.2 The application is being presented to Planning Committee South in connection with the accompanying planning application DC/20/5260/FUL which was referred by the Head of Planning and Coastal Management due to the scale of proposed development relative to its location and the level of interest.
- 1.3 The proposed alterations are considered acceptable and not to harm the significance of any of the Listed Buildings or their value as a group. The application is therefore recommended for approval.

## **2. Site Description**

- 2.1 The application site is located within the Parish of Butley, to the south of the core of the village. It is also located within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty. The site is accessed via an existing track off Church Road which serves a mix of agricultural buildings, both modern and traditional, and residential dwellings. There are two pairs of semi-detached dwellings to the north of the access track which are outside of the site boundary, as is the Grade II Listed Butley Abbey Farmhouse which is located adjacent to the south of the application site. In between these properties are a number of agricultural buildings including stores, former stables and piggeries. The refectory barn towards the eastern side of the group is also individually Listed as Grade II in addition to a further barn forming the northern part of the courtyard buildings. Other traditional buildings on the site are considered to be curtilage listed.
- 2.2 The application site lies to the south of Butley Priory itself which is an established events location and is owned by the applicant of this site. It is proposed that the application site is used in conjunction with the existing events use.

## **3. Proposal**

- 3.1 The application seeks Listed Building Consent for a number of works and alterations to buildings on the wider site. The works are proposed in connection with the associated planning application which involves the conversion of buildings to form holiday accommodation, staff accommodation and an events centre. The proposal includes the following elements:
  - Conversion of refectory barns and attached piggery buildings to an events centre, to include catering area.
  - Demolition of later addition to refectory barn and piggeries.
  - Conversion of 2 no. outbuildings to form 3 no. holiday let accommodation.
  - Demolition of 1 no. outbuilding and replacement with single storey contemporary building for 1 no. holiday let accommodation.
  - Rebuild of infill element of cartlodge to provide additional parking, store and holiday let accommodation.

- Partial conversion of east end of stables to office accommodation to support the events centre and holiday lets.
- Conversion of two storey element of stables for manager's accommodation for the running of the site.

#### 4. Consultees

##### Third Party Representations

- 4.1 One letter of objection has been received raising the following points:  
 While the restoration of old heritage buildings and finding new uses for them are good things, the current proposals need further evaluations and reports before they can be supported. The road access is on narrow rural roads including some too narrow for two vehicles to cross, especially at the eastern end of the road known as 'The Clumps' between the existing Priory entrance and Five Cross Ways (Church Road) which is steep and narrow, not well suited to contractor vehicles and wedding and other event guests. There is no public transport to the site. Other issues which need further evaluation include noise and light pollution affecting neighbouring properties, energy sustainability, utilities capacities, effects on wildlife and landscape especially as in an AONB. The sight could be developed on a smaller scale in a way which is more in keeping and sympathetic with its location, and less likely to have adverse effects on neighbours and the surrounding natural environment.

#### Parish/Town Council

Consultee	Date consulted	Date reply received
Butley Parish Council	12 January 2021	11 February 2021
<p>Summary of comments:</p> <p>I confirm the Parish Council held an Extraordinary Parish Council meeting on Thursday 4th February 2021 to consider the above-mentioned Planning Applications.            I am writing to confirm the Parish Council CANNOT SUPPORT the applications submitted for the development of the Abbey Farm due to the following reasons:- Noise/Sound Pollution, Traffic Safety, Light Pollution and Habitat.</p> <p>The size of the car park and facilities with all the flow of traffic also seems disproportionate to the idea of peace and quiet in an AONB.</p> <p>Noise            There appears to be inadequate/no controls over the site in terms of Noise, Sound &amp; Light Pollution.            Before any serious consideration can be given to the plans the Parish Council would need to see a computerised model of how the music/sound generated would project itself onto the surrounding countryside to prevent significant sound problems for the villages of Butley, Capel and Boyton.            An analysis of the light pollution based on occupation of all elements of the plan, not just the events centre but also associated buildings and the car park.</p>		

### Traffic Safety

The Parish Council wish to highlight that during the summer months the local roads can have up to 70 tractors a day (surveyed 2020) plus other large agricultural and ancillary vehicles passing the proposed entrance – currently one of a few passing places along this stretch of road.

A proper traffic survey needs to be carried out which shows how the arrival of over 100 cars over a short period of time would be accommodated, as the volume of event traffic from staff, caterers, musicians, florists etc, as well as guests, is not suitable for these small roads.

The Parish Council note that SCC Highways have objected to the applications as there was not 4 metres of passing available. The preferred access for traffic is the lower end of Clumps Road which is a single track of less than 3 metres with minimal passing places meaning cars having to reverse to allow passing. This would cause a lot of damage to the verges and bring more mud onto the road.

Whilst event traffic will mostly be going in the same direction on entry and later exit, that does not take into account local residents using the same road or the farming activities at the junction just next to Butley Priory. There are no footpaths along this road which is used regularly by walkers and cyclists.

Should any system of one-way traffic include using the entrance by the Gatehouse as part of the system? This would certainly be a safer route for entry and minimise the problems on the Abbey Farm corner for exit.

It should be noted that most guests will not be local and will be unused to very narrow lanes with potentially large farm equipment in the middle of the road.

Signage should be put in place to ensure traffic does not go along the Quiet Lane in error.

### Habitat

A proper Habitats Assessment must be carried out to preserve the local species (Bats, Swallows etc.).

### Local Economy

The Parish Council note there is no local benefit to the local economy except for occasional cleaning and catering jobs, whilst increasing the carbon footprint massively.

### Layout, Density, Design/Appearance, Character

There will be a significant increase in the carbon footprint of the area, with many more car movements in what is an AONB.

Any residents already renting properties at the site and who are displaced as a consequence of this development will struggle to find replacement local rented accommodation.

Actions the Parish Council would require to see before seriously considering the development are as follows:-

- Definition of the number of events in any given year. Weddings, corporate events and parties to be given as a total figure. The use of the two sites (events centre and the Gatehouse to be consolidated.)
- Restrictions on timing of all events including licensing and music.
- Noise restrictions in terms of decibels, direction, timing and location, based on the feedback from the computerised sound model which is to be provided.
- A proper traffic survey as to how hundreds of cars are going to arrive and leave along the lanes around the Abbey as well as the ancillary lorries needed for the catering and entertainment sector.

- Adequate solution to the access and egress of the site and the location of all guests and ancillary transport providing catering, catering staff and equipment.
- Adequate solution for the approach to the site by this traffic. At present the suggestion is along The Clumps which is not more than 3 metres wide in places, while Highways consider 4 metres inadequate on the site itself!!
- Construction of a minimum of 3 passing bays on The Clumps is imperative for any solution using this lane.
- Restrictions on the use of fireworks and balloons as part of events given the closeness to forested areas.
- Adequate habitat protection measures for wildlife, especially bats and swallows. Habitat protection needs to be defined in terms of measures to be carried out and who would monitor these.
- The 2 new infill buildings should be designated as affordable.

I trust that you will take the above comments into consideration.

### Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	N/A	4 October 2021
Summary of comments: Comments included in report		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	N/A	No response
Summary of comments: None received		

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	12 January 2021	21 January 2021
Summary of comments: Request conditions requiring archaeological investigation		

Consultee	Date consulted	Date reply received
Ward Councillor	N/A	11 February 2021

Summary of comments:

CLlr James Mallinder

First I would like to confirm my support for the position of Butley Parish council. They called an extraordinary planning meeting to discuss this application, which was well attended by the parish. Thus their conclusions are well considered and have taken into account the views of all attendees.

When supporting or objecting to any application I must always respond to the needs and impact of the local community . Reuse of farm buildings, local employment and a number of environmentally positive infrastructure and design elements should clearly be highlighted and are a credit to these designs. However the size of such a development is a concern to not only local residents but also its place in the local environment.

Butley Abbey Farm is situation in the middle of the AONB in a rural isolated location with no infrastructure near by. An area that needs special protection to maintain its unique position in our environment and the corresponding biodiversity . Roads are narrow with some damage due to large farming equipment along with substantial flooding concerns , via Capel St Andrew and Butley. The proximity to Butley river and Rendlesham forest cause additional concerns for further disturbance. Clearly the number of carparking spaces, with the majority of visitors arriving and leaving at the same time is not acceptable due to safety concerns - an issue highways response also highlighted. In the running of such avenue there are legitimate concerns of further light and noise pollution not only disturbing wildlife but will have a negative impact to residents nearby in private and rented accommodation as well as the village of Butley.

Wedding and event venues often erect marquees and with covid restrictions and smoking outside there are considerable fear events will certainly have an outside element again causing corresponding issues. Our local plan clearly has a clear a dark sky policy and this application will need to meet this policy. Although there are positives to this application, to fully support I require a reduction in the size and a number of conditions - to limit number of events per week, hours of usage and a restriction in outside events from music to not allowing the use of any fireworks, bonfires or sky lanterns.

**Reconsultation consultees**

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	12 January 2021	1 February 2021

Summary of comments:

Comments included in report

## Publicity

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

Category	Published	Expiry	Publication
Listed Building	14 January 2021	4 February 2021	East Anglian Daily Times

## Site notices

General Site Notice	Reason for site notice: Listed Building Date posted: 22 January 2021 Expiry date: 12 February 2021
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## 5. Planning policy

National Planning Policy Framework 2023

SCLP11.1 - Design Quality (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)

Historic Environment Supplementary Planning Document (June 2021)

## 6. Planning Considerations

- 6.1 The proposal is for the redevelopment of the Butley Abbey Farm site, which includes the Grade II listed 'Butley Abbey and Priory' (former frater), 'Butley Abbey and Priory Reredorter (Refectory)', Abbey Farm and the Ruins of Abbey Church. The site is historically linked to the Augustinian Butley Abbey, whose Gatehouse still exists to the north and is listed at Grade I. This large-scale redevelopment has the potential to affect the significance of all these assets individually, as well as the significance of the group.
- 6.2 Butley Abbey Farm is an agricultural site centred around the C18 farmhouse, however it incorporates the remains of C13 abbey buildings, namely the former frater/refectory and rere-dorter (latrines). These remains were incorporated into the later farm buildings and are therefore referred to as the Refectory Barn and the Rere-dorter Barn. Many of the other historic farm buildings appear to date from the period between 1845-1888, as do the pair of cottages opposite the church ruins. The most recent additions to the site (mid/late-C20) are modern steel barns and Covey Cottages at the entrance to the site.

- 6.3 Due to the complexity of the site and of the buildings, a more in-depth analysis of the Refectory Barn in particular would have been expected. The assessment in the HIA seems limited by the fact that the interior was not accessed. Nonetheless, it is considered there is enough information in the application on which to base assessment of the proposal.

#### Principle of development

- 6.4 The principle of conversion would be accepted if it provides a sustainable use for the buildings, and if the physical changes associated with the conversion would preserve the significance of the listed buildings. Bringing redundant historic buildings into sustainable use could be considered a heritage benefit. The Grade I listed Gatehouse is already in small event and holiday let use, therefore bringing the Abbey Farm site into this use to supplement those functions appears to be a good approach. Event use is also generally an appropriate use for large agricultural buildings, as this requires large open space rather than the subdivision that is needed for residential use, for example.

#### Works to the Refectory Barn and attached piggeries

- 6.5 The Refectory Barn is a large brick and stone structure, with attached single-storey piggery barns. The main barn was likely built in the C18, but incorporates parts of the C13 refectory. Its character is that of a large post-medieval agricultural barn which has been altered extensively over the course of the C19 and C20, and it is difficult to tell its connections to the historic abbey site without pre-existing knowledge. The main barn is formed of two main spaces which are not connected internally. The piggeries are attached to the main barn on the west and east gables, and on the south elevation. Historic OS maps show that there were buildings in these locations since at least 1881, likely built with a timber frame or the same red brick that was used on the main barn. However, it appears that these were either gradually or entirely replaced in the C20 with blockwork, and there is little to no historic fabric visible. The exceptions to this are the two-storey red brick and weatherboarded range on the eastern gable and the red brick structure attached to the north-east corner of the barn, which has lost its roof.
- 6.6 The proposed use for the Refectory Barn is as event space, with associated amenities and staff and kitchen areas. The larger space of the barn would be opened up and connected internally to the smaller space adjacent to the west. The existing flint and rubble porch would be extended to make it symmetrical, and a glazed gallery would be created to the front.
- 6.7 The repairs mentioned in the structural report should be illustrated on drawings and in a schedule of repairs. The report notes that certain strengthening works would depend on the proposed design, therefore any additional or different repairs should be clarified based on the design which is now proposed. Notwithstanding this, the report confirms that the building is in reasonable condition and capable of conversion, with the typical amount of necessary repairs and strengthening works expected for a barn conversion. The existing floor structure appears to be crudely inserted across historic window openings and is supported by brick columns and timber pylons. This structure would be removed to open up the space to the roof, which would allow the full volume and roof structure to be appreciated. While it is likely that the Medieval refectory would have had multiple floors, there is little evidence of this, and it appears more reflective of the historic agricultural use of the barn to have this be one open space. The existing blocked window openings would



be re-opened and the large windows on the south elevation would be enlarged to insert a glazed double door.

- 6.8 Several new door openings would be created to connect the internal spaces of the main barn space and the piggeries. This would cause the loss of some historic fabric. Based on site photographs, the areas where door openings are proposed appear to be part of the C18 or C19 construction, but this should be clarified in a detailed heritage assessment of the building, to be made before any works commence. Notwithstanding this, the number of new doorways is limited, only to facilitate circulation, and the locations where new doorways are proposed are considered appropriate (in existing recesses or where there are existing door lintels). The minor loss of fabric would therefore be considered acceptable. Additionally, some demolition of external structures is proposed; namely the red brick building on the north-eastern corner, the piggery buildings on the central courtyard, and parts of the western piggeries. The red brick Victorian building has some remaining historic value as a part of the C19 expansion to the farm and its removal would be considered to cause some harm. On the other hand, the central piggery buildings have no heritage significance. Overall, the demolition of these elements would better reveal the form of the Refectory Barn and on balance this would be considered acceptable. The alterations to the interior of the piggeries would not affect the significance of the listed building, as this would not affect historic fabric.
- 6.9 The proposed elevational treatment would have a positive impact on the external appearance of the Barn and piggeries. Cladding the blockwork piggeries with horizontal weatherboarding would be an enhancement. The new windows would have similar frames with two simple vertical glazing bars. The elevations of the main barn have a mix of materials and detailing, so tying together the elevational treatment by using similar window frames is a positive approach. Additionally, there is a recurring motif of a pointed arch in the larger glazed doors and the gallery. This would make reference to the Medieval history of the site, but still reads as a modern detail, rather than a pastiche.
- 6.10 Overall, the proposed conversion of the Refectory Barn and attached piggeries would preserve those elements of the barn that contribute to its significance and provide an enhancement of the external appearance of the group. Minimal harm would be caused by the loss of Victorian brickwork where the north-eastern building would be removed and where doorways would be created, however, in balancing this against the heritage benefit of better revealing the form of the main barn and bringing the building into sustainable use, it is considered acceptable, subject to further information to be submitted at conditions stage.

#### Conversion of eastern barns to holiday lets and erection of new holiday let unit

- 6.11 On the eastern part of the site are the Rere-dorter Barn and historic outbuildings. The Reredorter Barn contains C13 fabric of the Butley Abbey latrines, but was constructed around the same time as the Refectory Barn. It is not a part of the current proposal and is proposed to be retained unaltered. The attached outbuilding on the north gable and detached outbuildings to the north-east are proposed to be converted into holiday lets, and the cart lodge is proposed to be reattached with a section of infill building. These outbuildings appear to have C19 origins, but like the piggeries, some areas have been rebuilt in blockwork. The structural report notes that the buildings are in reasonable condition and are capable of conversion with minor repairs. The north-eastern outbuilding

is an L-shape; the range that is parallel to the access is still mostly built of brick, whereas the southern wing has been entirely rebuilt in blockwork. This southern wing is proposed to be removed and replaced with a new single-storey building. The significance of this wing lies in how it reflects the positioning of an earlier building belonging to the Victorian farmstead, rather than in its fabric, therefore its removal and replacement would not be resisted.

- 6.12 The design of the proposed new building and of the cart lodge infill are modern takes on traditional weatherboarded agricultural buildings, which positively relates the new buildings to the historic buildings, while expressing themselves as modern. The new window frames to the existing buildings reflect those used on the Refectory Barn, which ties the designs of the different parts of the site together. Internally, the historic outbuildings which are to be retained do not have much historic character. They have been used to house animals and have blockwork enclosures. The proposed new internal layout of these buildings would therefore not have a negative impact on their significance. Detailed sections showing the proposed treatment of the walls, floors and roofs are required by condition.

#### Conversion of stables

- 6.13 The stables are a long red brick building dating to the C19, which is partly single-storey and partly two-storey. It appears to be one of the least altered C19 buildings on the site. The proposal is to convert the two-storey part of the building to a manager's residence and a section of the single-storey part to office space, with the centre stable section retained unaltered.
- 6.14 The proposed alterations to support the conversion would be relatively minor. Existing window and door openings would be used, and the layout of spaces internally would not have a major impact on the character of the building. Details of the proposed improvements to the walls, roof and floor structure are required by condition.

### **7. Conclusion**

- 7.1 This large re-development scheme would provide heritage benefits in its reuse of the historic buildings on the site and revealing of historic forms and features. The external appearance of the C20 buildings on the site would be improved and the scheme would bring some cohesion between the buildings through the proposed design, as well as connect it to the Gatehouse. Subject to conditions, the proposed conversions and associated alterations would preserve the significance of the listed buildings on site and therefore meet the requirements of the NPPF and the Local Plan.

### **8. Recommendation**

- 8.1 Approve, subject to conditions as detailed below.

## Conditions:

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

Reason: This condition is imposed in accordance with Section 18 of the Act (as amended).

2. The development hereby permitted shall be completed in all respects strictly in accordance with drawing nos. PA\_21, PA\_29, PA\_41, PA\_42, PA\_44, PA\_45, PA\_46, 2001-421-001A and 8301-05, -06, -07, -08 and -09 received 24 December 2020, PA\_24B, PA\_36A, PA\_37A, PA\_38A received 10 September 2021, drawing nos. PA-23D, PA-26D, PA-40C, PA-43A and PA-47A received 5 April 2022 for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

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

3. Unless otherwise required or detailed within other conditions, the materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed in writing with the local planning authority.

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

4. No building work shall commence on each element referenced below until details of the following have been submitted to and approved in writing by the local planning authority:
  - (i) manufacturer's details of the proposed external cladding and roofing materials
  - (ii) proposed brick boundary walls and gates
  - (iii) section and elevations of the proposed fenestration and doors
  - (iv) drawings and a schedule of proposed repairs and strengthening works to the Refectory Barn
  - (v) section drawings through the proposed wall, roof and floor structure of the Refectory Barn and stables to include details of any proposed insulation and internal finishes.
  - (vi) detail section drawings through the eaves and verges of the new proposed holiday let building and cart lodge infill.Thereafter, all work must be carried out using the approved materials and in accordance with the approved details.

Reason: To ensure that any new detailing and materials will not harm the traditional/historic character of the building: the application does not include the necessary details for consideration.

5. Prior to the commencement of any works to the Refectory Barn, a detailed Historic Building Record shall be made and be deposited with the Suffolk County Council Historic Environment Record. Within one week of this being done, confirmation of this shall be sent, by email, to the local planning authority.

Reason: The significance of this building is considered to be of sufficient merit and quality to be recorded and form part of the public record.

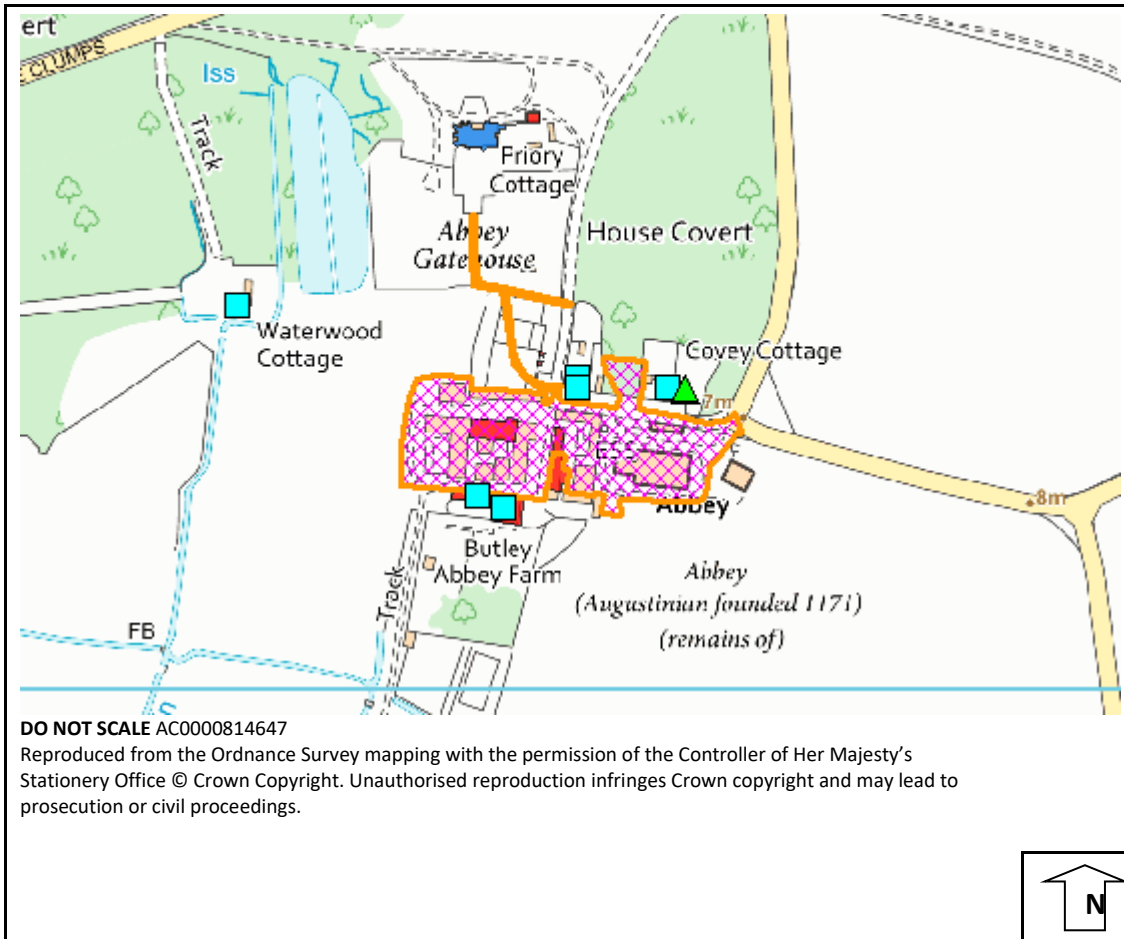
**Informatives:**

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.

**Background information**

See application reference DC/20/5261/LBC on [Public Access](#)

## Map



## Key



Notified, no comments received



Objection



Representation



Support



## Committee Report

**Planning Committee South** – 28 November 2023

**Application no** DC/23/1138/OUT

**Location**

Red House Farm  
Bridge Road  
Levington  
Suffolk  
IP10 0LZ

**Expiry date** 15 June 2023

**Application type** Outline Application

**Applicant** Ms Jeanette Vincent

**Parish** Levington

**Proposal** Erection of 18 x No. dwellings (including 6 affordables) with garaging, parking, accesses and landscaping

**Case Officer** Andrew Martin

[andrew.martin@eastsuffolk.gov.uk](mailto:andrew.martin@eastsuffolk.gov.uk)

## 1. Summary

- 1.1. Outline planning permission, with all matters reserved except for access, is sought for the residential development of the site for 18 dwellings, including six affordable homes, and associated infrastructure. The application site is allocated for the development of approximately 20 dwellings under Policy SCLP12.56 (Land at Bridge Road, Levington) of the Local Plan.
- 1.2. The application has been amended during the determination period in response to officer and consultee feedback. Notably, the amended scheme retains the hedgerow along the site frontage with Bridge Road; provides for two points of vehicular access, instead of the three access points originally proposed; and incorporates a new footpath on the east-side of the retained hedge. Additionally, the Applicant has elected to replace the six self-build homes initially proposed with six ordinary, market dwellings.
- 1.3. A footpath connection to the west-side of Bridge Road had been incorporated into the proposals, at the request of the Highway Authority, however, following further consideration it became apparent that this would not be deliverable, due to insufficient highway land, or land under the Applicant's control, being available to accommodate it. The crossing point was subsequently omitted.
- 1.4. The development would be CIL liable, with the amount of CIL payable to be calculated at the reserved matters stage. Planning obligations would be secured through a S.106 legal agreement as follows:
  - Provision of Affordable Housing at a rate of one in three dwellings in accordance with the house types and tenures agreed with the Council.
  - A Secondary School Transport Contribution to be used to fund school transport provision for a minimum of five years for secondary-age pupils.
  - Financial contribution to mitigate in-combination effects on European designated sites in accordance with the Suffolk Recreational Avoidance and Mitigation Strategy.
  - Arrangements to secure the footpath proposed within the site as a Permissive Path for use by members of the public in perpetuity.
- 1.5. It is considered that the proposed development would be in accordance with the Development Plan, with no material considerations indicating that the application should be determined otherwise, and as such the application is recommended for approval subject to conditions and a S.106 legal agreement.
- 1.6. The application has been referred to Planning Committee (South) as the Head of Planning and Coastal Management considers the application to be significant due to the level of public interest.

## **2. Site Description**

- 2.1. The application site is a parcel of land on the east-side of Bridge Road, towards the northern edge of Levington. The site measures approximately 0.68 hectares and comprises grazing paddocks divided by post and rail fencing, with predominantly unvegetated boundaries to the east, south, and north. There is an intermittent hedgerow along the western, roadside boundary. It is noted that the aforementioned hedgerow was significantly reduced in September 2022.
- 2.2. There are existing residential properties immediately to west of the site along Bridge Road and within Red House Walk. Further, residential properties can be found to the south of the site, with the prevailing pattern of development in the village being the linear arrangement of dwellings set back from the highway.
- 2.3. Existing employment development can be found to the north of the site at Levington Park which is allocated as an employment site under Policy SCLP12.37.
- 2.4. The application site is not considered to affect the setting or significance of any listed buildings, and it is not located within a Conservation Area.
- 2.5. The Suffolk Coast & Heaths Area of Outstanding Natural Beauty lies to the south and west of the site.
- 2.6. The application site is allocated for the development of approximately 20 homes under Policy SCLP12.56 of the Local Plan.

## **3. Proposal**

- 3.1. As noted above, the application seeks outline planning permission, with all matters reserved except for access, for 18 dwellings including six affordable homes. The application is accompanied by a suite of supporting documents. This includes a Parameters Plan and an Indicative layout, with the latter showing a level of detail that is not subject to full consideration at this stage.
- 3.2. It is important to recognise that whilst the Indicative Layout shows one way in which the Applicant considers that site could be developed, the details relating to scale, layout, appearance, and landscaping would be subject to a thorough assessment at the reserved matters stage. The details shown on the Indicative Layout, with the exception of the points of access, would not therefore be approved under this application.

## **4. Planning History**

- 4.1. The following planning history is relevant to the application site:
  - C3088/2 – Use of land for the erection of one dwelling. (To provide farm house in connection with adjoining land.) – Approved on 15 July 1986.
  - C/01/1694 – Erection of single-storey extension to provide annexe for elderly parents. – Approved 14 December 2001.



- C/01/0713 – Change of use to riding school and livery; construction of manage – Approved 16 July 2001.
- C/06/0631 – Variation of Condition 05 of planning permission C3088/2 (agricultural occupancy of dwelling condition) to include management of livery yard/riding stables. – Approved on 26 May 2006.
- DC/17/5374/FUL – Change of use from open garage to enclosed office and fit out, including retrospective planning approval for changes to roof from asbestos sheet to insulated composite panel and changes of design and locations of Windows from metal frames to double glazed insulated UPVC white Windows and doors. – Approved on 9 February 2018.

## 5. Consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	3 April 2023 3 July 2023 15 August 2023 1 November 2023	5 May 2023 1 August 2023 No response 1 November 2023
<p>Summary of comments:</p> <p>The first response received is summarised as follows:</p> <ul style="list-style-type: none"> <li>• No objections, subject to recommended conditions.</li> </ul> <p>The second response received is summarised as follows:</p> <ul style="list-style-type: none"> <li>• Holding objection recommended due to concerns over pedestrian connectivity to and from the highway network.</li> <li>• Pedestrian footpath that runs the length of the site does not appear to link with any existing and/or new highway footway by way of crossing points.</li> <li>• Pedestrians would be forced to cross the road onto areas of highway verge which may not be suitable for all highway users.</li> <li>• Details of pedestrian access to and from the site will need to be provided.</li> <li>• Also noted that the vehicular access shown for plot 11 would appear to cross over part of the proposed footpath. The position of the access for Plot 11 also limits the inter-visibility between pedestrians and vehicles which could result in conflicts between highway users.</li> <li>• Queried what measures are going to be implemented next to the parking spaces at the northern end of the site to prevent vehicles from driving over the adjacent footpath.</li> </ul> <p>The third and final response received is summarised as follows:</p> <ul style="list-style-type: none"> <li>• No objections raised subject to recommended conditions.</li> </ul>		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	3 April 2023 3 July 2023 15 August 2023 25 September 2023	16 May 2023 26 July 2023 30 August 2023 29 September 2023
<p>Summary of comments:</p> <ul style="list-style-type: none"> <li>Following the receipt of information to address previous concerns, the Lead Local Flood Authority recommends approval subject to conditions.</li> </ul>		

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	3 April 2023 3 July 2023	25 April 2023 14 July 2023

<p>Summary of comments:</p> <p>The first response received is summarised as follows:</p> <ul style="list-style-type: none"> <li>Levington is a small village with a largely linear development pattern, with the exception being the cul-de-sac at Red House Walk.</li> <li>Character of Bridge Road is very rural.</li> <li>Hedge along Bridge Road has been cut back significantly.</li> <li>Site allocation policy (SCLP12.56) specifies that the existing hedgerows and trees should be retained; that the layout of the development should respond to the site's location close to the AONB; and that there should be a pedestrian connection to the footpath on Bridge Road.</li> <li>The application site is currently an undeveloped paddock, at the northern entrance to the settlement, and will become the transition between the countryside and built-up area of the settlement. Boundary treatments will be critical.</li> <li>Hedgerow should be retained, albeit the Design and Access Statement (DAS) states that the hedge needs to be removed to facilitate visibility splays and a new footpath.</li> <li>Fewer access points and reconsideration of the location of the footpath could help to preserve the hedge. The footpath could run behind the existing hedge, with connections to the existing footpath across the street.</li> <li>Fewer access points would allow the hedgerow to be a more continuous feature in the street, softening the impact of the development.</li> <li>Illustrative layout is mostly linear in nature, but plots 1 and 2 would be located behind plots 3-6. Plots 1 and 2 would appear as backland development, contrary to the linear nature of development within most of the village.</li> <li>Development should conform better to the prevailing pattern of development.</li> <li>Proposal includes self-build plots. The size of these plots seems to have lead to the non-linear layout at the northern and southern ends of the site, making these parts of the site look cramped. Less self-build plots and more semi-detached dwellings could allow for a more linear layout with a similar amount of dwellings.</li> <li>Whilst the matters of design and layout would be agreed at a later stage, concerns regarding the number of access points and the removal of the hedgerows should be resolved at this stage to meet the requirements of Policy SCLP12.56.</li> </ul>		
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- Scheme should also meet the requirements of Policy SCLP11.1 (Design Quality), specifically in regard to responding to the local character of the area and the retention of natural features.

The second response received is summarised as follows:

- Noted that one of the accesses has been removed and the footpath has been relocated behind the hedge.
- Proposed changes are positive and would better preserve the character of the street, and would better meet the requirements of Policy SCLP12.56.
- Scheme overall still looks rather cramped, and the position of plots 1 and 2 would appear as backland development, in contrast to the linear nature of most of the village.

Consultee	Date consulted	Date reply received
Levington Parish Council	3 April 2023 3 July 2023 15 August 2023	28 April 2023 13 August 2023 13 September 2023

Summary of comments:

The first response was received as follows:

*“Dear Sirs*

*The Parish Council considered this application at a Planning Meeting on Wednesday 19<sup>th</sup> April attended by over 45 residents who have passed on their views not only at the meeting but also on East Suffolk Planning Portal.*

***The Parish Council strongly opposes this application.***

*The application states that all matters are reserved apart from ‘access’ and ‘the number of dwellings to be accommodated’. Our comments and objections below are focused on the issues relevant to these two matters.*

**1. Built Environment**

- *SCLP 12.56 “The layout of the development should reflect the linear nature of the village”. This accords with the narrow nature of the site. This proposal does not reflect the linear nature of the village. But in order to accommodate the 18 dwellings required by ESC, the illustrative layout involves ‘back building’ which ESC has previously refused in the village.*
- *The development needs to be in keeping with the built environment of the rest of village which is low density; this OPA is high density and contrary to the existing street scene. It should also be visually complimentary to the award-winning Red House Walk complex opposite, the appearance of which ESC protects with restrictions on extensions and modifications.*

- *The proposed development represents an 18.9% increase in the number of dwellings within the Settlement Boundary.*
- *The self-build element of the application, if successful, would extend the development period of the site.*

## 2. Highways Issues

- *In order to accommodate 18 dwellings, the application relies on 3 separate road access points on to the narrow Bridge Road. Although mention is made of these being within the 30mph limit, but only just, it omits to mention the Northern one is very close to a dangerous blind bend. The PC has previously raised this danger with SCC Highways who agreed and painted central white lines.*
- *SCC Highways have so far not responded and will no doubt make same point. **We would like the opportunity to comment on any alternative proposal from SCC when received.***
- *Concern is expressed about additional vehicles regularly travelling in and out of the village where there are only short footways and the roads are frequently used by pedestrians and horse riders (there are many livery business' nearby).*
- *The 'internal' roadways of the illustrative layout, lined with parked cars, will not accommodate a large refuse lorry nor allow it to turn round. The lorry will therefore stay on the main road resulting in the requirement for 36 bins (recycling and green), to be assembled on the proposed pathway; clearly impractical and unacceptable.*
- *Residents living directly opposite the proposed access points will be plagued by headlights shining in their windows as vehicles exit the development.*
- *Levington has only two street lights (one in private ownership) and residents do not wish to see a lit "estate" and additional light pollution.*

## 3. Natural Environment

- *The proposed development site immediately borders the AONB where a high density housing development would be inappropriate. The hinterland to the AONB should have sparse developments leading away from it.*
- *SCLP 12.56 "The southern and western boundaries of the site comprise existing hedgerows and trees which should be retained other than where their removal is required to provide access. Further landscaping on the eastern boundary of the site would provide a separation between the site and the farm to the east. The Area of Outstanding Natural Beauty lies to the south and west of the site and development will therefore need to be sympathetic to the surrounding landscape".*

- *The existing natural mixed hedgerow along the site has been decimated by the applicant/landowner in advance of the submission of the application (and so now described by the applicant as “poor”) and little of significance will be possible with 3 access points.*
- *The indicative layout shows no landscaping to the East except speculative trees in private gardens.*
- *The proposed high density development immediately adjacent to the AONB will not be “sympathetic to the surrounding landscape”.*
- *In drawing up the current Local Plan, ESC (SCDC) unilaterally extended the Settlement Boundary into the countryside/natural environment. This is unwelcome by the PC. Should this application be approved at some time, there should be no further expansion of our Settlement Boundary. This encroachment into the natural environment is not supported.*

#### 4. Village Facilities and Services

*Levington is classified as a small village due to the lack of facilities including public transport (one mid-morning bus per day to Ipswich). A significant increase in journeys in private vehicles will be inevitable.*

- *The local primary school in the neighbouring village of Nacton is full and it has been reported that there will be no places for village children from 2024. An S106 contribution does not create immediately available additional places.*
- *The village water main has burst numerous times in recent years (7 in the last 11 years, 3 in the last 2) causing interruption of supply and frustrating road closures for repairs. It needs complete replacement.*
- *The sewerage system has blocked a number of times and the adequacy and resilience of the treatment plant near Levington Creek has been questioned.*
- *Surface water drainage is a continual problem through the village with frequent flooding across the road near the site. The proposed infiltration basins not only take up space but their appearance is questionable along the frontage of the development.*

*No additional demand should be placed on these facilities.*

***While these are not planning issues and involve other agencies, it is not reasonable or logical to ignore them in determining how many dwellings are appropriate for this site.***

*For the above reasons it is the considered view of the Parish Council that:*

- *The proposed access layout is unsafe, and detrimental to the neighbouring properties.*

- *The Local Plan “requirement” for the site to provide 18 dwellings in the context of this specific village environment is flawed and impractical. The site is physically too small, the local services inadequate and the essential utilities too undependable, to accommodate the projected increase in population. A much smaller number of dwellings needs to be agreed.”*

Following amendments to the application, specifically the reduction of access points from three to two; the retention of hedge along the Bridge Road frontage; the repositioning of the footpath to the east-side of the retained hedge; and the removal of the self-build element, a second response was received as follows:

*“Dear Andrew*

*The Parish Council is aware of the following amendments to the original Planning Application.*

- *Entrances into the development have been reduced from three down to two, however this does not alter the other Highways issues raised, dangerous bend, increase in traffic, refuse collection and lights shining in opposite houses.*
- *Letter from Ben Winton at Transport Planning to Andrew Martin in the Suffolk Highways states – there are concerns over pedestrian connectivity to and from the site from the outside highway. A holding objection shall be maintained by the highway authority. Details of a new footway would need to be provided. There are additional points which include the vehicular access for plot 11 cross over part of the footpath, the position of it also limits inter visibility between vehicles and pedestrians which could result in conflicts between vehicles and pedestrians. Also Ben has asked what means are going to be installed next to the parking spaces at the Northern end of the site to prevent vehicles running over the adjacent footpath.*
- *The Self Build element has been removed from the original plans however we understand that changes can be made again if outline planning permission is granted.*

*At the Parish Council’s Planning Meeting on Thursday, 10th August 2023 the Parish Council agreed that the basis of our previous objection has not changed and therefore the Parish Council **object** to the original Planning Application and the latest amendments.*

*I attach herewith a copy of our original **objection**.”*

A further amendment was made to the scheme and re-consulted upon. The amendment related to the provision of a pedestrian crossing point on the west-side of Bridge Road, towards the north of the site. Therefore, a further response was received from the Parish Council as follows:

*“The Parish Council considered the amendment to this application at a Planning Meeting on Monday, 4<sup>th</sup> September 2023 attended by over 18 members of the public who have passed on their views not only at the meeting but also on East Suffolk Planning Portal.*

***Although amendments to the application have been made, the Parish Council’s position on this application has not changed and the Parish Council strongly opposes this application.***

1. Entrances into the development have been reduced from three down to two. However, this does not alter the other Highways issues raised in our previous objection; dangerous bend, increase in traffic, refuse collection and lights shining in opposite houses.
2. Letter from Ben Winton at Transport Planning to Andrew Martin Suffolk Highways states “there are concerns over pedestrian connectivity to and from the site from the outside highway. A holding objection shall be maintained by the Highway authority. Details of a new footway would need to be provided. There are additional points which include the vehicular access for plot 11 cross over part of the footpath, the position of it also limits inter visibility between vehicles and pedestrians which could result in conflicts between vehicles and pedestrians.”

*Additionally, Ben Winton has asked what means are going to be installed next to the parking spaces at the Northern end of the site to prevent vehicles running over the adjacent footpath?*

3. The self-build element has been removed from the original plans however this could be altered again if outline planning permission is granted.
4. Many residents have once again submitted their objections to the Red House Farm development highlighting the original concerns.
5. On the Plan the pram access is shown with two pointers mentioning ‘additional paving at pram crossing’. It needs to be pointed out that the left-hand pointer hits directly Red House Walk private land which runs up to the bridleway. Has the developer not checked this or is it the intention of the developer to use private land not in their ownership to construct paving at this proposed crossing point?

*The Parish Council reiterates the original comments which are detailed below.*

*The application states that all matters are reserved apart from ‘access’ and ‘the number of dwellings to be accommodated’. Our comments and objections below are focused on the issues relevant to these two matters.*

#### 1. Built Environment

- *SCLP 12.56 “The layout of the development should reflect the linear nature of the village”. This accords with the narrow nature of the site. This proposal does not reflect the linear nature of the village. But in order to accommodate the 18 dwellings required by ESC, the illustrative layout involves ‘back building’ which ESC has previously refused in the village.*
- *The development needs to be in keeping with the built environment of the rest of village which is low density; this OPA is high density and contrary to the existing street scene. It should also be visually complimentary to the award-winning Red House Walk complex opposite, the appearance of which ESC protects with restrictions on extensions and modifications.*
- *The proposed development represents an 18.9% increase in the number of dwellings within the Settlement Boundary.*

- *The self-build element of the application, if successful, would extend the development period of the site.*

## 2. Highways Issues

- *In order to accommodate 18 dwellings, the application relies on 3 separate road access points on to the narrow Bridge Road. Although mention is made of these being within the 30mph limit, but only just, it omits to mention the Northern one is very close to a dangerous blind bend. The PC has previously raised this danger with SCC Highways who agreed and painted central white lines.*
- *SCC Highways have so far not responded and will no doubt make same point. **We would like the opportunity to comment on any alternative proposal from SCC when received.***
- *Concern is expressed about additional vehicles regularly travelling in and out of the village where there are only short footways and the roads are frequently used by pedestrians and horse riders (there are many livery business' nearby).*
- *The 'internal' roadways of the illustrative layout, lined with parked cars, will not accommodate a large refuse lorry nor allow it to turn round. The lorry will therefore stay on the main road resulting in the requirement for 36 bins (recycling and green), to be assembled on the proposed pathway; clearly impractical and unacceptable.*
- *Residents living directly opposite the proposed access points will be plagued by headlights shining in their windows as vehicles exit the development.*
- *Levington has only two street lights (one in private ownership) and residents do not wish to see a lit "estate" and additional light pollution.*

## 3. Natural Environment

- *The proposed development site immediately borders the AONB where a high density housing development would be inappropriate. The hinterland to the AONB should have sparse developments leading away from it.*
- *SCLP 12.56 "The southern and western boundaries of the site comprise existing hedgerows and trees which should be retained other than where their removal is required to provide access. Further landscaping on the eastern boundary of the site would provide a separation between the site and the farm to the east. The Area of Outstanding Natural Beauty lies to the south and west of the site and development will therefore need to be sympathetic to the surrounding landscape".*
  - *The existing natural mixed hedgerow along the site has been decimated by the applicant/landowner in advance of the submission of the application (and so now described by the applicant as "poor") and little of significance will be possible with 3 access points.*
  - *The indicative layout shows no landscaping to the East except speculative trees in private gardens.*



- *The proposed high density development immediately adjacent to the AONB will not be “sympathetic to the surrounding landscape”.*
- *In drawing up the current Local Plan, ESC (SCDC) unilaterally extended the Settlement Boundary into the countryside/natural environment. This is unwelcome by the PC. Should this application be approved at some time, there should be no further expansion of our Settlement Boundary. This encroachment into the natural environment is not supported.*

#### 4. Village Facilities and Services

*Levington is classified as a small village due to the lack of facilities including public transport (one mid-morning bus per day to Ipswich). A significant increase in journeys in private vehicles will be inevitable.*

- *The local primary school in the neighbouring village of Nacton is full and it has been reported that there will be no places for village children from 2024. An S106 contribution does not create immediately available additional places.*
- *The village water main has burst numerous times in recent years (7 in the last 11 years, 3 in the last 2) causing interruption of supply and frustrating road closures for repairs. It needs complete replacement.*
- *The sewerage system has blocked a number of times and the adequacy and resilience of the treatment plant near Levington Creek has been questioned.*
- *Surface water drainage is a continual problem through the village with frequent flooding across the road near the site. The proposed infiltration basins not only take up space but their appearance is questionable along the frontage of the development.*

*No additional demand should be placed on these facilities.*

***While these are not planning issues and involve other agencies, it is not reasonable or logical to ignore them in determining how many dwellings are appropriate for this site.***

*For the above reasons it is the considered view of the Parish Council that:*

- *The proposed access layout is unsafe, and detrimental to the neighbouring properties.*
- *The Local Plan “requirement” for the site to provide 18 dwellings in the context of this specific village environment is flawed and impractical. The site is physically too small, the local services inadequate and the essential utilities too undependable, to accommodate the projected increase in population. A much smaller number of dwellings needs to be agreed.”*

As will be discussed in the officer reporting below, following further discussions with the Highway Authority, it transpired that the provision of a new pedestrian crossing point on the west-side of Bridge Road would not be deliverable due to insufficient highway land, or land under the Applicant’s control, being available to accommodate it. The crossing point was subsequently omitted. Given the change represented a reduction in development, aside from re-consultation with SCC Highways, there was no further consultation on the matter.

Consultee	Date consulted	Date reply received
East Suffolk Planning Policy	3 April 2023 3 July 2023	No response

Summary of comments:

First response received is summarised as follows:

- The site is allocated under Policy SCLP12.56 for approximately 20 dwellings.
- Allocation policy requires affordable housing; retention of existing trees and hedgerows; a design and layout that is responsive to the AONB setting of the site; a project level Habitats Regulation Assessment; and the provision of active travel infrastructure that connects to Bridge Road.
- Illustrative layout and accommodation schedule suggests proposed housing types, sizes and gardens that are consistent with the scale and character of the village.
- Clustering of homes into small groups with three separate access routes from Bridge Road is not typical of the village.
- Proposed development appears to be set back from Bridge Road in order to accommodate the sustainable drainage proposed.
- Layout indicates a building line that is inharmonious.
- Design and layout of dwellings on the site will be expected to take into account the requirements of Policy SCLP9.2: Sustainable Construction for proposals to improve the efficiency of heating, cooling and lighting of buildings by maximising daylight and passive solar gain through the orientation of buildings.
- Clustering homes in the way proposed prevents permeability.
- The proposed footway should be consistent with the Suffolk Design: Streets Guide.
- There is a missed opportunity to better connect the development with the surrounding Public Right of Way network.
- With regards to the recommendations of the East Suffolk Cycling and walking strategy, the site is located on Bridge Road, which connects directly to recommendation IF13 of the Ipswich to Felixstowe Key Corridor.
- Secure cycle parking needs to be provided to all dwellings.
- Vehicle parking should have regard to Suffolk Guidance for Parking (2019).
- Proposal complies with affordable housing and housing mix requirements established under Policies SCLP5.10 and SCLP5.8.
- Provision of six self-build dwellings is supported, as the Council's Self Build and Custom Build register data shows that there are 26 people specifically interested in self build in Levington alone, plus many more people that have shown interest for plots anywhere in the district.
- If six self-build plots are to be included, a design code would be required.
- Amenity concerns, in relation to future occupants, based upon the current layout.
- Plot 7 would overlook the private space of plots 2 and 6. Plot 10 would overlook plot 11's private amenity, and may also have views into the east elevation of the dwelling. Plot 17 may also overlook the private external space of plots 14 and 16.
- Plot 13 is an isolated flat over garage.
- Unclear how proposed drainage basins will add to the amenity value of the site.

- Developers are expected to deliver infrastructure requires needed to support and service proposed developments. Infrastructure can be delivered on-site, where appropriate, or through CIL.
- Open space should be provided on new residential development sites to meet identified needs, in accordance with Policy SCLP8.2.
- Site is located in area which the Council's Open Space Report (2001) has identified experiences a lack of semi-natural greenspace and amenity green space.
- Levington has minimal open space provision within an accessible walking distance, although it is well connected to Public Right of Way routes through natural landscapes.
- Levington currently has no equipped play provision, despite having a population of around 250 and a housing mix that includes family homes.
- Nearest Locally Equipped Area for Play is located 3.5 miles away, representing an hour's walk or 20 minute cycle.
- Proposed development includes family-sized homes and can therefore be expected to increase the need for both green open space and play provision in the village.
- Site is not likely to be large enough to directly provide equipped play space or an suitable alternative green open space for dog/leisure walking, so a financial contribution towards off-site open space provision is likely to be most appropriate.
- Alternatively, improvements could be made to the Public Right of Way network to take visitors away from the sensitive river area.
- Current layout misses an opportunity for a pedestrian connection in the north western corner of the site to the PROW network, which should be rectified.
- Improvements to the PROW network should be provided through a financial contribution and agreement with the Highway Authority. Direct consultation with the community on which contribution option would be of most benefit to them is recommended.
- Allocation policy requires the retention of existing hedgerows and trees. The Design and Access Statement suggests that trees and hedgerows may need replacing due to being in a poor condition. Liaison with the Council's Specialist Services team is recommend to ascertain the best option, with retention being the preferred option if reasonable.
- Indicative layout does not indicate significant landscaping along the eastern and southern edge of the site, however, it is acknowledged that this detail may follow at the reserved matters stage.

The second response incorporates elements of repetition from the first response, but other points raised are summarised as follows:

- Mostly linear development along Bridge Road and Church Lane, with the exception of the Red House Walk development.
- Dwellings in the area are mostly large, detached homes on larger plots.
- Proposed layout is not linear in form and is therefore out of character with the settlement's development pattern.
- Number of dwellings proposed is consistent with Policy SCLP12.56.
- Material submitted indicates the provision of housing types, housing sizes, and plot sizes that are broadly consistent with the scale and character of the village, with the exception of plots 1, 2, 13, 17, and 18, which are positioned to the rear of plots/dwellings facing Bridge Road.
- If the proposed layout were to be retained through to reserved matters, residential amenity would need to be carefully considered.

- Relocation of the shared use path from being to the west of the hedging to being on the east side of the hedging is welcomed. This change fulfils Policy SCLP12.56's requirement for the retention of existing hedgerows and trees on the western side and provides a higher level of segregation for users of the shared path.
- Unclear what landscaping will be delivered along the eastern and southern boundaries, but acknowledged that this detail may follow at the reserved matters stage.
- Reduction in the number of accesses from three to two is welcomed, as this will allow more of the existing hedgerow to be retained and further reduces the potential for vehicle conflict with pedestrians and cyclists using the shared use path, thereby complying with Policy SCLP7.1.
- Reducing the number of access points from two to one would further reduce the amount of hedgerow to be removed, and may increase the space available for sustainable urban drainage systems and amenity green space.
- A single access point would be more consistent with the Red House Walk development opposite the site.
- Two metre wide shared path is likely to be acceptable, given it is a short stretch of path in a love movement area.
- Addition of a more direct connect point to Public Right of Way routes Footpath 1 and Bridleway 23 is also welcomed.
- Design of shared use path is not consistent with the Suffolk Design: Street Guide (2022).
- Surfacing of shared use path over the access points should be continuous.
- Noted that some of the dwellings are shown to have minimal or no front garden space. An increase in front garden areas and the inclusion of soft boundary treatments and plantings may be beneficial.
- No indication of Part M4(2) provision, Policy SCLP5.8 requires 50% of dwellings on proposals of 10 or more non-specialist dwellings to meet the requirements for accessible and adaptable dwellings.
- Noted that the self-build element has been omitted. There was no policy requirement for self-build plots as part of the proposal, however, it was in principle supported by the Council.
- Plot 13 raises residential amenity concerns.
- The flats over garages could give rise to amenity issues, if the spaces underneath the habitable accommodation are beyond the control of the occupants.
- Policy SCLP9.6 requires sustainable drainage systems (SuDS) in residential developments of 10 or more dwellings, unless demonstrated to be inappropriate. The policy also requires the drainage infrastructure to be integrated into the landscaping scheme and green infrastructure provision of the development, and contribute towards the overall design quality.
- For the SuDS to contribute towards the development's amenity greenspace, it must provide adequate amenity value. This can be achieved through high quality landscaping and being accessible and safe to use as recreational space when not wet.
- Permeable paving will not be adopted.

Consultee	Date consulted	Date reply received
Anglian Water	3 April 2023 4 April 2023	4 April 2023 28 April 2023

Summary of comments:

- No assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.
- The foul drainage from this development is in the catchment of Levington Water Recycling Centre that will have available capacity for these flows.
- Conditions recommended regarding foul drainage.
- Details submitted regarding the proposed method of surface water management does not relate to Anglian Water. As such, Anglian Water is unable to provide comments on the suitability of the surface water management. Advised that the advice of the Lead Local Flood Authority is sought.
- Environment Agency should also be consulted if the drainage system directly or indirectly involves the discharge of water into a main river.
- No objections to the development, subject to the recommended foul drainage condition.

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	3 April 2023 4 April 2023	4 April 2023 4 April 2023

Summary of comments:

- Outlined the benefits of automatic fire sprinklers and dispelled the myths surrounding automatic fire sprinklers.
- Access to buildings for fire appliances and firefighters must meet with the requirements specific in Building Regulations Approved Document B.
- Suffolk Fire and Rescue also require a minimum carrying capacity for hard standing for pumping/high reach appliances of 15/26 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2000 Approved Document B, 2019 edition.
- No additional water supply for fire fighting purposes is required in respect of this planning application.
- Recommended that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the provision of automatic fire sprinkler system.

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	3 April 2023	12 April 2023

Summary of comments:

- No objections to the proposed development in principle.
- Acknowledge the receipt of the Geoenviro Solutions Ltd Phase 1 land contamination report dated January 2023. However, the report does not include details of any site walkover and inspection by a competent person, and therefore it is not satisfactory or comprehensive in assessing risk at this stage.

- A complete Stage 1, Tier 1 assessment report will be necessary prior to commencement of development and can be secured by planning condition.
- At this time therefore the full suite of contaminated land conditions are recommended.
- Unclear whether the dwellings might have air source heat pumps or similar technology. If not scaled and installed under permitted development rights, then a noise assessment could be required to ensure protection of amenity of existing residential properties.
- Conditions recommended regarding the construction phase, both control the working hours, and to ensure no unreasonable disturbance to existing residents from smoke, dust, noise, and light during this phase.

Consultee	Date consulted	Date reply received
East Suffolk Housing Development Team	3 April 2023	17 April 2023

Summary of comments:

- Delivery of affordable homes is a corporate priority and will be required on all schemes over 10 dwellings.
- At least 40% of all dwellings should meet the building regulations M4(2), both for market and affordable.
- Outlined preferred mix for proposed affordable homes:

Town/Parish: <a href="#">Levington</a> File ref: <a href="#">DC/23/1138/OUT</a>						
Tenure	Number of units	% (or No. ) of 1 bed homes	% (or No.) of 2 bed homes	% (or No.) of 3 bed homes	% (or no.) of 4 bed homes	
Total homes	18	0.3	0.4	0.25	0.05	
Total AH homes	6					Total
Affordable rent	3	1	1	1	0	3
M4(2/3)		1	1	1	0	3
Total SO						
Shared Ownership	1	0	0	1	0	1
M4(2/3)		0	0	1	0	1
Total FH						
First Homes	2	1	1	0	0	2
M4(2/3)		1	1	0	0	2
Grand total	6	2	2	2	0	6

Consultee	Date consulted	Date reply received
East Suffolk Private Sector Housing	3 April 2023	No response

Summary of comments: No response received.

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	3 April 2023	12 April 2023
<p>Summary of comments:</p> <ul style="list-style-type: none"> <li>• High potential for the discovering of below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.</li> <li>• No grounds for refusal of permission in order to achieve preservation in situ of any important heritage assets.</li> <li>• In accordance with paragraph 205 of the NPPF, 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.</li> </ul>		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	3 April 2023	24 April 2023
<p>Summary of comments:</p> <ul style="list-style-type: none"> <li>• Site is located within the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) Zone of Influence (Zone A) and is within 13km of the Sandlings Special Protection Area (SPA); the Deben Estuary SPA; the Deben Estuary Ramsar Site; the Stour and Orwell Estuaries SPA; the Stour and Orwell Estuaries Ramsar Site and the Orfordness-Shingle Street Special Area of Conservation (SAC).</li> <li>• As recognised in the Ecology Report and Planning Statement, mitigation in the form of a financial contribution to the Suffolk Coast RAMS is required to address in-combination recreational disturbance impacts on habitats sites arising from new residential development.</li> <li>• Submitted draft Heads of Terms for the S.106 agreement include securing this contribution and it should be ensured that this is included in the final agreement.</li> <li>• Supporting text (paragraph 12.618) to the allocation policy identifies that a project level Habitats Regulations Assessment (HRA) is required to assess the potential for hydrological impacts to occur as a result of the development.</li> <li>• The Local Plan HRA identifies the need for a project specific HRA as the site is within 700m of the Stour and Orwell Estuaries SPA and the Stour and Orwell Estuaries Ramsar Site.</li> <li>• The application is accompanied by a Flood Risk and Drainage Strategy which sets out the proposed surface water drainage strategy for the site. This states that surface water will be disposed of through infiltration via a Sustainable Urban Drainage System (SUDS) which will ensure that potentially contaminated water will be cleansed before being allowed to infiltrate to ground.</li> <li>• Application form states that foul water will be disposed via a main sewer connection.</li> <li>• Subject to the proposed drainage strategy being acceptable to the Lead Local Authority, it is considered that it is sufficient to ensure that the development will not have an Adverse Effect on the integrity of any European designated sites as a result of hydrological impacts.</li> </ul>		

- As this is an outline planning application, the detailed suitability of the final foul and surface water drainage systems will need to be assessed via an HRA of the subsequent reserved matters application.
- A separate draft HRA record has been provided for the above conclusions.
- Whilst it is noted that Natural England have provided comments on this application in relation to mitigation of recreational disturbance impacts, as this does not provide comment on potential hydrological impacts, they must be consulted on the draft HRA record prior to the determination of this application.
- Ecology Report identifies that the development of the site will result in the loss of an area of acid grassland and sections of the western boundary hedgerow which is assessed as being a UK Priority habitat.
- Whilst it is acknowledged that this is an outline application, the submitted Indicative Site Layout drawing (ref. 1001 Rev. C) shows that the western hedgerow is proposed to be removed in its entirety, with some replacement planting along the new frontage of the site.
- Allocation policy requires the retention of the existing boundaries and the current proposal does not meet this requirement and would result in the complete loss of the UK Priority habitat. Additionally, the proposal would be contrary to the requirements of Policy SCLP10.1.
- Existing hedging and trees should be retained. Reinforcement planting should be secured alongside the retention of the existing hedgerow.
- With regard to the potential impacts on protected and or UK Priority species, it is considered that the submitted Ecology Report adequately assesses these and describes the necessary avoidance and mitigation measures.
- Should permission be granted the implementation of the identified measures, along with a scheme of ecological enhancements, should be secured using the recommended conditions.

Consultee	Date consulted	Date reply received
Disability Forum	3 April 2023	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	3 April 2023	No response
Summary of comments: No response received.		



Consultee	Date consulted	Date reply received
Natural England	3 April 2023 16 May 2023	17 April 2023 16 May 2023

Summary of comments:

First response received summarised as follows:

- As the competent authority, the Council is required to carry out a HRA and adhere to its conclusions.
- Site is located within the 'zone of influence' (ZOI) for one or more European designated sites, such as the Suffolk Coast RAMS.
- Anticipated that new residential development within this zone is 'likely to have a significant effect', when considered either alone or in combination, upon the qualifying features of the European Site due to the risk of increased recreational pressure that could be caused by that development and therefore such development will require an appropriate assessment.
- The Council has measures in place to manage these potential impacts through a strategic solution which, in the view of Natural England, will be sufficiently certain and effective in preventing adverse impacts on the integrity of those European Site(s) within the ZOI from recreational impacts associated with such development.
- Natural England is of the view that if these measures, including contributions to them, are implemented, they will be effective and reliable in preventing adverse effects on the integrity of the relevant European Site(s) from recreational impacts for the duration of the development proposed within the relevant ZOI.
- Providing the appropriate assessment concludes that the measures can be secured as planning conditions or obligations, and providing that there are not other likely significant effects identified which require consideration by way of appropriate assessment, Natural England is likely to be satisfied that your appropriate assessments will be able to ascertain with sufficient certainty that there will be no adverse effect on the integrity of the European Site from recreational pressure in view of the site's conservation objectives.

The second response received is summarised as follows:

- Identified that without mitigation the application would have an adverse effect on the integrity of European designated sites.
- To mitigate against adverse effects and make the development acceptable, the following mitigation measures are required:
  - Recreational Disturbance Avoidance Mitigation Strategy (RAMS) payment
  - Hydrology: Sustainable Urban Drainage System and foul water disposal via main sewer
- Noted that your authority, as the competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended).
- The completed appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question.
- Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England

advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given.

- A RAMS payment should be secured in order to rule out an adverse effect on the integrity of the identified European sites from recreational disturbance.
- Additionally, a Sustainable Urban Drainage System and the disposal of foul water via a main sewer is recommended in order to rule out an adverse effect on the integrity of the hydrologically sensitive European sites.
- Natural England recognise this may need assessing via a more detailed Habitats Regulations Assessment at the subsequent reserved matters application.
- We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

Consultee	Date consulted	Date reply received
SCC Section 106 Officer	3 April 2023 6 June 2023	14 April 2023 6 June 2023 24 July 2023

Summary of comments: SCC have responded requesting the following S106 infrastructure requirements:

	Service Requirement	Capital Contribution
<b>CIL</b>	<b>Education</b>	
	- Primary School (expansion) @ £19,230 per place	£76,920
	- Secondary (new) @ £27,815 per place	£83,445
	- Sixth Form (expansion) @ £26,450 per place	£26,450
<b>CIL</b>	Libraries @£216 per dwelling	£3,888
<b>CIL</b>	Waste @£126 per dwelling	£2,268
<b>CIL</b>	Early Years @£19,230 per place	£38,460
<b>S106</b>	Secondary School Transport	£21,075
<b>S106</b>	Highways	TBC
<b>S106</b>	Monitoring fee (per trigger point)	£476

This response followed confirmation from the Council that all education contributions towards Brightwell Lakes secondary school will fall to CIL.

Consultee	Date consulted	Date reply received
SCC Cycling Officer	3 April 2023	No response

Summary of comments: No response received.

Consultee	Date consulted	Date reply received
Network Rail Property (Eastern Region - Anglia)	3 April 2023	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
Suffolk Police Design Out Crime Officer	3 April 2023	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
SUSTRANS	3 April 2023	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
East Suffolk CIL	3 April 2023	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
East Suffolk Building Control	3 April 2023	6 April 2023
Summary of comments: No comments to make.		

Consultee	Date consulted	Date reply received
East Suffolk Economic Development	3 April 2023	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	3 April 2023	25 April 2023

Summary of comments:

- Site lies immediately to the north of, but outside of the AONB boundary, and is allocated for housing in the Council’s Local Plan.
- Site currently comprises grazing paddocks divided by post and rail fencing, with an unvegetated boundary to the east, south, and north. There is an intermittent and irregularly managed hedgerow along the western, roadside boundary.
- Sites falls with Landscape Character Area (LCA) M2 Trimley and Foxhall Estate Farmland, but the site shows few if any typical characteristics of the LCA.
- In respect of the landscape, the site can only be regarded as having a low to medium sensitivity to change.
- It is inevitable that the fundamental landscape character and fabric of the site itself will change if development is permitted, but it is also important and relevant to consider potential impacts on the character of the surrounding landscape.
- To the south and west, the application site may be regarded as being associated with the existing village context. This associated will moderate the magnitude of change to local landscape character that is likely to arise from development of the site.
- Road frontage hedge is to be removed to achieve visibility splays and accommodate a new footpath.
- The hedge has good potential to be restored and inter-planted to achieve positive local landscape contribution.
- Removal of hedge is of notable adverse harm to local landscape character.
- Proposed replacement hedge planting will in time, if well established, restore the loss the existing hedge.
- The open boundaries to the north, east, and south will also need addressing in respect of landscape mitigation planting. This is indicated on the submitted site layout plan, but will need further and more careful consideration later in the planning process should outline consent be granted.
- Overall, it is considered that, with suitable landscape mitigation planting, the development of this site is unlikely to give rise to any meaningful adverse impacts on local landscape character.
- With intervening built up areas within the village, there will be no relevant impacts on landscape character within the AONB boundary.
- No objections to the application on landscape grounds, provided that appropriate landscape mitigation planting can be secured by condition for submission at the reserved matters stage.

Consultee	Date consulted	Date reply received
Waste Management Services - East Suffolk Norse	3 April 2023	No response
Summary of comments: No response received.		

**6. Third Party Representations**

6.1. A total of 72 letters of representation has been received, including two neutral responses and 70 letters of objection. The representations received are summarised as follows:

## Neutral responses

- There will be water supply and sewerage issues.
- Existing water main is due to be replaced due to leaks.
- Development could result in pressure issues.
- Mitigation measures required.
- Object to access strategy.
- Hedgerow must be retained in its entirety.
- Site is allocated.
- Proposal would include First Homes for local people, for the first time in 26 years.
- Village has seen a decline in young people.
- Support the provision of affordable homes and small starter homes.
- Affordable homes in the village have been purchased and extended, leading to a much higher percentage of larger homes in the village than is either appropriate or suitable to promote a sustainable age profile within the village.
- Self-build plots are likely to end up as large executive homes, unaffordable for families and working age people.
- Urge a planning condition compelling the builder/developer to offer for either sale or rent any affordable housing provision to young people who have a demonstrable connection to the village or the locality.

## Letters of objection

- Highway impacts (safety and parking).
- Design does not conform to local character.
- Negative impact on ecology and wildlife.
- Project prioritises profit over community needs.
- Unacceptable increase in local population.
- Existing infrastructure insufficient to accommodate the development.
- Unclear refuse and waste arrangements.
- Negative impact on local internet speeds.
- Impacts of construction on amenity and highway safety.
- Hedgerow should be allowed to regrow.
- Number of new homes proposed should be reduced.
- Proposal needs more landscaping and trees.
- Homes should be set back from the road to reflect local character.
- Number of vehicular access points should be reduced.
- Design and density should align with nearby homes.
- Pedestrian/pram crossing on blind bend is unacceptable.
- Queried how the hedge will be maintained and by whom.
- Proposal would exacerbate existing flooding and drainage issues.
- Out of keeping with linear development in Levington.
- Harmful to the landscape of the AONB.
- New developments should be on brownfield land, not greenfield land.
- Pedestrian crossing cannot be achieved as the land is under separate ownership.
- Queried how the footpath would be maintained.
- No local facilities or school places.

- Proposal is not supported by the local community.
- Queried whether the drainage basins will be dry or wet.
- Footpath unlikely to be safe, as it will not be lit.
- Site was allocated a long time ago when new homes were needed, but this is no longer necessary due other sites having come forward in the District.
- Local Plan should be revised.
- Future residents will use landscaping in Red House Walk as a playground.
- Footpath should extend further along Bride Road to the old Fison Building.
- Decimation of hedgerow shows that the Applicant and planners have no interest in the village.
- Revisions to the application do not address local concerns.
- No significant public transport in Levington.
- Self-build housing should be withdrawn.
- Noise impacts.
- Development would set a precedent.
- No play equipment is proposed.
- Levington is an award-winning village that should not be spoilt.
- Homes in Red House Walk were 'opened' by the late Prince Phillip.
- Affordable housing cannot be supported, as it would provide accommodation for people on the Housing Register waiting lists, such as those in overcrowded or poor conditions, split families or people facing harassment, rather than young, local people in the village.
- Self-build homes have been omitted to increase profit.
- Based upon existing character and pattern of development in the locality, the site should be occupied by an average of 3 homes.
- Each property in the village has an average 1,998 square metres of land, whereas proposed homes would have 330 square metres each.
- Site may be subject to a covenant.
- Secretary of State has recently rejected a proposal in Kent due to non-compliance with the local design code.
- Proposed footpath is pointless and does not lead anywhere.
- Unacceptable in principle.
- Inappropriate in a Conservation Area.
- Allocation is at odds with the policy strategy for small villages.
- No objection to additional housing in the village and a percentage of affordable housing, but the impacts of the development need to be acceptable. Current number of homes is not in keeping with the village.
- Village experiences additional traffic when there are road closures on A14.
- Village suffers from low water pressure.
- Negative impact on residential amenity of existing neighbours.
- Anti-social behaviour.
- Fear of crime.
- Loss of view.
- Light pollution.
- Village strapline is "A village with a vibrant & caring community set in a treasured landscape".
- Proposal will reduce local house values.
- Do not recall local consultation on the site's allocation.

- Council should consider the interests of local residents rather than housing targets.
- Land between Ipswich and Felixstowe is being eroded for development.
- Disruption during construction.
- Development could take 10 years to build.
- Planning applications have been allowed for new buildings or extensions in front of existing building line, nor allowed changes in materials within Red House Walk.
- Insufficient information submitted.
- Sizewell C will put more pressure on water supply and pressures.
- Levington not a sustainable location for affordable homes.
- Area has rich archaeological heritage.
- Harm to listed building.
- Landscape harm.
- Requested that action be taken due to lack of consultation when the site was allocated.
- Fireworks could land in adjacent paddock on bonfire night.
- Open paddock contributes towards setting of nearby listed buildings.
- Contrary to the NPPF.

## Publicity

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

Category	Published	Expiry	Publication
Major Application	6 April 2023	2 May 2023	East Anglian Daily Times

## Site notices

General Site Notice	Reason for site notice: Major Application Date posted: 6 April 2023 Expiry date: 2 May 2023
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## 7. Planning policy

National Planning Policy Framework 2023

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)

SCLP5.8 - Housing Mix (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)

SCLP8.2 - Open Space (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)

SCLP9.7 - Holistic Water Management (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)

SCLP10.2 - Visitor Management of European Sites (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP10.3 - Environmental Quality (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)

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



SCLP12.34 - Strategy for the Rural Areas (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP12.56 - Land at Bridge Road, Levington (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

Recreational Disturbance Avoidance and Mitigation Strategy Supplementary Planning Document (East Suffolk Council, Adopted May 2021)

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

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

East Suffolk Cycling and Walking Strategy (East Suffolk Council, Adopted October 2022)

## **8. Planning Considerations**

### Principle of development

- 8.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the development plan, unless material considerations indicate otherwise. The Council's Development Plan in the context of this application consists of the East Suffolk Council – Suffolk Coastal Local Plan (Local Plan), adopted September 2020.
- 8.2. Other material considerations to the determination of the application include the Supplementary Planning Documents (SPDs) referred to in section 8 above; and the National Planning Policy Framework (2023), from herein referred to as the NPPF.
- 8.3. Levington is a village located in close proximity to the A14 and the A12, providing good access to Felixstowe and Ipswich, as well as other larger centres within the region through the strategic highway network. Onward public transport connections are available from Ipswich Train Station to London, Cambridge, Norwich, and Peterborough, albeit the bus connections from Levington to Ipswich are limited to a single daily service, and so there is inevitably reliance on private car movements to reach the town from the village.
- 8.4. Services within Levington include a pub and a village hall, and there is an existing employment site to the north of the village at Levington Park. The nearest primary school to the site is Nacton Church of England Primary School, and the nearest secondary school is Kesgrave High School. Both of these schools are close to capacity, however, additional education provision would be secured through CIL receipts generated by the proposed development should planning permission be granted.
- 8.5. With regards to its overarching profile, Levington has a population of approximately 259 residents, comprising 122 residential properties. There are only six socially rented properties in Levington which has experienced very little growth in recent years, with only one new home permitted in the village since the monitoring year of 2008/2009.

- 8.6. In terms of the settlement hierarchy established under Policy SCLP3.2, Levington is identified as a Small Village. The settlement hierarchy enables the Council to achieve its vision for the plan area, meeting the scale of development required and enhancing the quality of the built, natural, historic, social and cultural environments whilst sustaining the vitality of communities. The supporting text to Policy SCLP5.2 explains that Small Villages are identified due to their modest range of services, which will serve the needs of residents within the village. It goes on to say that Small Villages can also serve the needs of those living in other settlements or within the countryside nearby, and, as with Large Villages, development of new housing in Small Villages can help to support existing local services as well as contributing towards the mix of housing available in these villages.
- 8.7. Therefore, as part of the settlement hierarchy, Small Villages are, in principle, acknowledged to be suitable places to accommodate new housing. In recognition of this, Policy SCLP3.2 states that the development requirements for Small Villages will be delivered through site allocations, and through windfall development where it is facilitated through other Local Plan policies.
- 8.8. Subsequently, to promote sustainable development in Levington in accordance with the Council's spatial strategy, the application site has been allocated for the development of approximately 20 dwellings under Policy SCLP12.56 (Land at Bridge Road, Levington) of the Local Plan which states that:
- “0.75ha of land adjacent to Levington Park, Bridge Road, Levington, as shown on the Policies Map, is identified for the development of approximately 20 dwellings.
- Development will be expected to accord with the following criteria:
- a) Provision of affordable housing provision on site;
  - b) Retention of existing hedgerows and trees on the boundaries of the site;
  - c) Design and layout of the development to respond to the site's location close to the AONB;
  - d) A project level Habitats Regulation Assessment will be required; and
  - e) Provision of pedestrian connectivity to the footpath on Bridge Road.”
- 8.9. To reflect the allocation of the site for residential development, the settlement boundary for Levington has been updated to incorporate the application site under Policy SCLP3.3 which explains that new development within defined settlement boundaries will be acceptable in principle, subject to consideration of other relevant policies of the development plan. Policy SCLP5.2 relates to housing development in Small Villages and reaffirms that residential development will be permitted within defined settlement boundaries where it comprises a small group of dwellings of a scale appropriate to the size, location and character of the village, or where it represents infill development.
- 8.10. Outline planning permission, with all matters reserved except for access, is being sought for 18 dwellings on the site, including six affordable homes. The quantum of development proposed aligns with the site's allocation for approximately 20 dwellings under Policy SCLP12.56. The remaining criteria of Policy SCLP12.56 are discussed further within the remainder of this report, albeit, as this is an outline application with all matters reserved except for access, the detailed design of the development would be for consideration at the reserved matters stage.

- 8.11. Policy SCLP12.56 represents the only residential allocation for Levington contained within the Local Plan and, through the proposed development, it would facilitate the addition of 18 dwellings to this village of approximately 122 properties, which is an increase of approximately 14% to the number of existing homes. The proposed development would also deliver six affordable homes in the village, with no other affordable homes planned within the village in the Local Plan.
- 8.12. It is recognised that the opportunities for sustainable modes of transport and access to services are limited in Levington, however, the adopted settlement hierarchy acknowledges that to promote sustainable development in rural areas, housing should be delivered where it can help to support existing local services and contribute towards the mix of housing available. This objective is consistent with paragraph 79 of the NPPF which recognises the importance of enhancing or maintaining the vitality of rural communities through the development of new housing. Specifically, paragraph 79 states that planning policies 'should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.'
- 8.13. Moreover, paragraph 105 of the NPPF recognises that the opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.
- 8.14. To summarise, the principle of the proposed development accords with Policies SCLP3.2, SCLP3.3, and SCLP12.56. Moreover, as the principle of the site's residential development is established through its allocation in the Council's Development Plan, the proposed development would also be consistent with the relevant objectives contained in the NPPF, namely the achievement of a genuinely plan-led planning system and the delivery of a sufficient of supply of homes.

#### Access & highway matters

- 8.15. Policies SCLP7.1 and SCLP7.2 collectively seek to promote sustainable modes of transport; reduce conflict between highway users; and ensure that sufficient parking is provided having regard to adopted standards. The Council's adopted Cycling and Walking Strategy SPD has also been produced to encourage walking and cycling movements within the District through new developments and infrastructure provision.
- 8.16. The above policy objectives are reflected within paragraphs 100, 104, 107, 110 and 112 of the NPPF. Paragraph 111 of the NPPF is explicit that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 8.17. This application seeks outline planning permission with the details pursuant to the matter of access also sought for approval. The proposed development would be served by two points of access off Bridge Road. Initially, three points of access were proposed, however, following discussions with officers, the number of access points were reduced to two. This change was principally requested to allow for greater retention of the existing hedgerow along the site frontage, as well to facilitate improved placemaking. The change was not requested by the Highway Authority, Suffolk County Council Highways (SCC Highways).

- 8.18. A footpath is proposed within the site to facilitate pedestrian connectivity to the footpath on Bridge Road, as required by Policy SCLP12.56. During the determination period, the footpath was re-positioned from highway boundary to the east-side of the existing hedge, to allow for the retention of the existing hedge.
- 8.19. SCC Highways had requested the provision of a pedestrian/pram crossing on the west-side of Bridge Road to the north of the site, at the point where the internal site footpath would terminate at the eastern edge of the carriageway. This request was intended to enable enhanced connectivity to the existing Public Rights of Way network, specifically Footpath 1 and Bridleway 23, to the north-west of the site. The Applicant agreed to this amendment and submitted an updated Parameters Plan to incorporate it, but further discussions with SCC Highways highlighted that the crossing would not be deliverable due to insufficient highway land, or land under the control of the Applicant, being available to accommodate it. The crossing point was subsequently omitted from the proposed development.
- 8.20. Notwithstanding the above, it is considered that the proposed development would satisfy the pedestrian connectivity requirements of Policy SCLP12.56 by providing a footpath that would be secured as a 'permissive footpath' to be made available for use by members of the public in perpetuity through an obligation within the associated S.106 legal agreement.
- 8.21. Parking provision, including cycle parking and electric vehicle charging points, would need to be provided in accordance with the adopted standards, however, this level of detail would form part of the finer layout considerations at the reserved matters stage. Likewise, the internal road layout would be considered at the reserved matters stage. Even so, having regard to the size of the site and the quantum of development proposed, which aligns with the site's allocation policy, it is considered that a satisfactory parking and internal road layout could be achieved at the reserved matters stage in alignment with policy expectations and requirements. As will be discussed in the design section below, this is not an endorsement of all of the design elements shown on the submitted Indicative Layout.
- 8.22. The Highway Authority, Suffolk County Council Highways (SCC Highways), have been consulted on the application and returned no objections on highway grounds in its most recent consultation response.
- 8.23. To summarise, there are no objections to the application on highway grounds. The proposed development would accord with Policies SCLP7.1 and SCLP7.2, in addition to the relevant objectives contained within the NPPF.

#### Design & character of the area

- 8.24. Policy SCLP11.1 establishes a general requirement for all new development to reflect local distinctiveness and incorporate high-quality design principles with regards to appearance, scale, layout, and landscaping. Policy SCLP12.56 reaffirms these requirements with a particular emphasis on the need for the design and layout of the development to respond to the site's location close to the AONB. The impact of the proposed development on the AONB is discussed in the landscape character section below.

- 8.25. Paragraph 130 of the NPPF details that planning policies and decisions should ensure that developments function well and add to the overall quality of the area. To achieve this, developments must be visually attractive as a result of good architecture, layout, and effective landscaping. Moreover, developments must establish a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming, and distinctive places to live, work, and visit.
- 8.26. The matters of scale, appearance, landscaping, and layout are reserved matters and are not subject to detailed consideration under this application. However, it is necessary under this application to reach a conclusion on the ability of the site to satisfactorily accommodate the quantum of development proposed. To inform this assessment, the Applicant has submitted a Parameters Plan and an Indicative Layout, with the former identifying key parameters for approval and compliance at the reserved matters stage, whilst the latter attempts to illustrative one way in which development could be satisfactorily achieved on the site.
- 8.27. The submitted Parameter Plan establishes that the existing hedgerows and trees on the site, including the hedgerow along Bridge Road, would be retained and reinforced; two points of access would be provided off Bridge Road; a new footpath would be provided along the full extent of the site frontage, on the east-side of the retained hedge; and the residential development, including the internal roads and other associated infrastructure, would be provided set-back from Bridge Road and the retained hedge. One further parameter specified on the plan relates to scale, specifically that the new dwellings would have no more than two-storeys. This is consistent with the prevailing character of the area and is considered to be acceptable. It is also worth noting that, aside from the general amenity green space shown around the perimeter of the site, additional landscaping and ornamental planting would be required within the residential development parcel indicated.
- 8.28. The final iteration of the Parameter Plan, as described above, incorporates amendments requested by officers in the interests of securing an improved design and character for the proposed development. Namely, the hedgerow along the site frontage had initially been proposed for removal, and three points of access were being sought. The retention of the hedge and the reduction in access points is strongly supported and will assist in the assimilation of the development into the transitional character of the site from the countryside to a village, as well as limiting the ecological impacts of the development.
- 8.29. The general layout shown on the Indicative Layout indicates that a mix of detached, semi-detached, and terraced homes could be provided in a broadly linear manner, albeit four dwellings are shown to be set behind the principal building line, towards the rear of the site. It is recognised that the four 'backland' dwellings would be at odds with the predominantly linear pattern of development in the street scene. However, as layout is a reserved matter, there would be an opportunity to address this element of the design at the appropriate stage of the planning process. Likewise, officers are of the view that the illustrative parking strategy, which includes some awkwardly sited garages and parking spaces, and the highway layout could both be improved upon at the reserved matters stage to achieve a suitably high standard of design.
- 8.30. From appraising the submitted drawings, it is apparent that 18 dwellings could be accommodated on the site with sufficient space to ensure that a high-quality strategy for

design and landscaping can be secured at the reserved matters stage. Therefore, to conclude, the amount of development proposed would be appropriate when having regard to the site's characteristics and constraints, and the detailed considerations surrounding design could be positively resolved through an application for reserved matters. To encourage early engagement on these matters, an informative is recommended advising that pre-application advice should be sought on the reserved matters prior to the submission of a formal application.

- 8.31. The proposed development would accord with Policies SCLP11.1 and SCLP12.56, in addition to the relevant objectives contained within the NPPF.

#### Amenity

- 8.32. Policies SCLP11.1 and Policy SCLP11.2 both emphasise the requirement for new developments to achieve an acceptable standard of residential amenity for existing and future occupants. This objective is reflected in the NPPF.
- 8.33. Whilst the precise location of the proposed dwellings within the site is a reserved matter, the developable area of the site is sufficiently distanced from existing residential properties to allow for the proposed dwellings to be orientated, designed, and positioned in a manner that respects the residential amenity enjoyed by neighbours.
- 8.34. Environmental Protection have been consulted on the application and have raised no objections subject to a condition requiring the submission and approval of a Construction Management Plan, and a condition restricting the hours of work during the construction phase.
- 8.35. There is considered to be sufficient space within the site for a layout to come forward which would provide for an acceptable standard of residential amenity for future occupiers. This would be assessed further at the reserved matters stage.
- 8.36. The proposed development would accord with Policies SCLP11.1 and SCLP11.2, in addition to the relevant objectives contained within the NPPF.

#### Open Space

- 8.37. Policy SCLP3.5 states that developers must consider the infrastructure requirements needed to support and service proposed development. All development will be expected to contribute as necessary towards infrastructure provision to meet the needs generated. It notes that off-site infrastructure will generally be funded by the Community Infrastructure Levy (CIL), whilst on-site infrastructure will generally be secured and funded through S.106 legal agreements.
- 8.38. Policy SCLP8.2 highlights that new residential development will be expected to contribute towards the provision of open space and recreational facilities, in order to benefit community health, well-being, and green infrastructure.
- 8.39. Paragraph 98 of the NPPF, amongst other matters, recognises the health and well-being benefits, as well as the wider environmental benefits, of high quality open space.

8.40. Given the size of the site, it is not considered to be large enough to deliver an area of high-quality open space on-site, as such off-site provision would be funded through CIL in accordance with Policies SCLP3.5 and SCLP8.2. The proposed development would therefore accord with Policies SCLP3.5 and SCLP8.2, and the relevant objectives contained within the NPPF.

Housing Mix

8.41. Policy SCLP5.8 sets out that proposals for new housing development will be expected to deliver the housing needed for different groups in the community as identified in the Strategic Housing Market Assessment (SHMA). It goes on to explain that new developments should provide a mix of housing tenures, types and sizes as appropriate to the site size, characteristics and location, as well as stipulating that for non-specialist residential developments of 10 or more dwellings at least 50% of the dwellings are required to comply with Building Regulations Part M4(2) (Accessible and Adaptable Dwellings).

8.42. Policy SCLP5.10 requires major residential development proposals to make provision for one in three units to be affordable dwellings, and to be made available to meet an identified local need, including needs for affordable housing for older people.

8.43. The above policy objectives are consistent with the policies contained within the NPPF which strive to achieve mixed communities through the delivery of housing to meet the needs of different groups, including affordable housing, family homes, and homes for people with disabilities.

8.44. In terms of affordable housing, the proposed development would deliver six affordable homes in accordance with the one in three requirement of Policy SCLP5.10. The following size and tenure split for the six affordable homes proposed has been agreed with the Council’s Housing Officer:

	<b>Dwelling Size</b>			
<b>Tenure</b>	<b>1-bedroom</b>	<b>2-bedrooms</b>	<b>3-bedrooms</b>	<b>4-bedrooms</b>
Affordable Rent	1	1	1	0
Shared Ownership	0	0	1	0
First Homes	1	1	0	0
<b>Total</b>	2	2	2	0

8.45. The above affordable housing mix would be secured through an obligation within the associated S.106 legal agreement.

8.46. In terms of market housing, the submitted Accommodation Schedule indicates a market housing mix which would be in general accordance with the SHMA. However, the Accommodation Schedule submitted also details the number of detached, semi-detached, terraced, and apartment properties proposed. This level of detail should be considered simultaneous to the reserved matters, given the spatial implications of the various house types proposed. As such, a condition is recommended for the market housing mix to be submitted for approval alongside the first application for reserved matter(s).

- 8.47. A condition is recommended requiring 50% of the dwelling to be compliant with Building Regulations Part M4(2).
- 8.48. To summarise, the proposed development would accord with Policies SCLP5.8 and SCLP5.10, in addition to the relevant objectives contained within the NPPF.

#### Landscape Character

- 8.49. Policy SCLP10.4 requires developments to be informed by the Suffolk Coastal Landscape Character Assessment (2018), the Settlement Sensitivity Assessment, or any updated landscape evidence. In doing so, it expects development proposals to demonstrate that they will protect and enhance the special qualities and features of the area; the visual relationship and environment around settlements and their landscape settings; distinctive landscape elements; visually sensitive skylines, seascapes, river valleys and significant views towards key landscapes and cultural features; and the growing network of green infrastructure.
- 8.50. Policy SCLP10.4 also specifies that development will not be permitted where it would have a significant adverse impact on the natural beauty and special qualities of the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB), that cannot be mitigated.
- 8.51. These policy objectives are reflected within the NPPF, including the requirement to recognise the intrinsic character and beauty of the countryside.
- 8.52. The site is located outside of, but adjacent to, the AONB. As defined by the Suffolk Coastal Landscape Character Assessment, the site falls within Landscape Character Area (LCA) M2 Trimley and Foxhall East Farmland. The site is located within the settlement boundary of Levington, as updated to reflect the allocation of the site for residential development.
- 8.53. The Council's Principal Landscape and Arboricultural Officer has reviewed the application and notes that the site shows few, if any, of the typical characteristics of the LCA. As such, the landscape can only be regarded as having a low to medium sensitivity to change. To the south and west of the site, the association with the existing village context moderates the magnitude of change to the local landscape character that is likely to arise as a result of the proposed development.
- 8.54. At the time the response was received from the Principal Landscape and Arboricultural Officer, the proposed development sought to remove the hedge from the site frontage. The removal of the hedge was considered to give rise to notable adverse harm to the local landscape character. This is because the existing hedge, whilst not found to be in the best condition, has good potential to be restored and inter-planted to achieve a positive local landscape contribution. The harm identified was tempered by the proposed new mixed species native hedge to be planted as a replacement, which in time, and if well established, would have restored the loss of the existing landscape element. Additional planting is also required, and proposed, along the open site boundaries to the north, east, and south and will need further and more careful consideration at the reserved matters stage.



- 8.55. Subsequently, even when account for the originally proposed hedge removal, the Principal Landscape and Arboricultural Officer concluded that, subject to suitable landscape mitigation planting, the proposed development is unlikely to give rise to any meaningful adverse impacts on local landscape character. Additionally, when having regard to the intervening built-up areas within the village, there will be no relevant impacts on landscape character within the AONB boundary. Therefore, they raised no objections to the proposed development on landscape grounds.
- 8.56. Given the hedge along the site frontage is now proposed for retention and reinforcement with supplementary planting, the adverse landscape harm of the development can only have been reduced, so the absence of objection on landscape grounds remains.
- 8.57. To summarise, the proposed development would accord with Policy SCLP10.4, in addition to the relevant objectives contained within the NPPF.

### Trees

- 8.58. Policy SCLP10.4 states that, amongst other matters, development proposals will be expected to demonstrate that their location, scale, form, design and materials will protect and enhance distinctive landscape elements including trees, hedgerows, and field boundaries, and their function as ecological corridors. Likewise, Policy SCLP10.1 requires developments to maintain, restore, or enhance the existing green infrastructure network and positive contribute towards biodiversity and/or geodiversity through the creation of new habitats and green infrastructure and improvement to linkages between habitats.
- 8.59. Policy SCLP12.56 requires the retention of existing hedgerows and trees on the boundaries of the site.
- 8.60. Paragraph 131 of the NPPF highlights the importance of trees for helping to mitigate against and adapt to climate change and requires existing trees to be 'retained wherever possible'.
- 8.61. As aforementioned, the site's eastern, southern, and northern boundaries are predominantly open and unvegetated. There is an existing hedgerow along the site's western boundary, adjacent to Bridge Road. Despite the initial proposal to remove the existing hedgerow, the updated Parameter Plan illustrates the retention of the existing hedge and vegetation on the site. This is reflected on the Indicative Layout submitted for consideration.
- 8.62. On the basis that the existing hedgerow and vegetation is to be retained and reinforced through additional planting, the details of which are to be agreed at the reserved matters stage, there are no objections to the proposed development with regards to tree or hedgerow impacts.
- 8.63. The proposed development would accord with Policies SCLP10.4, SCLP10.1, and SCLP12.56, in addition to the relevant objectives contained within the NPPF.

## Ecology

- 8.64. As set out above in relation to trees, Policy SCLP10.1 requires developments to maintain, restore, or enhance the existing green infrastructure network and positively contribute towards biodiversity and/or geodiversity through the creation of new habitats and green infrastructure and improvement to linkages between habitats.
- 8.65. Policy SCLP12.56 requires a project level Habitats Regulations Assessment for the proposed development of the site.
- 8.66. Paragraph 170 of the NPPF is also explicit that planning decisions should contribute to and enhance the local environment by minimising impacts on and providing net gains for biodiversity.
- 8.67. The application site is within the Suffolk Coast Recreational Disturbance Avoidance Mitigation Strategy (RAMS) Zone of Influence (Zone A) and is within 13km of the Sandlings Special Protection Area (SPA); the Deben Estuary SPA; the Deben Estuary Ramsar Site and the Orfordness-Shingle Street Special Area of Conservation (SAC).
- 8.68. The application is supported by an Ecology Report, prepared by MHE Consulting Ltd and dated February 2023, which assesses the likely impact of the proposed development on Protected and Priority Habitats and Species, as well as the identification of proportionate mitigation measures. The Council's Ecologist has reviewed the application and is satisfied with the conclusions reached within the Ecology Report subject to recommended conditions.
- 8.69. The Council's Ecologist did note in their response that the removal of the hedge along the site's western boundary would result in the loss of a UK Priority habitat. To align with policy requirements, it was asserted that the UK Priority habitat should be retained, protected, and enhanced as part of the development. Following the receipt of the response, the application was amended to retain the hedgerow and so this concern has since been addressed.
- 8.70. It is recognised within the submitted Ecology Report and Planning Statement that mitigation, in the form of a financial contribution to the Suffolk Coast RAMS, is required to address in-combination recreational disturbance impacts on habitats sites (European designated sites) arising from new residential development. This contribution would be secured through the associated S.106 legal agreement.
- 8.71. In addition to addressing the in-combination recreational disturbance impacts, the allocation policy for the site identifies that a project level Habitats Regulations Assessment (HRA) is required to assess the potential for hydrological impacts to occur as a result of the development. The Local Plan HRA, prepared by Footprint Ecology and dated December 2018, identifies the need for this as the site is within 700m of the Stour and Orwell Estuaries SPA and the Stour and Orwell Estuaries Ramsar Site.
- 8.72. The application is accompanied by a Flood Risk and Drainage Strategy, prepared by G.H. Bullard and Associates LLP and dated June 2023, which sets out the proposed surface water drainage strategy for the site. It explains that surface water from the development will be disposed of through infiltration via a Sustainable Urban Drainage System (SuDs) which will ensure that potentially contaminated water will be cleansed before being

allowed to infiltrate to ground. It is understood that, as stated on the application form, the foul water will be disposed of via a main sewer connection.

- 8.73. As will be discussed in the below section on flood risk and drainage, the proposed flood risk and drainage strategy is acceptable to the Lead Local Flood Authority (LLFA), Suffolk County Council. Subsequently, it is considered that the strategy is sufficient to ensure that the development will not have an adverse effect on the integrity of any European designated sites as a result of hydrological impacts. However, as this is an outline planning application, the detailed suitability of the final foul and surface water drainage systems will need to be assessed via an HRA of the subsequent details submitted for approval with regards to drainage, either as part of the reserved matters application or through the discharge of conditions.
- 8.74. A separated draft HRA record has been completed to inform the above conclusions. Natural England have been consulted on the application and the draft HRA and have returned no objections to the proposed development. The draft HRA has consequently become an adopted HRA.
- 8.75. The proposed development would accord with Policies SCLP10.1 and SCLP12.56, in addition to the relevant objectives contained within the NPPF.

#### Flood Risk and Drainage

- 8.76. Policy SCLP9.6 states that developments should use sustainable drainage systems to drain surface water, and that developments of 10 dwellings or more will be required to utilise sustainable drainage systems (SuDs), unless demonstrated to be inappropriate.
- 8.77. Paragraph 168 of the NPPF reaffirms the above policy objectives and establishes that, when considering the SuDs used, regard should be given to the advice received from the LLFA.
- 8.78. The application site is located within Flood Zone 1 where the risk of flooding is low. A Flood Risk and Drainage Strategy, prepared by G.H. Bullard & Associates LLP and dated June 2023, has been submitted in support of the planning application. This outlines that the surface water from the development will be disposed of through infiltration by incorporating SuDs, including a basin, permeable paving, and rain gardens. In terms of foul water, it is proposed that the development would be connected to the public sewer through an agreement with Anglian Water.
- 8.79. The LLFA, Suffolk County Council, has been consulted on the application and, following the submission of updated information, returned no objections to the development subject to the imposition of recommended conditions.
- 8.80. Anglian Water has been consulted on the application. Their response identifies that the site is within the catchment of the Levington Water Recycling Centre which it is confirmed would have available capacity for the proposed flows. Anglian Water has raised no objections to the development subject to a condition requiring the submission and approval of a detailed foul drainage strategy.

- 8.81. The proposed development would accord with Policy SCLP9.6, in addition to the relevant objectives contained within the NPPF.

#### Contamination

- 8.82. Policy SCLP10.3 states that development proposals will be expected to protect the quality of the environment and to minimise and, where possible, reduce all forms of pollution and contamination. This objective is also contained within the NPPF.
- 8.83. The application is supported by a Phase 1: Desktop Study and Preliminary Risk Assessment Report, prepared by GeoEnviro Solutions Ltd and dated January 2023. Environmental Protection have reviewed the submission and have no objections to the proposed development in principle. However, as the submitted report does not include details of any site walkover and inspection by a competent person, a complete Stage 1, Tier 1 assessment report will need to be submitted and approved prior to the commencement of development. It is proposed that this assessment can be secured by a planning condition, and Environmental Protection have recommended a full suite of contaminated land conditions. Further conditions have been recommended in relation to minimising the impacts of the construction phase of development on the amenity of existing residential properties.
- 8.84. It has also been queried by Environmental Protection whether the proposed dwellings would be served by air source heat pumps or similar, on the basis that a noise assessment could be required if they were not scaled and installed under permitted development rights. This level of detail has yet to be established and will be assessed further at the reserved matters stage.
- 8.85. The proposed development would accord with Policy SCLP10.3, in addition to the relevant objectives contained within the NPPF.

#### Sustainability

- 8.86. Policy SCLP9.2 requires all new developments of more than 10 dwellings to achieve higher energy efficiency standards which result in a 20% reduction in CO2 emissions below the Target CO2 Emission Rate (TER) set out in the Building Regulations, unless the applicant can demonstrate, to the satisfaction of the Council, that it is not viable or feasible to meet the standards. Additionally, all new residential development should achieve the optional technical standards in terms of water efficiency of 110 litres per person, per day. Proposals should also improve the efficiency of heating, cooling and lighting of buildings by maximising daylight and passive solar gain through the orientation of buildings. Further guidance on this topic can be found within the adopted Sustainable Construction SPD.
- 8.87. To demonstrate compliance with the requirements of Policy SCLP9.2 a condition is recommended to secure the submission and approval of a Sustainability Statement prior to the commencement of development.
- 8.88. The passive measures for securing energy efficiency, such as layout and orientation, will be assessed further at the reserved matters stage.

- 8.89. The proposed development would accord with Policy SCLP9.2, in addition to the relevant objectives contained within the NPPF.

### Archaeology

- 8.90. Policy SCLP11.7 seeks to ensure that provision is made for the preservation of important archaeological remains. It explains that archaeological planning conditions or obligations will be imposed on consents as appropriate.
- 8.91. SCC Archaeology have reviewed the application and identified that there is high potential for the discovery of below ground heritage assets of archaeological importance within the area. This means that any groundworks associated with the development have the potential to damage or destroy any archaeological remains which may be present within the site boundary.
- 8.92. Notwithstanding the above, SCC Archaeology have explicitly stated that there are no grounds to consider refusal of permission in order to achieve preservation *in situ* of any important heritage assets. However, in accordance with paragraph 205 of the NPPF, SCC Archaeology have recommended that any planning permission granted be subject to their suggested conditions.
- 8.93. The proposed development would accord with Policy SCLP11.7, in addition to the relevant objectives contained within the NPPF.

### CIL

- 8.94. SCC have reviewed the application and responded to the application outlining the infrastructure needs they expect the development to address. The table below outlines the capital contributions that would form the basis of a future bid by SCC to the Council for CIL funds, as well as the S.106 obligations sought, if planning permission is granted and implemented:

	<b>Service Requirement</b>	<b>Capital Contribution</b>
<b>CIL</b>	<b>Education</b>	
	- Primary School (expansion) @ £19,230 per place	£76,920
	- Secondary (new) @ £27,815 per place	£83,445
	- Sixth Form (expansion) @ £26,450 per place	£26,450
<b>CIL</b>	Libraries @£216 per dwelling	£3,888
<b>CIL</b>	Waste @£126 per dwelling	£2,268
<b>CIL</b>	Early Years @£19,230 per place	£38,460
<b>S106</b>	Secondary School Transport	£21,075
<b>S106</b>	Highways	TBC
<b>S106</b>	Monitoring fee (per trigger point)	£476

## **9. Conclusion**

- 9.1. To conclude, the application site is allocated for residential development of approximately 20 dwellings under Policy SCLP12.56 of the Local Plan. The principle of the proposed

development of the site for 18 dwellings, including six affordable homes, is subsequently considered to be acceptable.

- 9.2. The application is made in outline with all matters reserved except for access. Details in relation to layout, scale, appearance, and landscaping would therefore be subject to consideration at the reserved matters stage. The two access points proposed have been assessed by the Highway Authority, SCC Highways, who have returned no objections subject to conditions.
- 9.3. Officers are content that, whilst there are elements of the Indicative Layout which will require refinement and further consideration at the reserved matters stage, the overall parameters established, including the retention of the existing hedge, the provision of a footpath within the site, and the delivery of 18 dwellings, are acceptable and will facilitate a suitably high-standard of design for consideration and approval under the reserved matters application(s).
- 9.4. There are no concerns, or harms, that have been identified with regards to design, amenity, landscape character, trees, ecology, flood risk and drainage, contamination, sustainability, archaeology, and infrastructure, that cannot be mitigated through conditions, planning obligations, CIL, or careful consideration at the reserved matters stage. With this in mind, the proposed development is considered to accord with Development Plan as a whole and the objectives contained within the NPPF. The proposed development therefore represents sustainable development.

## **10. Recommendation**

- 10.1. Authority to approve subject to the agreement of conditions and the completion of a S.106 legal agreement.

## **11. Section 106 – Draft Heads of Terms**

- Provision of Affordable Housing at a rate of one in three dwellings in accordance with the house types and tenures agreed with the Council.
- A Secondary School Transport Contribution to be used to fund school transport provision for a minimum of five years for secondary-age pupils.
- Financial contribution to mitigate in-combination effects on European designated sites in accordance with the Suffolk Recreational Avoidance and Mitigation Strategy.
- Arrangements to secure the footpath proposed within the site as a Permissive Path for use by members of the public in perpetuity.

## **12. Draft Conditions**

1. Application for approval of reserved matters shall be made not later than the expiration of three years beginning with the date of this permission.

The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: This condition is imposed in accordance with Section 92 of the Town and Country Planning Act 1990.

2. This permission is an outline planning permission issued in accordance with the Town and Country Planning (General Development Procedure Order (2010)) and before work on the development is begun, approval of the details of the following, herein called the "reserved matters", shall be obtained from the local planning authority:

- The quantity, type and layout of buildings within the proposed development;
- The precise height, width and length of individual buildings;
- The appearance of buildings (including proposed materials);
- Access details within the site for vehicles, cycles and pedestrians, including the new footpath in accordance with Parameters Plan drawing number 1001.1 Rev. C; and
- Landscape proposals, including boundary planting and the retention and reinforcement of the existing hedge in accordance with Parameters Plan drawing number 1001.1 Rev. C.

Reason: As provided for in the Town and Country Planning (General Development Procedure Order (2010)) no such details having been given in the application

3. The development hereby permitted shall comprise not more than 18 dwellings.

Reason: To ensure that the amount of development sought for approval at the reserved matters stage does not exceed the threshold deemed suitable for achieving sustainable development.

4. Prior to commencement of development and concurrent with the submission of the first reserved matter(s) application, a housing mix strategy shall be submitted to and approved in writing by the local planning authority, in order to demonstrate how the proposed development will deliver an appropriate mix of dwellings across the development.

Reason: This is a pre-commencement condition to ensure the development provides a mix of housing in accordance with policy SCLP5.8 (Housing Mix) of the East Suffolk Council - Suffolk Coastal Local Plan (2020).

5. No other part of the development hereby permitted shall be commenced until the new accesses have been laid out and completed in all respects in accordance with drawing no. 1001 Rev. F with entrance widths of 4.5 metres for a distance of 5 metres measured from the nearside edge of the metalled carriageway. 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. This needs to be a pre-commencement condition because access for general construction traffic is not otherwise achievable safely.

6. Prior to the development hereby permitted being first occupied, the new accesses onto the highway shall be properly surfaced with a bound material for a minimum distance of 5 metres measured from the nearside edge of the metalled carriageway, in accordance with details that shall have previously been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure construction of a satisfactory access and to avoid unacceptable safety risks arising from materials deposited on the highway from the development

7. 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 accesses are first used and shall be retained thereafter in its approved form.

Reason: To prevent hazards caused by flowing water or ice on the highway. This needs to be a pre-commencement condition to avoid expensive remedial action which adversely impacts on the viability of the development if, given the limitations on areas available, a suitable scheme cannot be retrospectively designed and built. This is a pre-commencement condition because insufficient details have been submitted at planning stage.

8. Before the development is commenced, details of a new footway along the Western edge of the development site 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 eighteenth dwelling 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.

9. 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 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. This needs to be a pre-commencement condition to avoid expensive remedial action which adversely impacts on the viability of the development if, given the limitations on areas available, a suitable scheme cannot be retrospectively designed and built.



10. Before the development is commenced details of the areas to be provided for the secure, covered and lit cycle storage including electric assisted cycles shall be submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be implemented for each dwelling prior to its first occupation and retained as such thereafter.

Reason: To promote sustainable travel by ensuring the provision at an appropriate time and long term maintenance of adequate on-site areas and infrastructure for the storage of cycles and charging of electrically assisted cycles in accordance with Suffolk Guidance for Parking (2019). This is a pre-commencement condition because it must be demonstrated that the development can accommodate sufficient cycle storage before construction works may make this prohibitive and in the interests of ensuring that sustainable transport options are provided.

11. Before the development is commenced details of the infrastructure to be provided for electric vehicle charging points 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: In the interests of sustainable travel provision and compliance with Local Plan Sustainable Transport Policies. This needs to be a pre-commencement condition to avoid expensive remedial action which adversely impacts on the viability of the provision of electric vehicle infrastructure if a suitable scheme cannot be retrospectively designed and built.

12. 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.
- o) details of lighting during the 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, and the amenity and protection of the local environment. This is a pre-commencement condition because an approved Construction Management Plan must be in place at the outset of the development.

13. Before the access is first used clear visibility at a height of 0.6 metres above the carriageway level shall be provided and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 2.4 metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 43 metres in each direction along the edge of the metalled carriageway from the centre of the access (Y dimension).

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.

14. Concurrent with the first reserved matters application(s) a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority (LPA). The scheme shall be in accordance with the approved Flood Risk and Drainage Strategy, prepared by G.H. Bullards and Associates Ltd and dated June 2023, and include:
  - a. Dimensioned plans and drawings of the surface water drainage scheme;
  - b. Further infiltration testing on the site in accordance with BRE 365 and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible;
  - c. If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to  $Q_{bar}$  or 2l/s/ha for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA;
  - d. Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;
  - e. Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year rainfall event including climate change, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
  - f. Topographical plans depicting all exceedance flow paths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;
  - g. Details of the maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority.

h. 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 local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and 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

The scheme shall be fully implemented as approved.

Reasons: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development. To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater. To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage.

<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-on-development-and-flood-risk/construction-surface-water-management-plan/>

15. Within 28 days of practical completion of the last dwelling or unit, a Sustainable Drainage System (SuDS) verification report shall be submitted to the LPA, detailing that the SuDS have been inspected, have been built and function in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks have been submitted, in an approved form, to and approved in writing by the LPA 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 within the county of Suffolk.

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

16. Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of the first dwelling, the foul water drainage works must have been carried out in complete accordance with the approved scheme.

Reason: To prevent environmental and amenity problems arising from flooding.

17. Development must be undertaken in accordance with the ecological avoidance, mitigation and enhancement measures identified within the Ecology Report (MHE Consulting, February 2023 REV 1) 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.

18. No removal of hedgerows, trees or shrubs, brambles, ivy and other climbing plants or works to or demolition of buildings or structures that may be used by breeding birds 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.

19. Commensurate with the Reserved Matters application, a "lighting design strategy for biodiversity" 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.

20. Commensurate with the Reserved Matters application, an Ecological Enhancement Strategy based on the recommendations made within the Ecology Report (MHE Consulting, February 2023 REV 1) and addressing in detail 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.

21. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the LEMP shall include the following:

- a. Description and evaluation of features to be managed.
- b. Ecological trends and constraints on site that might influence management.
- c. Aims and objectives of management.
- d. Appropriate management options for achieving aims and objectives.
- e. Prescriptions for management actions.
- f. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g. Details of the body or organization responsible for implementation of the plan.
- h. Ongoing monitoring and remedial measures.

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

Reason: This is a pre-commencement condition to safeguard biodiversity and protected species in accordance with Policy SP14 and Policy DM27 of the East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (2013) and the National Planning Policy Framework.

22. If the Reserved Matters application for this Outline planning consent is not submitted within 2 years from the date of this Outline planning consent, or if it is submitted and approved but not commenced within 2 years of this planning consent, the approved ecological measures secured through Conditions 17, 18, 19, 20, and 21 shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to i) establish if there have been any changes in the ecological receptors present on the application site and ii) identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Reason: To ensure that ecological mitigation measures are appropriately delivered based on up-to-date evidence.

23. The landscape works to be approved at Reserved Matters stage 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 five 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 thereafter and shall be retained and maintained.

Reason: To ensure that there is a well laid out landscaping scheme in the interest of visual amenity.

24. No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees and hedgerows, as shown on drawing number 1001.1 Rev. C, and the appropriate working methods in accordance with paragraphs 5.5 and 6.1 of British Standard BS 5837: Trees in relation to design, demolition and construction – Recommendations, or in an equivalent British Standard if replaced, have been submitted to and approved in writing by the Local Planning Authority. The scheme for the protection of the retained trees shall be carried out as approved.

Reason: This is a pre-commencement condition to safeguard the contribution to the character of the locality provided by the trees and hedgerow.

25. No retained existing hedgerows or trees shall be felled, uprooted, destroyed, or wilfully damaged in any manner without the prior written approval of the local planning authority. If any retained hedgerows or trees are felled, uprooted, destroyed or wilfully damaged, or dies or becomes seriously diseased within five years of the completion of the development, it shall be replaced during the first available planting season with trees and/or hedgerows and shrubs of a size and species which have previously been agreed in writing with the local planning authority.

Reason: To safeguard the visual amenity provided by the trees and hedgerows.

26. No development shall take place within the 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: This is a pre-commencement condition 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).

27. 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 26 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).

28. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a site investigation consisting of the following components has been submitted to, and approved in writing by, the local planning authority:

1) A desk study and site reconnaissance, including:

- a detailed appraisal of the history of the site; ORDK
- an inspection and assessment of current site conditions;
- an assessment of the potential types, quantities and locations of hazardous materials and contaminants considered to potentially exist on site;
- a conceptual site model indicating sources, pathways and receptors; and
- a preliminary assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

2) Where deemed necessary following the desk study and site reconnaissance an intrusive investigation(s), including:

- the locations and nature of sampling points (including logs with descriptions of the materials encountered) and justification for the sampling strategy;
- explanation and justification for the analytical strategy;
- a revised conceptual site model; and
- a revised assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

All site investigations must be undertaken by a competent person and conform to current guidance and best practice, including BS8485:2015+A1:2019, BS10175:2011+A2:2017 and Land Contamination Risk Management.

Reason: This is a pre-commencement condition 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.

29. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take

place until a detailed remediation method statement (RMS) has been submitted to, and approved in writing by, the LPA. The RMS must include, but is not limited to:

- details of all works to be undertaken including proposed methodologies, drawings and plans, materials, specifications and site management procedures;
- an explanation, including justification, for the selection of the proposed remediation methodology(ies);
- proposed remediation objectives and remediation criteria; and
- proposals for validating the remediation and, where appropriate, for future maintenance and monitoring.

The RMS must be prepared by a competent person and conform to current guidance and best practice, including BS8485:2015+A1:2019 and Land Contamination Risk Management.

Reason: This is a pre-commencement condition 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.

30. Prior to any occupation or use of the approved development the RMS approved under condition 2 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

Reason: This is a pre-commencement condition 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.

31. A validation report must be submitted to and approved in writing by the LPA prior to any occupation or use of the approved development. The validation report must include, but is not limited to:

- results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met;
- evidence that the RMS approved under condition 2 has been carried out competently, effectively and in its entirety; and
- evidence that remediation has been effective and that, as a minimum, the site will not qualify as contaminated land as defined by Part 2A of the Environmental Protection Act 1990.

The validation report must be prepared by a competent person and conform to current guidance and best practice, including BS8485:2015+A1:2019, CIRIA C735 and Land Contamination Risk Management.

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.



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

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS8485:2015+A1:2019, BS 10175:2011+A2:2017 and Land Contamination Risk Management) 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.

33. Unless otherwise agreed in writing with the Local Planning Authority, the Hours of working during the construction phase shall be - Monday to Friday 08:00 until 18:00 hours; Saturday 08:00 until 13:00 hours; and no work shall take place on Sundays & Bank Holidays.

Reason: In the interests of amenity and the protection of the local environment.

34. An application for the approval of the reserved matters shall include provision for 50% of all dwellings to meet the Requirements of M4(2) (or M4(3)) of Part M of the Building Regulations for accessible and adaptable dwellings. Drawings and/ or documents shall list which units/plots meet the M4(2) (or M4(3)) standards.

Reason: To ensure the development complies with Policy SCLP5.8 of the East Suffolk Council –Suffolk Coastal Local Plan (2020).

35. Prior to commencement of the hereby approved development, a detailed sustainability and energy statement shall be submitted to and approved in writing by the local planning authority. The statement shall detail how the dwellings hereby permitted achieve current sustainability standards with regard to water, materials, energy, ecology and adaptation to

climate change. Development shall be undertaken in accordance with the approved statement, unless otherwise approved in writing by the local planning authority.

Reason: This is a pre-commencement condition to ensure a sustainable standard of design interest of addressing climate change to secure sustainable development in accordance with Policy SCLP9.2 of the East Suffolk Council – Suffolk Coastal Local Plan (2020).

36. Prior to first occupation of the hereby approved development, details of all measures that have been completed as stated in the sustainability and energy statement (approved under Condition 35), shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure the finished development implements the approved sustainable measures to comply with Policy SCLP9.2 of the East Suffolk Council – Suffolk Coastal Local Plan (2020).

37. Prior to first occupation of the hereby approved development, evidence of energy performance and water efficiency standards shall be submitted to, and approved in writing by, the local planning authority.

The dwelling(s) within the hereby approved development should achieve the optional technical standard in terms of water efficiency of 110 litres/person/day, as measured in accordance with a methodology approved by Building Regulations Approved Document G. Exceptions should only apply where they are expressed in the Building Regulations or where applicants can demonstrate, to the satisfaction of the Council, that it is not viable or feasible to meet the standards.

Reason: To ensure that the finished dwelling(s) comply with Policy SCLP9.2 of the East Suffolk Council – Suffolk Coastal Local Plan (2020) and to ensure Building Control Officers and Independent Building Inspectors are aware of the water efficiency standard for the dwelling(s).

#### **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. Prior to the submission of any future reserved matter(s) application(s), the Applicant is encouraged to seek planning pre-application advice to ensure that any potential concerns in relation to the detailed design of the development, including its responsiveness to local character and distinctive, can be overcome at an early stage.
3. It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority.

Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works

within the public highway shall be carried out by the County Council or its agents at the applicant's expense.

The County Council must be contacted on Tel: 0345 606 6171.

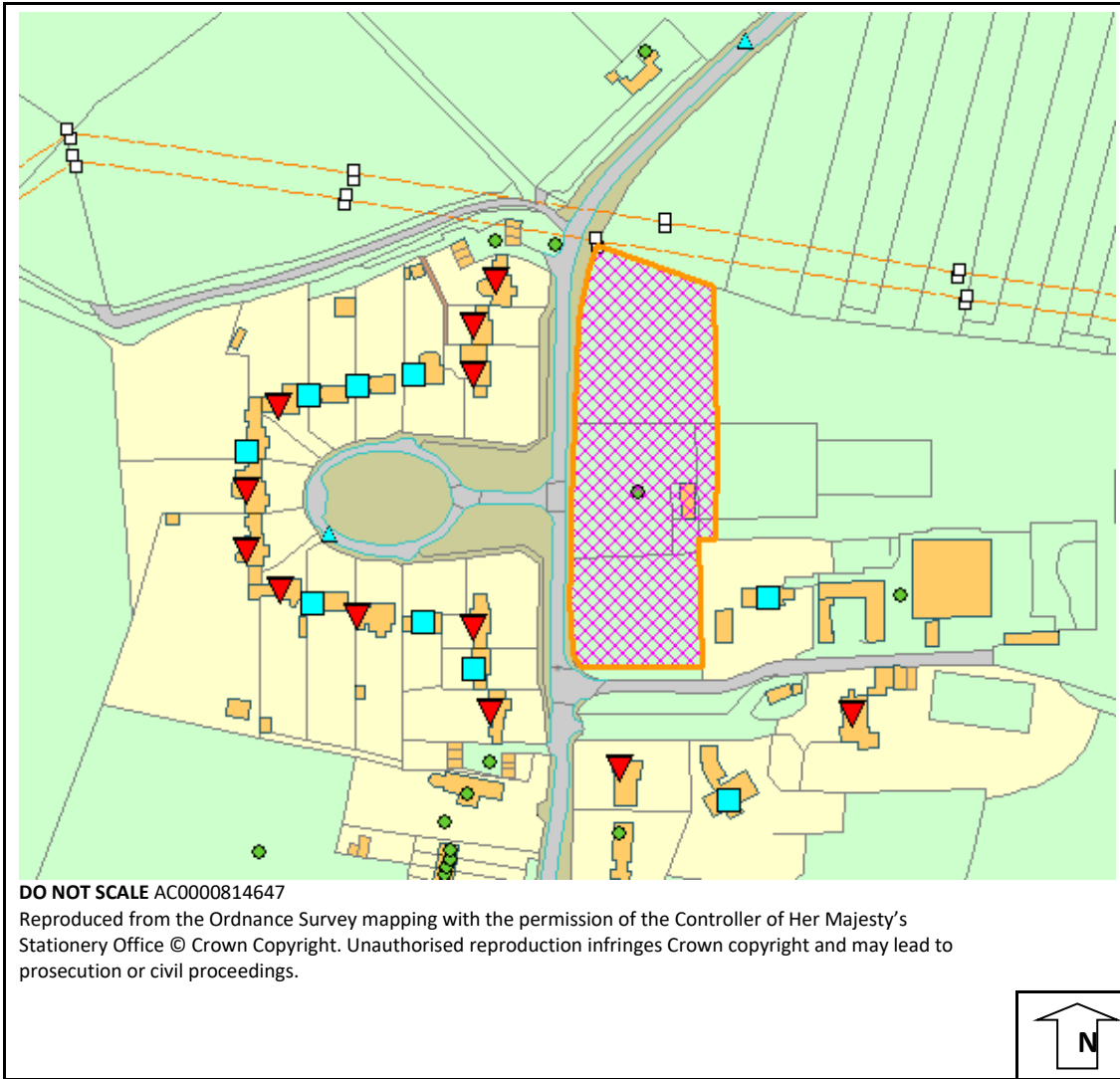
4. A fee is payable to the Highway Authority for the assessment and inspection of both new vehicular crossing access works and improvements deemed necessary to existing vehicular crossings due to proposed development.
5. The applicant is advised that the proposed development is likely to require the naming of new street(s) and numbering of new properties/businesses within those streets and/or the numbering of new properties/businesses within an existing street. You should contact the Property Information Team (01394 444261), which is responsible on behalf of the Council for the statutory street naming and numbering function.
6. 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. Further details on the related advisory services and charges can be found here: <http://www.suffolk.gov.uk/archaeology/>
7. The proposed development referred to in this planning permission is a chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act (2008) and the CIL Regulations (2010) (as amended).

Please note: the Council will issue a Liability Notice for the development once liability has been assumed. Liability must be assumed prior to the commencement of development. Failure to comply with the correct process as detailed in the regulations may result in surcharges and enforcement action and the liable party will lose the right to pay by instalments. Full details of the process for the payment of CIL can be found at <http://www.eastsuffolk.gov.uk/planning/community-infrastructure-levy/>

## **Background information**

See application reference DC/23/1138/OUT on [Public Access](#)

# Map



## Key



Notified, no comments received



Objection



Representation



Support



## Committee Report

**Planning Committee South - 28 November 2023**

**Application no DC/23/3492/FUL**

**Location**

Hungarian Lodge  
High Street  
Ufford  
Woodbridge  
Suffolk  
IP13 6EL

**Expiry date** 16 November 2023  
**Application type** Full Application  
**Applicant** Aviary Developments Ltd

**Parish** Ufford  
**Proposal** Construction of 1 dwelling  
**Case Officer** Rachel Smith  
07887 452719  
[rachel.smith@eastsoffolk.gov.uk](mailto:rachel.smith@eastsoffolk.gov.uk)

## **1. Summary**

- 1.1 The application proposes the erection of one dwelling on land at Hungarian Lodge, High Street, Ufford. The application has been made following withdrawal of a previous scheme DC/22/4985/FUL (considered by Committee in August 2023). The current proposal is similar to that previously considered however the site has been increased in size such that the proposed dwelling is situated further from the closest neighbouring dwelling.
- 1.2 The application is being presented to Planning Committee for determination given the local interest and the recent application DC/22/4985/FUL that was also considered by Planning Committee in August 2023 where a resolution to refuse that application was made.
- 1.3 The application is recommended for approval as the principle of development is acceptable within the Settlement Boundary, the design is acceptable and the impact on neighbour's amenity would not be so sufficient to warrant a reason for refusal on that basis.

## **2. Site Description**

- 2.1 The application site lies on the western side of High Street, within the Settlement Boundary of Ufford. The site currently forms part of the garden of Hungarian Lodge, a large detached dwelling situated on a generous plot to the south of the application site. Access to Hungarian Lodge and the application site is off Lodge Road to the north. Lodge Road also serves a number of other residential dwellings which back on to High Street. The existing properties within Lodge Road were constructed in the late 1980s and are mainly one and a half storeys in scale with no. 11 being the exception at two storeys. The application site is located immediately to the south of no. 11 Lodge Road, the last dwelling within this row that backs on to High Street.
- 2.2 To the south of the application site is the residential garden area serving Hungarian Lodge and to the west, on the opposite side of Lodge Road, is a grassed meadow area located outside of the defined Settlement Boundary.
- 2.3 While Hungarian Lodge is not Listed, the adjacent dwelling further south, The Red House, and the Crown Public House to the southeast of the site are both Grade II Listed buildings. Ufford Conservation Area is located approximately 700 metres to the southeast.
- 2.4 The site is located within Flood Zone 1 and there are no Tree Preservation Orders on the site or within the immediate vicinity.

## **3. Proposal**

- 3.1 The proposal seeks to erect a detached bungalow on the site. The application follows a similar scheme on a slightly smaller site area which was considered by Planning Committee South in August 2023. At this meeting, Committee made a resolution to refuse that application as a result of the impact on residential amenity, particularly loss of light to, and outlook from, no. 11 Lodge Road to the north. During Committee's discussion of the proposal, it was suggested that moving the proposed dwelling away from the boundary with no. 11 would reduce the impact. This application includes the proposed dwelling

being moved such that it would be sited approximately seven metres from the windows of no. 11.

- 3.2 The most recently submitted plan is that which is being considered. This proposes a detached, three-bedroom bungalow. Access to the site would be to the northwest of the plot at the end of Lodge Road. Two off road parking spaces would be provided adjacent to the access, immediately to the south of the neighbour's forward projecting garage. The proposed bungalow would be set back on the site, approximately in line with the main part of the other dwellings in Lodge Road however it would extend further back (towards High Street) than its immediate neighbour. It would be situated approximately 1.5 metres off the shared boundary with the neighbouring property to the north and would have a rear garden depth of approximately 10 metres.

#### **4. Consultees**

##### **Third Party Representations**

- 4.1 11 letters have been received from third parties relating to the application. 10 of these object to the proposal and one is in support.
- 4.2 The objections can be summarised as follows:
- Impact on Residential Amenity - will have a detrimental effect as a result of privacy/overlooking, outlook, access to daylight and sunlight and the resulting physical relationship with other properties.
  - A daylight and sunlight report should have been submitted as part of this application.
  - Loss of Light to 1 and 2 Forge House.
  - 11 Lodge Road would impact on amenity for the proposed dwelling.
  - Proposed dwelling will look into properties opposite.
  - Over development of the site with the proposed dwelling extending further into the garden than neighbouring dwellings.
  - Poor design that does not demonstrate local character including varied roof pitches and facades.
  - No rooflights should be permitted and no further building on the remainder of the site.
  - A streetscene plan still has not been received.
  - Previous planning applications in respect of this site have been refused for reasons including harming the character and appearance of the area and that such development would detract from the quality of the street scene. These concerns continue to apply.
  - No heritage impact assessment undertaken.
  - Loss of habitat in the existing wildlife corridor.
  - The old flint and brick wall which protrudes into the site would be lost.
  - Two trees close to the dwelling would be removed.
  - The plans would fail entirely to enhance the special architectural character of this location.
  - Village character of High Street would be eroded with this site previously noted as a green/open space within the High Street.
  - Would detract from the historical setting of this part of the village.
  - No ecological assessment or heritage impact assessment has been carried out.
  - Previous concerns have not been addressed.
  - No effort made to engage with neighbours.
  - Ufford has had more than its fair share of new development.

- Inconsistencies in the plans.

- 4.3 The letter of support has not been submitted by the applicant, but it is made in response to objections raised and comes from the occupier of Hungarian Lodge who currently owns the land. This letter makes the following points:
- The site has always been part of the garden of Hungarian Lodge, not a 'wildlife site'.
  - Overgrown conifer trees were removed approximately 8 years ago.
  - There is no copper beech on site.
  - The property was designed to fit with surrounding properties, some built in the 1970's.
  - As a bungalow, there will be low line of sight to properties opposite and the flint wall will be reinstated, improving the street view.
  - The none functional chimney was included to be in keeping with opposite properties.
  - The property nestles into the lower part of the site, albeit nearer the High Street than the rest of Lodge Road, but further from the High Street than those properties opposite.
  - The property is compliant with all light requirements to neighbouring properties.
  - There should be no extra traffic, until 2 years ago, Hungarian Lodge was 2 properties which has been returned to 1.
  - Adequate parking is included for the bungalow.
  - All villages are under extensive pressure for new housing, properties in garden infills must be better than a new estate.

**Parish/Town Council**

Consultee	Date consulted	Date reply received
Ufford Parish Council	21 September 2023	4 October 2023
<p>Summary of comments:</p> <p>With reference to the above application, Ufford Parish Council would like to register objection to this proposed development, on the following material planning considerations:</p> <p>1. Residential Amenity - The current Local Plan clearly states the importance of the Planning System playing an "important role in safeguarding the quality of life of residents of the area [of any development]". Policy SCLP11.2 lists the individual areas of 'residential amenity' which should be considered and we believe this development will have a detrimental effect on local residents with regard to:</p> <ul style="list-style-type: none"> <li>o Privacy/overlooking</li> <li>o Outlook</li> <li>o Access to daylight and sunlight and</li> <li>o The resulting physical relationship with other properties</li> </ul> <p>Policy SCLP11.2 also states that "Development will provide for adequate living conditions for future occupiers and will not cause an unacceptable loss of amenity for existing or future occupiers of development in the vicinity." In this context the issues highlighted above apply not only to the occupants of the adjacent No 11 Lodge Road and Forge Cottages opposite but also to the occupants of property proposed by the applicant. As was discussed at Planning Committee South in their Refusal of DC/22/4895/FUL, consideration must be given to the proximity to and impact on both existing and planned properties.</p>		



2. Design Quality and inaccurate plans – Despite numerous pieces of correspondence on this subject with reference to the previous application, the new application is still lacking vital information. There are no details of the building materials to be used. There is no information on the heating source; will this be a heat pump? If so, where will the pump be located and what will be the impact on neighbours? There appears to be chimney in a cupboard; is this an error or a design feature?

Contrary to Policy SCLP11.1 we do not consider this contributes to “high quality design that clearly demonstrates an understanding of the key features of local character”. The application design does not take into consideration the neighbouring listed buildings, or the architecture of the centuries old neighbouring properties.

In addition, we are still very surprised to see reference to a ‘four bedroom house’ in at least one of the documents accompanying the application.

3. Loss of Habitat and heritage wall– Should this application be permitted it will result in the loss of an important wildlife habitat, which was previously referenced by the applicants of the Business Hub (application DC/21/3237/FUL) and acknowledged by ESC in their permission of this application. In addition although two trees are shown on the plans at the front of the bungalow, these will almost certainly require removal, due to their proximity to the dwelling. Furthermore, this site is currently frequented by our large local bat population.

Located on this site is also an old flint wall, potentially part of the previous farm buildings that once occupied the site. This development will almost certainly see the destruction of this wall and would not be in accord with SLCP 11.3 that seeks to preserve historic environments where they exist close to listed and heritage buildings.

For the above reasons we urge you to refuse this application. However, should you be minded to allow the application, we ask that the matter be determined by the Planning Committee due to their decision on application DC/22/4985/FUL, an almost identical application, which was refused by them in August 2023 but subsequently withdrawn before their decision was published.

We note that the applicant relies heavily on the Committee’s comments at their August meeting to support this application. As we have noted in previous correspondence, it is unfortunate that the unusual delay in publishing the refusal (made contrary to your recommendation) following that meeting has meant that a formal decision is not available. In these circumstances, we suggest it is particularly important that the Committee should be given the opportunity to properly scrutinise and decide on this revised application.

**Statutory consultees**

Consultee	Date consulted	Date reply received
SCC Highways Department	21 September 2023	11 October 2023
Summary of comments:		

No objection. Recommends conditions regarding Surfacing, Vehicle Parking, EV-Charging, Cycle Storage and Bin Storage and Presentation.

Consultee	Date consulted	Date reply received
Natural England	6 November 2023	No response received at time of writing
Summary of comments:		

**Non statutory consultees**

Consultee	Date consulted	Date reply received
East Suffolk Ecology	21 September 2023	4 October 2023
Summary of comments: Comments included in report below		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	21 September 2023	25 September 2023
Summary of comments: No comments		

Consultee	Date consulted	Date reply received
Ward Councillor	21 September 2023	16 October 2023
<p>Summary of comments:</p> <p>I am writing as district councillor to support the objection by Ufford Parish Council regarding the application above. The plans are still of poor quality with no specifics given regards materials etc. There are still questions to be answered with regards to degrees of the roof pitches and no consideration given to how the property will affect its neighbours in terms of lack of privacy and impacts on amenities.</p> <p>As you are aware the Suffolk Coastal Local Plan states in policy SCLP11.1(design and quality) “The Council should support locally distinctive and high-quality design that clearly demonstrates an understanding of the key features of local character and seeks to enhance these features through innovative and creative means”.</p> <p>Surely it is obvious that this application is not going to deliver on any of the criteria stated above. The fact that this application was also rejected by the majority of the planning committee should speak volumes.</p> <p>I hope you consider my objection and those of others who do not want the unnecessary over development of our villages.</p>		

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	N/A	27 September 2023
Summary of comments:		
No comment - proposal poses no risk.		

## Publicity

None

## Site notices

General Site Notice

Reason for site notice: New Dwelling

Date posted: 25 September 2023

Expiry date: 16 October 2023

## 5. Planning policy

National Planning Policy Framework 2023

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)

SCLP5.7 - Infill and Garden Development (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)

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)

## **6. Planning Considerations**

### Principle of Development

- 6.1 The application site is located within the defined Settlement Boundary of Ufford which is designated as a Small Village within the Local Plan. The principle of new residential development is acceptable within Settlement Boundaries (Policies SCLP3.2 and SCLP3.3) where in accordance with other policies in the Local Plan. In this case, SCLP5.2 and SCLP5.7 are relevant (Housing Development in Small Villages and Infill and Garden Development, respectively).
- 6.2 SCLP5.7 relates to Infill and Garden Development which is relevant to the consideration of this proposal. This policy states "Proposals for infill development or residential development within existing gardens will be supported where:
- a) The scale, design and materials would not result in harm to the street scene or character of the area;
  - b) The proposal is well related in scale and design to adjacent properties, including the design of curtilage areas, parking and access, and incorporates landscaping where appropriate to mitigate any potential impacts or to enhance the appearance of the site;
  - c) There would not be significant harm to residential amenity of occupants of either the existing or proposed dwellings;
  - d) Existing and proposed dwellings have sufficient curtilage space; and
  - e) The proposals are otherwise in accordance with the housing policies of the Local Plan."
- 6.3 The requirements of this policy will be assessed in relation to other relevant policies of the Local Plan below.

### Design and visual impact

- 6.4 The proposed dwelling would be single storey in scale and finished in white painted render under a tiled roof - very similar to the scheme previously considered but with the addition of an additional, modest front projection increasing the size of bedroom 2. Some minor changes are also proposed to windows and doors.
- 6.5 While it is recognised that the majority of dwellings within the immediate area are either one-and-a-half-storey or two storeys in scale, there is no in-principle objection to a bungalow being situated on the site. Its single-storey scale would also reduce its prominence with the street scene. Given the site access, at the end of Lodge Road with only Hungarian Lodge located further south and accessed from Lodge Road, its presence within the Lodge Road street scene would be limited. The proposed dwelling would, however, be visible from the High Street as the existing southern elevation of 11 Lodge Road currently is. While 11 Lodge Road is relatively prominent from the High Street, particularly from the south given the road level rises further south, it is not considered that this property has a detrimental impact on the street scene. Similarly, a smaller scaled bungalow located in front of no. 11 would also be visible from High Street, but to a lesser degree given its height. Its location to the north of Hungarian Lodge, which is otherwise

located on a spacious plot, would only marginally impact on the spacious/green character currently visible on the approach to this part of the village.

- 6.6 Concern has been raised with the proposed materials - white painted render. While there are no white painted dwellings in the immediate vicinity, the dominant finish in the area (albeit not on all nearby properties), is of a paint finish. While render is used, there are also examples of painted brick. The existing properties in Lodge Road are mainly painted render, albeit a cream/off-white colour. It is not considered that the use of painted render is inappropriate in this location.
- 6.7 The proposed dwelling would have a relatively large footprint, at least in part by nature of it being single-storey, however this is not considered to result in an overdevelopment of the plot given it would retain a 9 - 10 metre deep rear garden, 18 metres wide. There would also be some front garden space. The existing properties in Lodge Road have similarly deep rear gardens however the plots are also generally narrower.

#### Impact on Residential Amenity

- 6.8 There has been a lot of concern raised during consideration of the previous application and in respect of the current proposal regarding the impact of the proposed development on neighbouring dwellings, particularly 11 Lodge Road, the residential dwelling immediately to the north of the application site. Members previously carried out a site visit which included viewing the site from inside no. 11.
- 6.9 The daylight and sunlight assessment as submitted with the previous application concluded that the proposed development sufficiently safeguards the residential amenity of no. 11 although recognises that there would be an impact, particularly on light to the southern dining room window, W5.
- 6.10 The windows on the south elevation of no. 11 are 2.5 to 3 metres off the shared boundary with the application site, and the proposed dwelling would be situated approximately 5 metres off the shared boundary (previously this was 1.5 to 2 metres). The space within the curtilage of no. 11 between the dwelling and site boundary is used as a patio/sitting out area however there is also a patio area at the rear (east) of the property, accessed from double doors in the living room.
- 6.11 The windows on the southern elevation of no. 11 at ground floor serve a dining room and a lounge. Both of these rooms are also served by other windows; the dining room has a north facing window on the northern elevation and the lounge has two additional windows/openings on the east facing elevation facing the rear garden and High Street. At first floor level, the windows serve the stairs/landing, bathroom and bedroom. These windows are the only windows serving these respective rooms, however, the stairs and bathroom would not be considered habitable rooms.
- 6.12 During consideration of the earlier application, the applicant and a neighbouring resident submitted light assessments with differing conclusions. Members were therefore advised to consider the impact on amenity considering these reports alongside their first-hand experience from the site visit. During consideration of the previous scheme, Members resolved to refuse the application as contrary to SCLP11.2 relating to residential amenity,

specifically within regards to privacy/overlooking, outlook and access to daylight and sunlight.

- 6.13 The current application includes a revised Daylight and Sunlight Report from the applicant. The report details the Vertical Sky Component (a measure of available skylight at a given point on a vertical plane) and sets out that diffuse daylight may be adversely affected if after a development the Vertical Sky Component is both less than 27% and less than 0.8 times its former value. It also tests Daylight Distribution and details that daylight may be adversely affected if, after the development, the area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value.
- 6.14 The impacts of the proposed development on windows at no. 11 Lodge Road, Hungarian Lodge and 1 and 2 Forge Cottages have been detailed in the report. The report shows that the impact on all of the windows tested meets the guidance. It is worth noting that the previous scheme did result in the impact on some windows falling below the guidelines. The report therefore concludes that that "the proposed development will have a low impact on the light receivable by its neighbouring properties. In our opinion, the proposed development sufficiently safeguards the daylight and sunlight amenity of the neighbouring properties." This revised scheme is therefore considered to noticeably improve the impact on light to neighbouring properties compared to the previous scheme.
- 6.15 Privacy and overlooking were also previously considered, including the level of privacy afforded to the proposed dwelling. A partially glazed door is proposed on the northern elevation facing towards no. 11 however this would be situated off the shared boundary, and while it is within the living space of the bungalow, would not provide the main outlook from this space but serve as a side access. This would face towards the higher part of the existing boundary wall/fence and is not considered to result in a significant loss of privacy.
- 6.16 In respect of privacy for occupiers of the proposed dwelling, the eastern most first floor window on no. 11 serves a bedroom and faces towards the site. It would face directly on to the side elevation of the proposed bungalow and while there is a modest garden area in front of this, the main garden area is to the east. Any views into this area would be at a greater distance, over the bungalow and at an angle. It is therefore considered that no more overlooking into the proposed garden than otherwise might normally be expected within a village location would be possible. Future residents would therefore have an adequate degree of privacy.
- 6.17 It is not considered that there would be a significant impact to or from Forge Cottage opposite in respect of overlooking/privacy.

#### Ecology

- 6.18 It is noted that some third-party comments note the lack of an Ecological Survey. The Council's Ecologist has considered the proposal and is satisfied that the proposed development appears unlikely to result in a significant adverse impact on protected species or UK Priority habitats or species (under section 41 of the Natural Environment and Rural Communities (NERC) Act (2006)), given the small size of the site and that existing vegetation is limited to the site boundaries.

- 6.19 In addition to the above, the site is within the Suffolk Coast RAMS Zone of Influence (Zone B - within 13km of the Sandlings SPA; Deben Estuary SPA/Ramsar; Alde-Ore Estuary SPA/Ramsar and Orfordness-Shingle Street SAC) 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 was secured previously and therefore, subject to formal agreement that this contribution can be transferred to the current scheme, it can be concluded that there would be no adverse impact on the integrity of the protected sites.

### Trees and Landscape

- 6.20 The Council's Landscape Officer previously reviewed this application in respect of potential impacts on existing trees on site, and having visited the site notes that the two indicated trees at the front of the site, on the Hungarian Lodge side of the boundary, are remnant blackthorn or wild plum grown out of what appears to be a former hedge line. There is the potential for the dwelling to have an adverse impact on the root zones of these hedge plants off the site, however, it is considered that they are robust enough to not be unduly affected and would benefit from a hard reduction to encourage basal growth in the interests of restoring the hedge line. With such a reduction they would have further capacity to cope with site disturbance. On that basis there are no objections to the proposal for tree related reasons.
- 6.21 Conditions requiring details of boundary treatment and front garden planting proposals covering front boundary hedge and suitable tree planting are proposed.

### Heritage

- 6.22 The application site is not within the curtilage of a Listed Building nor is it within, or within the setting of, the Ufford Conservation Area. There are some Listed Buildings near to the site, most notably The Red House (the residential dwelling south of Hungarian Lodge) and The Crown Public House (on the opposite side of High Street and to the south of the application site). It is noted that 1 and 2 Forge Cottages, opposite, are also historic buildings with some character. Given the distance between the application site and Listed Buildings and intervening development, it is not considered that the proposed development would affect the setting of these buildings and therefore, the application has not been advertised as such.

## **7. Conclusion**

- 7.1 The principle of a new dwelling within the defined Settlement Boundary of a Small Village is acceptable. While there are no other bungalows within the immediate area, it is not considered that a new, rendered bungalow situated adjacent to a row of 1980s rendered dwellings would be noticeably harmful to the character of the wider street scene, noting the proximity, also, of some more historic properties. The impact on residential amenity has been carefully considered however this proposal is considered to provide adequate amenity for any future occupiers without adversely impacting on neighbouring properties.
- 7.2 There would be no adverse impact on trees or landscape character, no significant adverse impact to protected or priority species, and no significant adverse impact on the integrity

of European sites subject to the transfer of the previously made financial contribution to RAMS.

7.3 The proposal is therefore considered to comply with the Local Plan and a whole.

## **8. Recommendation**

8.1 Authority to Approve subject to no new issues being raised within the consultation period and subject to controlling conditions.

### **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 be completed in all respects strictly in accordance with drawing nos. 1400-01J, 1400-02J and 1400-03J received 8 September 2023 and 1400-04 K received 7 November 2023, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the 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 in writing with the local planning authority.

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

4. 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.

5. No other part of the development hereby permitted shall be commenced until the new access has been laid out and completed in broad accordance with Suffolk County Councils standard access drawing DM03 with a minimum entrance width of 3 metres for a single access. 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.

6. Prior to the development hereby permitted being first occupied, the new access onto the highway shall be properly surfaced with a bound material for a minimum distance of 5 metres measured from the nearside edge of the metalled carriageway, and thereafter retained in that form.

Reason: To ensure construction of a satisfactory access and to avoid unacceptable safety risks arising from materials deposited on the highway from the development.

7. The use shall not commence until the area(s) within the site shown on Drawing No. 1400-02J 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.

8. Before the development is commenced, details of secure, lit and covered cycle storage and 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 cycle storage and charging infrastructure for electric vehicles in accordance with Suffolk Guidance for Parking (2019).

9. 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.

10. Before the development is occupied 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.

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.

11. Prior to occupation of the dwelling hereby permitted, precise details of all boundary treatments shall have been submitted to, and approved in writing by the local planning authority and subsequently installed on site. Thereafter, the approved boundary treatments shall be retained.

Reason: In the interests of visual amenity and residential amenity.

12. Within 3 months of commencement of development, precise details of a scheme of landscape works (which term shall include tree and shrub planting, grass, earthworks, driveway construction, parking areas patios, hard surfaces etc, and other operations as appropriate) at a scale not less than 1:200 shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure that there is a well laid out landscaping scheme in the interest of visual amenity.

13. 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.

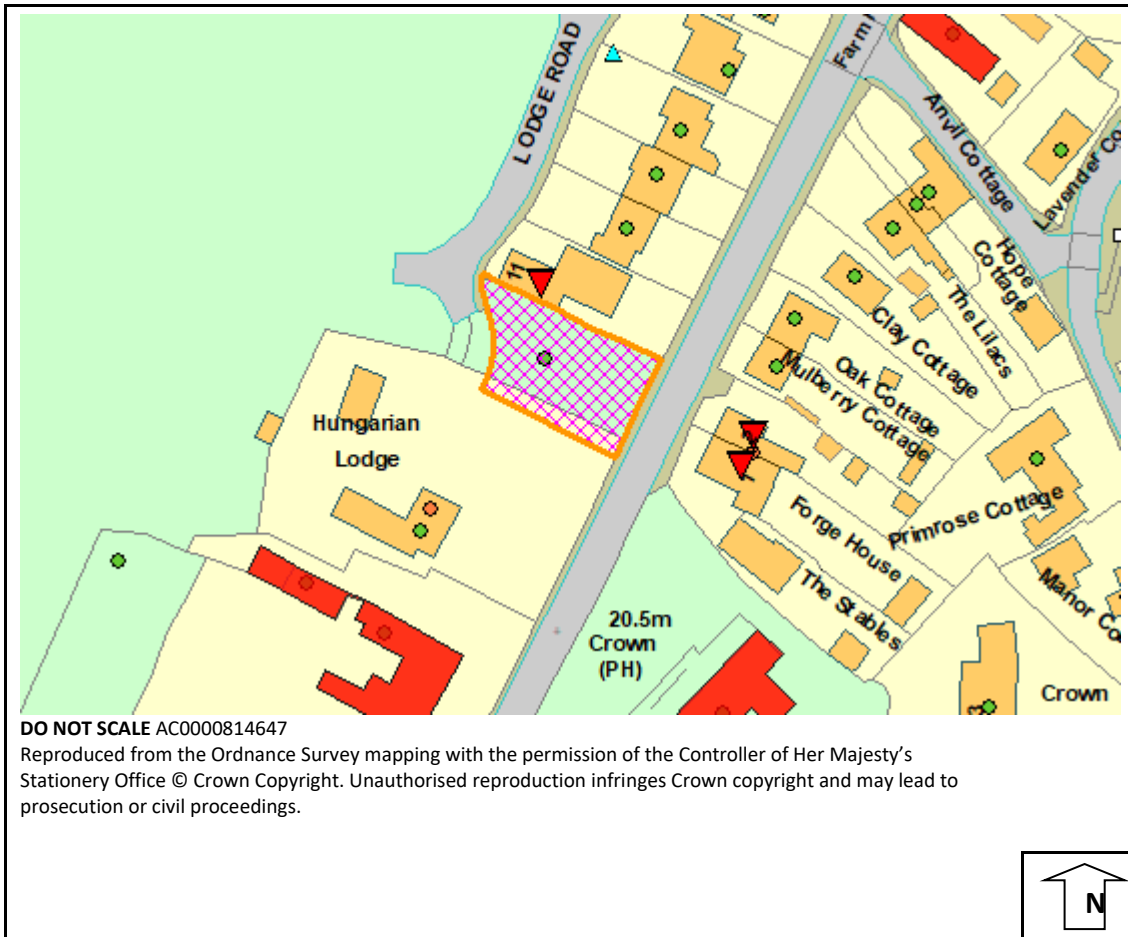
#### **Informatives:**

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. Suffolk Fire and Rescue Service recommends that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the provision of an automatic fire sprinkler system.





## **Background information**

See application reference DC/23/3492/FUL on [Public Access](#)

## Map



## Key

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

## Committee Report

**Planning Committee South – 28 November 2023**

**Application no** DC/23/3464/FUL

**Location**

The Old Bakery  
Helmingham Road  
Otley  
Ipswich  
Suffolk  
IP6 9NS

**Expiry date** 8 November 2023  
**Application type** Full Application  
**Applicant** Mr & Mrs Simon Clow

**Parish** Otley

**Proposal** Two storey rear extension, front entrance porch and associated alterations to an amended design to that approved under planning consent REF: DC/21/5450/FUL to incorporate a balcony over part kitchen with associated balustrade/opaque side screens

**Case Officer** Nick Clow  
07741 307312  
[nick.clow@eastsoffolk.gov.uk](mailto:nick.clow@eastsoffolk.gov.uk)

## **1. Summary**

- 1.1. The proposed development concerns the construction of a two-storey rear extension, front entrance porch and associated alterations and is an amended design to that approved under planning permission DC/21/5450/FUL, to incorporate a balcony over part of the kitchen with associated balustrade/opaque side screens.
- 1.2. The application was presented to the Referral Panel on 16 October 2023 as the officer recommendation of approval is contrary to Otley Parish Council's objection to the proposals. The Panel determined that the application should be determined by the Planning Committee.
- 1.3. The proposal is considered to comply with the Development Plan and the application is therefore recommended for approval.

## **2. Site Description**

- 2.1. The application site is located outside of any defined settlement boundary and therefore, in planning terms, is located within the Countryside. The site sits to the north-west of the settlement of Otley and accommodates a semi-detached cottage set back from the road with off-road parking and a large rear garden. The surrounding built environment consists of 'Otley Cottage' to the south and 'Bramble Cottage' to the north. The surrounding dwellings differ in size and scale and there is little continuity of design. The plot backs onto agricultural farmland and is located within a fairly rural setting but is not located within a Conservation Area or within the Suffolk Coast and Heaths AONB. A public right of way is located to the northwest of the site. No Tree Preservation Orders (TPOs) affect the site.
- 2.2. A two-storey rear extension, front entrance porch and associated alterations were approved under DC/21/5450/FUL.

## **3. Proposal**

- 3.1. The proposal seeks to erect a two-storey rear extension using a double gable roof finished in red brick and clay pantiles. The addition will protrude from the existing extension's rear wall by approximately an additional 5.2m at ground floor level. The first-floor addition has a depth of approximately 5.75m off the existing first floor rear wall. The height of the roof will match that of the original dwelling from its eaves to its ridges with a small flat roofed element at the rear accommodating the ground floor extension. The scheme also includes a new porch on the front of the dwelling. The proposed porch has a pitched roof and measures approximately 1.8m in length 1.4m in depth and 3.2m in height.
- 3.2. The application further proposes the construction of a balcony projecting away from the rear elevation. The proposed balcony measures approximately 8m in width and 1.5m in depth. The south-western balustrade measures approximately 1.2m in height and the north-western and south-eastern screens measure approximately 1.7m in height. The north-western and south-eastern screens will be constructed from opaque glazing.
- 3.3. The scheme approved under DC/21/5450/FUL was originally larger in depth by approximately 2.3 metres at first floor level and 1m at ground floor level. The overall scheme (that was ultimately approved) was reduced as officers considered this out of

proportion with the original dwelling and potentially harmful to the amenity of neighbours.

#### 4. Consultees

##### Third Party Representations

4.1. Two third-party objections, and one third-party comment of support have been received, and are summarised below:

4.2. Objections:

- Would support addition of opaque screening on either side of the projection (preferably 1.8m high) to improve ours and the applicant’s privacy, but not in association with the balcony.
- Balcony will result in overlooking of our garden and the back of our house, including the back door and patio.
- Our property is single storey; balcony will overlook our sitting room, conservatory, study, patio and garden – a screen will not obscure all views.

4.3. Support:

- Balcony seems in keeping with other properties in the local area, precedent has been set.
- Can see little of adjoining properties from the balcony, and screens will limit views further.
- Balcony will add to visual appeal of the property.

#### Parish/Town Council

Consultee	Date consulted	Date reply received
Otley Parish Council	15 September 2023	5 October 2023 & 7 October 2023
<p>Summary of comments:</p> <p>Otley Parish Council have read and reviewed the documentation for this planning application, they have concerns regarding the proposed balcony. We understand that when the original application was made (DC/21/5450/FUL there was no mention of a balcony being part of this development. Some of the neighbouring properties are single storey which would lead to overlooking as well as have an impact on their privacy.</p> <p>While we note that the application make reference to privacy screen, the applicant would still have a view into the neighbouring properties.</p> <p>Therefore Otley Parish Council Object to this application</p> <p>Otley Parish Council would like to make a further comment regarding this planning application. Policy SCLP11.2a). Privacy and Overlooking.</p>		

## Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 19 September 2023

Expiry date: 10 October 2023

### 5. Planning policy

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)

National Planning Policy Framework 2023

SPG 16 - House alterations & extensions (East Suffolk Council - Suffolk Coastal District Local Plan -Supplementary Planning Guidance)

### 6. Planning Considerations

#### Design and Visual Amenity

- 6.1. The size and scale of the proposed two storey rear extension is large and will add considerable bulk and massing to the dwelling as whole. Officers note however that the extension is to be located to the rear of the site which is substantially screened from public vantage points along Helmingham Road by the main dwelling, 'Otley Cottage' to the south and 'Bramble Cottage' to the north. Officers are satisfied that although the ridge height matches that of the original property, its rearward positioning mitigates the proposed extension's prominence within the streetscene and it will not be viewed as over-large and detrimental to the character and integrity of the cottage. There is a public right of way to the north-west of the site; however, this is located several metres away and views of the site would not be harmful. The extended dwelling will just read as part of the residential context and cause no harm to the character and appearance of the countryside.
- 6.2. The double gable roof is an appropriate design feature rather than trying to stretch a single gable across the full width of the extension, which would look inappropriate. The clay pantiles will help to amalgamate the proposed roof structure back into the original house.
- 6.3. The extension depth has been reduced by 2.3 metres at first-floor level and by 1 metre at ground floor level from the initial submission under DC/21/5450/FUL to attempt to minimise the massing added to the rear of the dwelling.
- 6.4. The porch is relatively modest and its pitched roof design matches closely that of the main dwelling and surrounding properties 'Bramble Cottage' and 'Otley Cottage'. It is not so much greater in height and size than what would be permissible under permitted development rights; but in any case it is acceptable in accordance with Development Plan



policies. Officers are content that its size and appearance would not harm the character of the host dwelling or that of the wider area.

- 6.5. A Juliette balcony was approved along the rear elevation under DC/21/5450/FUL. It has been submitted that the applicants intend to construct a full balcony instead in the same location. Balconies are not a common feature in the immediate vicinity but somewhat commonplace in rural settings when properties back onto open fields and woodlands. Officers are satisfied that the rearward location of the balcony reduces its prominence within the streetscene due to screening from both 'Bramble Cottage' and 'Otley Cottage' from public vantage points along Helmingham Road.
- 6.6. The proposed balcony will sit above the proposed rear extension and although it would appear a more prominent feature along the rear of the dwelling than a Juliette balcony, officers are content that its overall scale and character demonstrate consideration of the component parts of the buildings and the development as a whole in relation to its surroundings. Despite its contemporary design juxtaposing the traditional cottage façades of the 'The Old Bakey and 'Otley Cottage' it is not so incongruous that it would adversely impact the overall streetscene and character of the area. This complies with SCLP 11.1.

#### Residential Amenity

- 6.7. The extension creates a new two-storey massing which protrudes from the rear of the dwelling. The most likely affected neighbour is the attached neighbour to the south. The flank wall of the extension is however approx. 3.75 metres from the boundary, leaving a wide gap so it would not be overbearing.
- 6.8. Concerns have been raised about the potential adverse privacy and overlooking impacts that a balcony may have on the private amenity areas of neighbouring properties, and this has been fully considered.
- 6.9. The balcony will allow uninterrupted views into the neighbouring rear garden of 'Otley Cottage', however, due to the low fence between the properties substantial overlooking is already possible. The obscure glazed balcony screen offers a degree of mitigation. However, because the upper floor windows can already view the private amenity areas of 'Otley Cottage', this reduces the sensitivity of the private amenity areas that may be overlooked by the proposed balcony. Given the existing context, with side screens the balcony is acceptable and not considered unduly harmful to neighbour amenity.
- 6.10. The occupiers of 'Bramble Cottage' also raised concerns regarding the impact the proposed balcony would have on their privacy and enjoyment of their land. There is a distance of approximately 16m from the north-western edge of the proposed balcony and the patio area of the neighbouring property 'Bramble Cottage'. Due to the proposed opaque screen, officers are content that although some oblique overlooking may occur, this has largely been designed out due to the 1.7m high screen. There is also a large outbuilding located along the boundary between the two properties which helps obscure views of the rear garden of 'Bramble Cottage'.
- 6.11. It is noted that the neighbouring occupiers of 'Bramble Cottage' would like to see the proposed obscure glazed panels increased to 1.8m in height. Officers are however content that the proposed 1.7m high screen will provide sufficient obscurity of the neighbouring

curtilage that the balcony will not harm the amenity of neighbouring occupiers so much as to warrant refusal of the scheme.

- 6.12. There are two side windows on the proposed two storey extension, both serving bathrooms, and both annotated as obscure glazed within the plans. These windows are smaller than standard windows and would not lead to a perception of being overlooked.
- 6.13. Although the balcony increases the massing of development more than the originally approved Juliette balcony, officers are satisfied that due to its projection being no further than the proposed single storey rear extension, it will not have an adverse overbearing impact on neighbouring amenity.
- 6.14. The proposed balcony does not extend any further than the rear wall of the proposed single storey rear extension and is set back from both boundaries with 'Bramble Cottage' and 'Otley Cottage'. It will not therefore have an adverse impact on the availability of natural daylight/sunlight entering the habitable rooms of either neighbouring dwelling. The gap between the proposed two storey rear extension and neighbouring dwellings also means that the extension would comply with the 45- degree light test on the neighbouring windows.
- 6.15. Balcony activity can emit a certain degree of noise that may be deemed to adversely impact the amenity of neighbouring occupiers. Officers note that the site is located in a rural setting, however, it is surrounded by numerous properties to the north and south therefore, a degree of noise associated with use of residential curtilages is expected. Although noise may be increased by the use of the balcony, it is unlikely that this noise is to be so much greater than the noise produced by the numerous neighbouring occupiers that it is harmful to the amenity of the area.
- 6.16. The porch is small and kept away from the boundary. It would not cause any material harm to the amenity of neighbours.
- 6.17. The proposal is unlikely to cause any significant harm to the residential amenity of the site itself or its neighbours and complies with SCLP 11.2.

#### Landscape Setting

- 6.18. Although the application site is not located within the AONB, it is surrounded by open countryside to the east and west therefore, any development may have an impact on the special qualities and features of the area.
- 6.19. Officers are satisfied that the location, scale, form, design and materials are not so different to the existing built environment that officers would deem it as adversely impacting the wider landscape. As the site is adjacent to development to the north and south, a two-storey extension, porch and balcony are in keeping with the scale of development associated with residential curtilages in the area. Although the balcony may increase light spillage it is not to be increased to such an extent that it will have a material impact on the rural landscape. There is already a degree of light spillage from residential dwellings to the north and south of the site that help mitigate any slight increase caused by the proposed balcony. This complies with SCLP 10.4.

## **7. Conclusion**

- 7.1. This application complies with the Development Plan and planning permission can therefore be granted.

## **8. Recommendation**

- 8.1. Approve subject to the conditions below.

### **Conditions:**

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.

2. The development hereby permitted shall be completed in all respects strictly in accordance with the site location plan, plan numbers TOB.07.011/2021/04C, TOB.07.011/2021/05C and TOB.07.011/2021/03C received on 06.09.2023 for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the 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 in writing with the local planning authority.

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

4. The hereby approved balcony shall be fitted with 1.7-metre-tall obscure glazed screens on both the north and south sides. These screens shall be obscured to a minimum of level 3 on the Pilkington glazing scale (or equivalent by alternative manufacturer). This obscured glazing/material shall be installed before the first use of the balcony. Thereafter the balcony screening shall be retained in that form unless otherwise approved in writing by the Local Planning Authority.

Reason: To limit overlooking of adjacent properties.

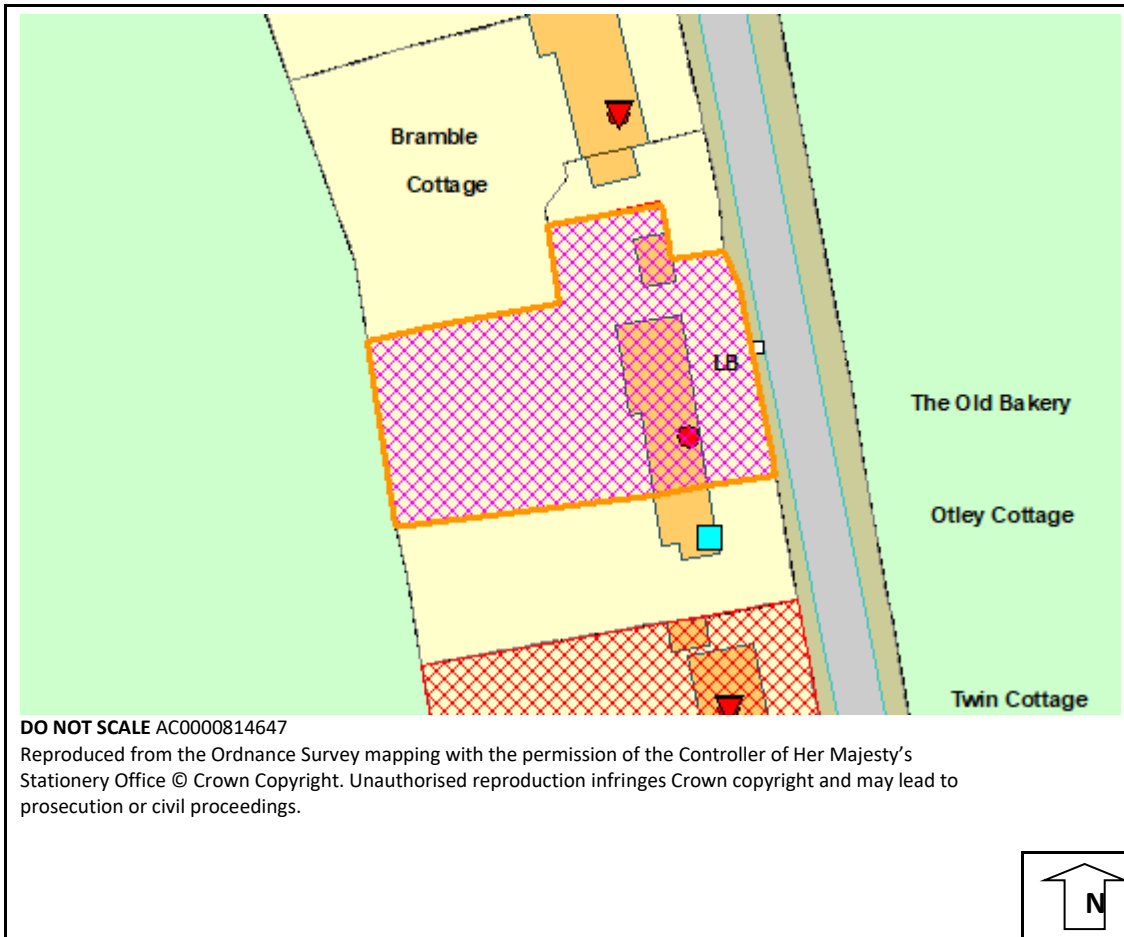
5. The two obscure glazed first floor side (north and south) windows, serving the bathrooms/En-suites shall be fitted with obscured glazing to a minimum of level 3 on the Pilkington glazing scale (or equivalent by alternative manufacturer). The windows shall also be fitted with brackets to prevent them opening more than 45 degrees. The windows shall be retained in that form unless otherwise approved in writing by the Local Planning Authority.

Reason: to limit overlooking of adjacent properties.





## **Background information**

See application reference DC/23/3464/FUL on [Public Access](#)

## Map



## Key

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