



## Committee Report

Planning committee – 11 June 2024

Application no DC/22/4993/FUL

**Location**

Land North Of  
Union Lane  
Oulton  
Suffolk

**Expiry date** 23 March 2023

**Application type** Full Application

**Applicant** Oldman Homes

**Parish** Oulton

**Proposal** A phased development comprising: Hybrid Planning Application for: (i) Full planning application for demolition of existing buildings and erection of 45 residential dwellings (Class C3), creation of new pedestrian and vehicle access, hard and soft landscaping and other associated works (ii) Outline Application for up to 87 residential dwellings (Class C3) with all matters reserved for future determination except access.

**Case Officer** Matthew Gee  
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## **1. Summary**

- 1.1. The application is a phased hybrid development comprising: a full planning application for the erection of 45 residential dwellings and associated works; and an Outline Application for up to 87 residential dwellings (with all matters reserved aside from access) and associated works. The application also includes the creation of a footpath along the western side of Parkhill running from the application site to the corner of Parkhill and Union Lane.
- 1.2. No comment has been received from the Parish Council (despite officers following up with the Parish Council to check if they wish to comment on the application) and there are no outstanding objections from consultees.
- 1.3. The scheme details an acceptable residential development of this planned, allocated site and will help meet the District housing need identified by the (Waveney) Local Plan. The proposal is in accordance with the Development Plan and there are no material considerations to indicate for a decision other than approval.
- 1.4. The application has been referred to Planning Committee (North) via the Head of Planning, Building Control and Coastal Management due to the scale of the proposed development, and that the site has also been subject of a high-level development brief through the Planning Policy and Delivery process.

## **2. Site Description**

- 2.1. The application site is located on land to the north of Union Lane, on the northern edge of Oulton. The site is bound by residential properties, a care facility and Union Lane to the south; the B1375 to the east; and open fields to the north and west.
- 2.2. The site was formerly used as a hospital and a workhouse, with an associated burial site located in the northwest corner of the site. There are sewage filter beds in the western part of the site and cropmarks to the north, west and southwest.
- 2.3. The site is approximately 5.7 hectares in size, with the land sloping down towards the western edge, then sloping back up beyond site boundary. The site comprises derelict building on the southwestern extent of the site; storage of building materials and equipment; and a historic Burial Ground to the northwest area of the site which appears to have been used in connection with the former Lothingland Hospital. The eastern area of the site comprises mainly of trees and open space which is currently in a largely overgrown state, with WWII defence ditches and features in the further eastern areas of the site. There are several large freestanding trees located on the site, none of which are protected by Tree Preservation Orders (TPO).
- 2.4. The immediate built environment comprises a mix of one, two and three storey dwellings of a semi-detached and detached nature. Single storey dwellings can be found adjacent to the site along Airey Close. Surrounding dwellings generally front onto their associated streets rather than onto the site.
- 2.5. Two Grade II listed buildings are located 15 metres east of the site on the opposite side to the B1375. The principal elevations of these listed buildings face onto the application site.

- 2.6. There are currently no footpaths, Public Rights of Way, or Cycle routes that directly link to the application site, with the primary current access points being vehicular accesses off the B1375 and from Union Lane; although there are several footpaths located close to the south western and north boundaries of the application site. The nearest bus stops are located approximately 0.3 miles south and 0.5 miles north of the site along Parkhill (B1375). Oulton Broad North railway station is located 1.5 miles to the south.

### **3. Proposal**

- 3.1. Planning permission is sought for a phased hybrid development comprising: a Full application; and an Outline application, in combination providing for the comprehensive redevelopment of the site to deliver up to 132 residential (C3) dwellings.

- 3.2. The Full portion of the application comprises:

- Erection of 45 Residential dwellings
- Creation of a new pedestrian and vehicle access
- Hard and soft Landscaping
- Pumping station
- Playground
- Footpath along B1375 to connect to existing footpath
- Improvement works at the junction of B1375, Union Lane and Oulton Road North
- Footway connection north to existing Public Rights of Way network.
- Attenuation basin
- Associated works

- 3.3. The outline (with all matters except access reserved) portion of the application comprises:

- Up to 87 residential dwellings (including 4 affordable units and 7 custom/self-build plots)
- Attenuation basin
- Playground
- Open space
- Hard and soft Landscaping
- Emergency access point and pedestrian access from union lane
- Associated works

### **4. Consultations**

#### Third Party Representations

- 4.1. Two representations have been made, raising the following concerns (inter alia):

- Highway safety
- Impact upon Heritage Assets
- Increased flood risk
- Water pressure
- Pedestrian safety
- Impact from construction
- Light pollution

- Impact on views and outlook
- Trees and landscaping
- Ecology impacts
- Air quality

Parish/Town Council

Consultee	Date consulted	Date reply received
Oulton Parish Council	26 January 2023	No response
<p>No comments received.</p> <p>(A further email was sent direct to the Parish Council on the 11<sup>th</sup> of March 2024 requesting if they wished to make any representation, but no comments have been received.)</p>		

Consultees

Consultee	Date consulted	Date reply received
Active Travel England	1 June 2023	No response
<p>Summary of comments: No comments received</p>		

Consultee	Date consulted	Date reply received
Anglian Water	26 January 2023	3 February 2023
<p>Summary of comments: Advised that assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site.</p> <p>They continued that there are no concerns around Wastewater Treatment, the Used Water Network or Surface Water Disposal.</p>		

Consultee	Date consulted	Date reply received
East Suffolk Building Control	26 January 2023	No response
<p>Summary of comments: No comments received</p>		

Consultee	Date consulted	Date reply received
East Suffolk CIL	26 January 2023	No response
<p>Summary of comments: No comments received</p>		

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	26 January 2023	2 February 2023
Summary of comments: No objections		

Consultee	Date consulted	Date reply received
Disability Forum	26 January 2023	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	26 January 2023	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
East Suffolk Economic Development	26 January 2023	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	26 January 2023	24 March 2023
Summary of comments: Objections initially raised regarding the potential impact on protected species, and limited information on Invasive Plant Species, Biodiversity Net Gain (BNG) and Biodiversity Net Gain (BNG) Habitats Regulations Assessment (HRA)  Further comments received in response to submission of additional information confirm acceptability of the proposals; final conditions to be recommended.		

Consultee	Date consulted	Date reply received
Natural England	26 January 2023	13 February 2023
Summary of comments: Further information required to determine impacts on designated sites		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	26 January 2023	24 February 2023

Summary of comments:  
No objections raised subject to conditions

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	27 January 2023	27 January 2023

Summary of comments:  
No objections

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	1 June 2023	2 June 2023

Summary of comments:  
No objections

Consultee	Date consulted	Date reply received
East Suffolk Housing Development Team	26 January 2023	No response

Summary of comments:  
No comments received

Consultee	Date consulted	Date reply received
East Suffolk Leisure And Play	26 January 2023	1 February 2023

Summary of comments:  
It is recommended that there is an area at least 0.05ha for an equipped play area that should have at least 500sqm of an activity zone.  
  
Concerns raised around the proposed location of the play space close to the water attenuation system.

Consultee	Date consulted	Date reply received
Ipswich & East Suffolk CCG & West Suffolk CCG	26 January 2023	14 February 2023

Summary of comments:  
No objections

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	26 January 2023	No response

Summary of comments:  
No comments received

Consultee	Date consulted	Date reply received
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Police - Traffic Management Officer	26 January 2023	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
Network Rail Property (Eastern Region - Anglia)	26 January 2023	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
SCC Section 106 Officer	26 January 2023 17 February 2023 N/A NA/A	3 February 2023 17 February 2023 11 October 2023 28 February 2024
Summary of comments: 1 <sup>st</sup> Response – S106 contributions provided and holding objection raised regarding the early years provision. 2 <sup>nd</sup> and 3 <sup>rd</sup> Responses – Holding objection maintained and updated developer contribution details. 4 <sup>th</sup> Response – Removal of holding objection following confirmation early years would be secured. on WLP2.15 and updated developer contribution details.		

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	26 January 2023	27 January 2023
Summary of comments: No objections subject to conditions.		

Consultee	Date consulted	Date reply received
SCC Cycling Officer	26 January 2023	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	26 January 2023 12 June 2023 18 August 2023	21 February 2023 27 June 2023 30 August 2023
Summary of comments: 1 <sup>st</sup> Response - Holding objection 2 <sup>nd</sup> Response - Holding objection 3 <sup>rd</sup> Response - Following amendments, no objections raised.		

Consultee	Date consulted	Date reply received
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SCC Highways Department	26 January 2023	5 April 2023
Summary of comments: No objections subject to conditions		

Consultee	Date consulted	Date reply received
Suffolk Police Design Out Crime Officer	26 January 2023	2 March 2023
Summary of comments: Concerns raised		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	26 January 2023	16 February 2023
Summary of comments: Objections raised		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	26 January 2023	1 March 2023
Summary of comments: Following the submission of an updated tree survey no objections raised		

## 5. Publicity

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

Category	Published	Expiry	Publication
Major Application	3 February 2023	24 February 2023	Beccles and Bungay Journal

Category	Published	Expiry	Publication
Major Application	3 February 2023	24 February 2023	Lowestoft Journal

## 6. Site notices

General Site Notice	Reason for site notice: Major Application Date posted: 26 January 2023 Expiry date: 16 February 2023
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## 7. Planning policy

- 7.1. Section 38(6) of the Planning and Compulsory Purchase Act requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, determination must be made in accordance with the plan unless material considerations indicate otherwise.



- 7.2. The National Planning Policy Framework (2023) (NPPF) represents up-to-date government planning policy and is a material consideration.
- 7.3. Development plan policies are material to an application for planning permission, and a decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise. In this instance, the development plan comprises the East Suffolk Council – Waveney Local Plan (adopted 20 March 2019) (“local plan”).
- 7.4. Key relevant policies from the local plan are listed in the section below and will be considered in the assessment to follow:
- WLP1.1 - Scale and Location of Growth
  - WLP1.2 - Settlement Boundaries
  - WLP2.14 - Land North of Union Lane, Oulton
  - WLP8.1 - Housing Mix
  - WLP8.2 - Affordable Housing
  - WLP8.3 - Self Build and Custom Build
  - WLP8.21 - Sustainable Transport
  - WLP8.23 - Protection of Open Space
  - WLP8.24 - Flood Risk
  - WLP8.28 - Sustainable Construction
  - WLP8.30 - Design of Open Spaces
  - WLP8.31 - Lifetime Design
  - WLP8.32 - Housing Density and Design
  - WLP8.34 - Biodiversity and Geodiversity
  - WLP8.35 - Landscape Character
  - WLP8.37 - Historic Environment
  - WLP8.40 - Archaeology
- 7.5. Supplementary Planning Documents (SPDs) and Supplementary Planning Guidance (SPG) provide additional guidance on matters covered by the local plan and are material considerations in decision making. Those that are relevant to this application are listed below and will be considered in the assessment to follow:
- Land North of Union Lane, Oulton (WLP2.14) Residential Development Brief (East Suffolk Council, Adopted September 2021)
  - Historic Environment Supplementary Planning Document (East Suffolk Council, Adopted June 2021)
  - Sustainable Construction Supplementary Planning Document (East Suffolk Council, Adopted April 2022)
  - Affordable Housing Supplementary Planning Document (East Suffolk Council, Adopted May 2022)
  - East Suffolk Cycling and Walking Strategy (East Suffolk Council, Adopted October 2022)
  - Recreational Disturbance Avoidance and Mitigation Strategy Supplementary Planning Document (East Suffolk Council, Adopted May 2021)

7.6. The Oulton Neighbourhood Plan was made by East Suffolk Council on 22 February 2023. As such it is part of the Development Plan and, along with the Local Plan, the starting point in the assessment of this application. The relevant policies for consideration are listed below:

- Policy 1: Housing Type and Mix
- Policy 2: Affordable housing tenure mix
- Policy 3: Design
- Policy 4: Biodiversity and Green Corridors
- Policy 8: Heritage Assets
- Policy 9: Sustainable Transport
- Policy 10: Traffic and Speed

## **8. Planning Considerations**

### Principle of development

- 8.1. The Local Plan was adopted in March 2019 and sets the Council's development vision for the period up to 2036. The spatial strategy (policies WLP1.1 and WLP1.2) identifies the amount of growth to be delivered over the plan period and where that growth should be. New housing, in particular, should be delivered in sustainable locations. As part of that spatial strategy, the Lowestoft Area, comprising Lowestoft, Carlton Colville, Corton, Gisleham, Oulton and Oulton Broad, is expected to deliver approximately 56% of housing growth in the Waveney Local Plan area. One of the opportunities to deliver that housing growth is WLP2.14 (Land North of Union Lane, Oulton) which allocates 5.7 hectares of land for a residential development of approximately 150 dwellings.
- 8.2. This application comprises the entirety of the site allocation of WLP2.14, thus, the principle of residential development on that allocated land as set by the adopted Local Plan which has been through the scrutiny of examination and found to be sound. In addition, a Residential development brief for the allocation was written and adopted in 2021.
- 8.3. Policy WLP2.14 sets out that the site should be developed in accordance with the following site specific criteria:
- The site will be developed at a density of approximately 30 dwellings per hectare.
  - Vehicular access should be off Parkhill. An additional pedestrian and cycle access should be provided on to Union Lane. The pavement on Parkhill should be extended to the site entrance.
  - A play space equivalent to a local equipped area for play of approximately 0.4 hectares in size should be provided.
  - If needed at the time of the planning application, 0.09 hectares of land on the site should be reserved for a new pre-school setting.
  - A full site investigation report assessing the risk of ground contamination should be submitted with any planning application.
  - Development should avoid impacts on and enhance the historic burial ground.
  - A Transport Assessment and Travel Plan should be submitted with any planning application.
  - A completed ecological assessment undertaken by a suitably qualified person will be required as part of any planning application.

- 8.4. These matters will be considered below, as well as the consideration of the scheme to all other relevant planning policies.

#### Design and layout

- 8.5. Policy WLP8.29 (Design) identifies that development proposals will be expected to demonstrate high quality design which reflects local distinctiveness. In so doing proposals should:
- Demonstrate a clear understanding of the form and character of the built, historic, and natural environment and use this understanding to complement local character and distinctiveness;
  - Respond to local context and the form of surrounding buildings
  - Take account of any important landscape or topographical features and retain and/or enhance existing landscaping and natural and semi-natural features on site;
  - Protect the amenity of the wider environment, neighbouring uses and provide a good standard of amenity for future occupiers of the proposed development;
  - Take into account the need to promote public safety and deter crime and disorder;
  - Create permeable and legible developments which are easily accessed and used by all, regardless of age, mobility and disability;
  - Provide highway layouts with well-integrated car parking and landscaping which create a high quality public realm, avoiding the perception of a car dominated environment;
  - Include hard and soft landscaping schemes to aid the integration of the development into its surroundings; and
  - Ensure that the layout and design incorporate adequate provision for the storage and collection of waste and recycling bins.
- 8.6. The residential development brief for the site also identifies the importance of development providing a strong built edge fronting onto both Parkhill and the western boundary, overlooking the proposed cycling and walking routes. Street patterns and building frontages should retain and frame key views on and beyond the site.
- 8.7. The submitted Design and Access Statement has set out a series of development principles they have implemented into the overall design and layout consideration of the submitted scheme, these include:
- Integration of the proposed new development into the settlement by respecting the local landscape and landform and by creating high quality, convenient, and safe walking and cycling links to local facilities and public transport;
  - Providing high quality dwelling designs that produce attractive street scenes and create a “sense of place” which responds to the characteristics of the site and its surroundings;
  - Providing a diverse and mixed community, providing a variety of housing types, sizes, and tenure to meet identified needs;
  - The provision of high quality, varied and accessible public open space; which also allows play spaces to be integrated into the development
  - An effective and efficient use of the site, whilst including a range of building types and sizes to add visual interest;

- Enhancing the green infrastructure and biodiversity of the site through the retention of established trees/hedgerow planting around the boundaries, new planting of existing boundaries, public open spaces and private gardens;
- Providing a clear definition between private and public space, ensuring that rear boundaries are secure and that houses are orientated to maximise the natural surveillance of streets, parking areas and play spaces;
- Creating a clear hierarchy of streets, which is easily understood and is pedestrian and cycle friendly;
- Ensuring that street design provides adequate space for motor vehicles, but in a way that reduces vehicle speeds and does not allow parking to be dominant;
- The design of houses to maximise the opportunities for sustainable construction and energy efficiency. along with the attenuation basin designed in a way to enhance the public open space.

- 8.8. In respect of the full application element: the proposal has been designed with unique dwellings (rather than standard housetypes) in a contemporary style set behind a new hedgerow along the site frontage. This approach is considered to provide a strong frontage onto Parkhill with unique dwelling design, which is an aspiration of the residential design brief. Furthermore, whilst the majority of dwellings are of a more standard design within the site, the overall designs are considered to be good quality with a contemporary approach. The single storey dwellings have been positioned mainly along the southern boundary, which protects the amenity of the dwellings to the immediate south. These are a variety of detached and semi-detached models. The majority of dwellings proposed will be two storey, again in a mixture of detached and semi-detached.
- 8.9. Overall, it is considered that the layout provides a good quality design with good connectivity, and a centralised play area. The attenuation basin for phase 1 will be positioned in the north-west corner of phase 1 and has been designed to integrate into the area with landscaping, footpaths, and play equipment around it. Dwellings have also been arranged to overlook important areas such as the play equipment and landscaped area, as well as areas of footpath within the site.
- 8.10. One aspirational design element set out in the residential design brief was for the main access road off Parkhill to be linear, creating an attractive principal route through the development with high quality landscaping. It sought for the route to be tree lined and maximise the key view through to the countryside beyond. However, a truly linear road was not deemed practical for the site as set out within the 'Highways and Access' considerations section. Therefore, the road has been designed with a curvature in the road, which is still considered to provide a strong principal route through the site.
- 8.11. Matters of appearance, landscaping, scale, and layout on phase 2 (the outline element) are reserved, and as such are not under consideration as part of this application. An indicative layout plan has been provided, which shows how the applicant considers that up to 87 dwellings may be achievable in phase 2. Officers note that under the allocation, a total of 150 dwellings could be permissible. However, given the relatively low density of phase 1 and requirements such as above ground surface water drainage features, and protection of the historic burial site, this is extremely unlikely to be achievable. Officers do have concerns around the indicated density of some areas of Phase 2, as well as concerns around layout and play/open space area design as shown on the indicative plan. This has been fed back to the applicants; however, overall, an *up to 87* dwelling for phase 2 is

considered acceptable. In future reserved matters application for phase 2 this sets an upper limit of housing numbers, but the detailed design may see a far lower figure for the reasons previously explained.

#### Amenity / Local Living Conditions

- 8.12. Policy WLP8.29 (Design) sets out that proposals should protect the amenity of the wider environment, neighbouring uses, and provide a good standard of amenity for future occupiers of the proposed development.
- 8.13. In regard to existing development around the site the most sensitive receptors are the existing residential properties along the southern boundary for the site, and on the opposite side of Parkhill. The majority of dwellings along the southern boundary comprise of single or one-and-a-half storey dwellings, situated at the southern end of North Field Close, Lothingland Close, and Airey Close.
- 8.14. As noted in the previous section the majority of dwellings (Plots 15-21) along the southern boundary will be single storey. This will limit any potential overlooking from the proposed dwellings to the existing dwellings to the south. The existing dwellings are close to the site boundary and as such some overlooking over the private amenity areas of the new dwellings may occur, although this is mainly limited to plots 20 and 21 which benefit from large plots. In any case there would be no significant amenity impact on these new properties. The separation distance between the proposed dwellings along Parkhill, and the existing dwellings to the east, is deemed sufficient to limit any potential overlooking.
- 8.15. Several dwellings along the southern and western boundary of phase 1 will have retained trees within or just outside of their residential curtilage. As part of this application many of the trees will have work undertaken to reduce the size of canopies to make them more appropriate for their setting and reduce potential pressure for the trees to be removed in the future. It is noted that none of the trees are protected by TPO and would not be candidates for such protection but the proposed approach to retention is welcomed. In this instance it is considered that the position and size of the trees should not be overly harmful (through shading) to the amenity of future residents.
- 8.16. The proposed scheme is also considered to provide proportionate curtilage and private amenity spaces for each dwelling. It is also not considered that the layout results in any excessive overlooking between dwellings and their private amenity spaces compared to what would be expected in a modern housing developments that maximises available space and efficiently utilises the land.
- 8.17. Anglian Water have advised that the development site is within 15 metres of a sewage pumping station. This is situated near to Flixton View, and the asset requires access for maintenance and will have sewerage infrastructure leading to it. For practical reasons therefore it cannot be easily relocated.
- 8.18. Anglian Water consider that dwellings located within 15 metres of the pumping station would place them at risk of nuisance in the form of noise, odour or the general disruption from maintenance work caused by the normal operation of the pumping station. The existing pumping station would be re-positioned adjacent to a proposed pumping station

in the southern protrusion of phase 2, and the indicative plan does not indicate any proposed dwellings within 15m of the pumping station.

- 8.19. The application also proposes two pumping stations, one situated within Phase 1, on the boundary between phase 1 and phase 2, and a second situated on the southern protrusion of phase 2 along Flixton View. It is not proposed that any residential dwellinghouse would be situated within a 15m cordon sanitaire. Therefore, it is not deemed that any existing or proposed Foul Water Pumping Station would impact upon the amenity of existing or future residents.
- 8.20. The application has been accompanied by an Air Quality Assessment, which has assessed the potential impact on air quality to existing and future residents. The report identifies that there is a Low to Medium risk of dust soiling impacts and a Low risk of increases in particulate matter concentrations due to unmitigated construction activities for human health. However, it concludes that through good site practice and the implementation of suitable mitigation measures, the effect of dust and particulate matter releases would be significantly reduced. Therefore, a condition will be applied for a construction management plan condition should permission be granted.
- 8.21. The Site lies within an area where air quality is mainly influenced by emissions associated with road traffic along the existing road network. The Air Quality Assessment finds that, based on the extent of predicted population exposure to the impacts on pollutant concentrations, the proposed development is expected to result in a negligible impact associated with the operational phase traffic on nearby receptors and the residual effects are considered to be not significant. Additionally, the residual effect of the Proposed Development is considered to be not significant for all pollutants considered.
- 8.22. The application is also accompanied by a Noise Impact Assessment, which identifies that, following an environmental noise survey at the proposed development site, ambient noise levels are dominated by the adjacent B1375 (Parkhill). An initial site risk noise assessment in accordance with ProPG indicates that approximately 50 % of the site falls between the Low - Medium risk categories, all other areas fall into the negligible risk category. ProPG advises that proposed development sites in the 'medium' risk category are *"likely to be less suitable from a noise perspective and any subsequent application may be refused unless a good acoustic design process is followed and is demonstrated in an Acoustic Design Statement"*.
- 8.23. The Noise Impact Assessment has set out acoustic design recommendations and specifications for the building envelope so that noise levels in habitable rooms would comply with the relevant internal noise criteria. These recommendations include:
- Ensuring walls meet achieve a minimum sound reduction level,
  - Ensuring that the roofing and ceiling achieve a specified overall weighted sound reduction index
  - Windows meeting a required R value

It is recommended that these measures be conditioned as part of any approval, if granted.

- 8.24. Additionally, the NIA identifies that daytime average noise levels in the rear gardens of the proposed dwellings are expected to be acceptable in accordance with relevant guidance.

8.25. Officers therefore considered that based on the information and reports submitted that the amenity of existing residents will be protected, and that the dwellings would provide good living conditions for future residents of the scheme. The Environmental Protection Team have raised no objections to the scheme subject to conditions requiring submission of a Construction Management Plan, and the implementation of recommendations in the Noise Impact Assessment.

#### Highways, Access and Sustainable Transport

8.26. Policy WLP2.15 sets out that vehicular access should be off Parkhill. Additionally pedestrian and cycle access should be provided onto Union Lane, and the pavement on Parkhill should be extended to the site entrance.

8.27. Paragraph 115 of the NPPF requires that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

8.28. Paragraph 116 continues that, within this context, applications for development should:

- a. give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b. address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c. create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d. allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e. be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

8.29. The site is currently accessed via a field access off Parkhill, and via an access point off Union Lane in the south-western region of the site.

8.30. The primary vehicular access point will be off Parkhill, adjacent the eastern boundary of the site, as required by allocation policy WLP2.15. Parkhill at this section is a 30mph speed limit, this increases to 40mph further north along Parkhill. A second emergency access point, controlled with lockable bollards, will be located in the south-western region of the site via Union Lane. However, it is not deemed appropriate for normal residential vehicular access from the site to be via Union Lane due to the narrow nature of that section of the highway.

8.31. Access for Phase 2 of the development is a matter for consideration. The proposed vehicular access for Phase 2 will be via the main spine road of Phase 1. This will create a Primary Access route through the middle of the site from east to west. This was an

aspiration of the Land North of Union Lane, Oulton (WLP2.14) Residential Development Brief, and is a logical way of creating access through this unusually shaped site.

- 8.32. Although the RDB aspiration was for the road to be straight and tree lined, this has not been possible due to requirements from the Highways Authority regarding potential speeds and design, and Drainage requirements with the need for the filter drains on one side. However, the primary route through the site is a broadly linear route with a gentle curve and raised tables to reduce vehicle traffic speeds through the site. A perfectly straight route would likely result in unsafe vehicle speeds through the site and is therefore not appropriate.
- 8.33. As part of this application a Transport Assessment has been undertaken. The assessment concludes that despite considerable anticipated residual future constraints, the impact of the development is considered negligible. Concluding that: on the basis of the evidence provided in this Transport Assessment, it is considered there are no reasonable grounds for refusal of the proposed development on traffic and transportation grounds, the impacts of which are considered to be negligible.
- 8.34. SCC Highways authority have reviewed the information submitted as part of this application and raise no objections in regard to design of the proposed primary vehicular access point or any impacts upon the local highway network as a result of the proposed development.
- 8.35. Along the northern boundary edge of the primary access road will be a shared footway/cycle way connecting Parkhill to Union Lane, although the precise details in relation to phase 2 are reserved. The cycleway should be at grade, so the cyclist has a level gradient to cycle along, this has been achieved in phase 1 by Dutch style kerbs as per the Suffolk Streets Design 2022.
- 8.36. The cycle route in the next phase is only indicative, however, officers consider that it requires more design to enable the cycle way to tie into proposed and existing routes and for the cycle way to remain at grade. Therefore, this will be conditioned to be submitted and these issues to be addressed at that point in order for the work to be county adoptable standard. Shared surface roads should be designed to the Suffolk Streets Guide 2022.
- 8.37. The proposal also includes the connecting of the site to the Union Lane Junction with a footpath along Parkhill. The width of this footpath is constrained due to the limited availability of land in this section. However, officers considered it significantly important to provide this connection to allow alternative transport modes to and from the site.
- 8.38. There are also Bus stops located in close proximity. The nearest is to the south and is adjacent to the community centre and benefits from a formal crossing on route. This application proposes off-site works to widen the footway at the junction of union lane, which will make the footway wider and safer for pedestrians looking to walk to the bus stops.
- 8.39. SCC Highways have confirmed that plans for the expected section 278 agreement have been submitted alongside the application and are broadly acceptable subject to vetting and acceptance by SCC adoptions and agreements team.



- 8.40. In all respects through both the FUL and Outline elements, officers are satisfied that the scheme is acceptable in highways and sustainable transport terms in accordance with policy.

#### Trees and Landscape

- 8.41. Policy WLP8.29 sets out that development should be high quality and take account of any important landscape or topographical features and retain and/or enhance existing landscaping and natural and semi-natural features on site. In addition, it sets out that proposals should include hard and soft landscaping schemes to aid the integration of the development into its surroundings.
- 8.42. The Residential Development Brief that has been created for this site sets out that except where needed for access, the hedgerow along Parkhill should be retained as it is important in helping to preserve the settings of the two listed buildings located to the east as well as for its biodiversity value.
- 8.43. The proposed visibility splay for the new access requires the removal of a large portion of the hedge row. There is also a ditch that runs along the site frontage, with the hedge growing within and over this drainage ditch. It is therefore proposed to remove all the hedge, as opposed to retaining just part of it, and then replanting it further into the site. This also allows for the path to run in front of the hedge along the street frontage, rather than behind a large hedge. Whilst the loss is unfortunate, it will be replaced by a new hedgerow along the site frontage as well as the planting of several trees. This is considered acceptable by officers and would create an attractive edge to the application site.
- 8.44. Within the wider landscape many of the views of phase 1 will be from across the north boundary of the site. This is due to the proximity of the Public Rights of Way Network situated 80m north of the site and running more or less parallel with the north boundary of the entire development site. Along the northern boundary of phase 1, it is proposed to retain much of the existing foliage whilst also introducing additional planting. Whilst views of the development will be achievable in the wider landscape, the existing backdrop is of urban development. Additionally, the existing and proposed landscaping along the northern boundary of phase 1 will soften the views, as will the positioning of dwellings away from the boundary.
- 8.45. It is acknowledged that the layout does not provide a lot of opportunity for street trees and landscape structure within the development. There is a reasonable level of planting and trees being provided overall, however, these are largely either towards the development boundaries or within privately owned spaces, where longer term planning control would be difficult.
- 8.46. Furthermore, opportunities for planting street trees are constrained by the drainage requirements, where swales and associated piped elements exist along the major access route. However, planting is proposed alongside the southern side of the main access route with the northern side comprising grassed areas for the filter drain.
- 8.47. Overall, officers consider that phase 1 would integrate into the wider landscape area, and whilst there are missed opportunities for additional landscaping within the scheme, it is

considered that overall, it would create a good quality scheme with areas of attractive landscaping and no significant wider landscape and visual impacts.

- 8.48. Landscaping is a matter reserved for phase 2, at this point, and as such precise details of what is proposed have not been included. Views of phase 2 will be more prominent from the wider landscape, with the broads national park being situated approximately 1km west from the western boundary of the site. The indicative layout proposes the attenuation basin and open space, comprising the burial site, in the northwestern corner of the site. As well as the retention of planting along the western boundary, and the positioning of dwellings into the site away from the boundary. This is considered to soften potential impacts; however careful consideration will need to be given with any reserved matters application to the final layout and landscaping.
- 8.49. This is an allocated site for housing; therefore, officers acknowledge that to achieve development, existing trees are going to come under pressure for space. The councils Tree and Landscape Team have reviewed the scheme, and provided comments which form part of the consideration of this application.
- 8.50. The existing site does comprise of several larger trees, and consideration needs to be given as to whether the retention of these long-term is conceivable. For instance, the position of trees in the residential curtilage of dwellings can place future pressure for the trees to be removed once residents occupy the dwelling(s). Many of the trees to be retained are positioned along the site boundary, either within or just outside the application site.
- 8.51. To mitigate potential impacts arising 25% crown reductions is proposed to the retained oaks and any other similar broadleaved trees is probably. Several of the Oaks also have overextended limbs that are not a good match with overhanging garden spaces. Officers do not consider this unreasonable under the circumstances, and it should reduce future pressures on these trees, enabling their longer term retention.
- 8.52. During the course of the application an updated Tree Report was submitted to address questions raised by the Tree and Landscape Team. This updated report considers the row of trees on the western boundary, especially the Poplar trees. Officers note that whilst these Poplar trees are healthy and do provide screening, they are - as a species - prone to severe damage from the Hornet Wasp and blow down. Due to this potential threat the applicant will offer to trim/ remove when carrying out tree works on site. In view of the updated Tree Report and especially the proposed management of the trees along the western boundary officers have no objection to this proposal on tree grounds.
- 8.53. In terms of trees and landscape matters, the scheme is in accordance with policy.

#### Heritage and Archaeology

- 8.54. There are no designated heritage assets on the application site that are buildings or structures, and the site does not fall within, nor is it close to any Conservation Areas.
- 8.55. On the opposite side of Parkhill (B1375), there are two listed buildings, namely The Hall (North and South) and The Lodge, both Parkhill, of which the application site falls within the setting of. The adopted Residential Development Brief SPD (September 2021) for this

site notes that the 'principal elevations of the listed buildings face the site - any proposal must take full account of their setting in terms of potential impacts on significance.'

- 8.56. Of further note is on the Suffolk Historic Environment Record the application site is identified for WWII defensive systems, including anti-tank systems; and is also the location of the former Mutford and Lothingland Incorporated Hundred Workhouse erected in 1765. The latter of which is linked to the former cemetery, located to the north-west of the application site.
- 8.57. Officers have undertaken consultation with the councils Principal Design and Heritage officer as well as Suffolk County Councils Archaeological Service, who have provided comment on the application. A Heritage Statement has been submitted with the application and officers are content that it meets the requirements of the NPPF at paragraph 200. Of note within the Heritage statement are:
- The application site has 'a long history as agricultural land, the western part of which was subsequently developed as the workhouse and associated burial ground, while the eastern part of the site remained undeveloped until its fortification during the Second World War.'
  - The entrance elevation and principal elevation faced southwards over the generous extent of the associated landscaped grounds of the Hall. The Hall and its grounds, therefore, were oriented away from Parkhill and away from farmed land opposite. It is likely, thus, that there was no direct functional or tenurial connection between the application site and The Hall, historically.
  - The greatest part of The Lodge's significance that is derived from its setting arises from its very close historical association with The Hall, for which it was built in the early 19th century or potentially more around 1830-40.
  - That the application proposals will result in a minor level of less-than-substantial harm to the significance of both listed buildings.
  - The HS refers to the potential for NDHAs at this site but uses this in its archaeological meaning for unknown buried archaeology.
- 8.58. Of note is that there is clear intervisibility between the sites of The Hall and The Lodge, and the application site. Officers therefore consider that although the application site does not contribute directly to the significance of either listed building, changes to it will impact their existing surroundings. This is because, in its undeveloped form, these surroundings have a relatively open, green, and undisturbed character that is consonant with part of the houses' wider setting. Having said that, through encroaching modern development, it is also fair to say that built form also now forms part of that setting character.
- 8.59. The development proposals will, in principle and in part, have an adverse impact on the setting and special interest of the two aforementioned listed buildings. This is because it will reduce the open, green, and undisturbed part of their setting that has been undeveloped for their lifetime in this part of it. It is noted that whilst the western part of the site was developed as part of the former workhouse, the intervening land, however, has remained undeveloped until present.
- 8.60. This open-ness is established and historic and, by default, contributes to the significance of the two listed buildings – that is, these are part of the surroundings that have always been. The importance of this contribution, however, is relatively limited since the application site

had no tenurial or functional connection to the two buildings, and the buildings did not rely on the site for their appreciation – more from Parkhill, itself. Further, the two buildings faced away from the site (intentionally) with their principal elevations facing south. Development will be consonant with that which already forms part of the surroundings to the listed buildings. Further, officers do not consider that the proposed development will diminish the ability to appreciate the significance of the buildings. That is why, although there will be an adverse impact arising from development and the resulting loss of open character in this area of the setting, the effect of that on the significance of the listed buildings is deemed minor.

- 8.61. The minor effect of the adverse impact that is identified will be partly mitigated by the development frontage offset and the replanting of the frontage hedgerow. These will assist in reducing the harm that arises from the proposed development on the significance of the two listed buildings, although this will not entirely vitiate it.
- 8.62. Therefore, officers judge that there will be an adverse impact with minor effect on the setting and significance of The Hall and The Lodge from the application proposals.
- 8.63. Officers consider that the adverse impact with minor effect that is identified above will give rise to a low level of less-than-substantial harm (in NPPF terms) to the significance of the two designated heritage assets that are the Grade II listed The Hall and the Grade II listed The Lodge. This requires that the decision maker must engage the relevant test of the NPPF at paragraph 208 of the NPPF and weigh up the harm that has been identified with the public benefits of the proposed development, bearing in mind paragraph 205 states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, regardless of the level of harm identified.
- 8.64. The site also contains an historic burial site situation in the North-western corner of the application site. Policy WLP2.14 requires that development should avoid impacts on and enhance the historic burial ground. Additionally, the Oulton Neighbourhood Plan identifies several Non-Designated Heritage Assets (NDHAs) identified. The historic Burial Ground is recognised as NDHA. Policy 8 of the Oulton Neighbourhood Plan, states that Proposals that are adjacent non-designated assets should demonstrate that consideration has been given to preserving:
  - a) The heritage asset and its distinctive historic features as identified in the Oulton Neighbourhood Plan Non-Designated Heritage Assets Assessment Document;
  - b) The positive elements of its setting that contribute to the asset's historic significance; and
  - c) The contribution that the asset and its setting makes to the character of the local area.
- 8.65. Given the archaeological sensitivity of the former workhouse burial ground, and the extensive ground disturbance caused by the later use of the site, a pre-determination trenched archaeological evaluation of the former burial ground was undertaken prior to submission of this application. Having established the dimensions of the former burial ground and established the depth at which burials exist intact, the proposed development scheme will see the retention of the area of the burial ground undisturbed, as public open space. The burial site forms part of the outline portion of this proposal and therefore the

full layout and design of that area of the site will form part of any latter submission. However, the submitted Heritage Statement sets out that it is proposed that it will be landscaped and suitably managed, with interpretation provided to explain the presence and history of the burial ground. The identified gravestones will be retained on the site, as will any others which are revealed during development works.

- 8.66. The Heritage statement sets out following archaeological evaluation it has been identified that the western end of the burial ground has been entirely truncated by the later use of the site for waste management, it is therefore considered appropriate for this area of the public open space to also be used as part of the attenuation basin for the management of exceptional rainwater runoff. As set out below, Suffolk County Council Archaeological Service have agreed with his approach. Furthermore, any landscaping will see the site built up, rather than dug away in order to preserve the burials, and the area will be subject to a Construction Management Plan and cordoned off during construction works in order to ensure that the former burial ground remains undisturbed.
- 8.67. This site also lies in an area of archaeological potential recorded on the County Historic Environment Record. There are cropmarks to the north (OUL 015) and the west and southwest (FTN 017, FTN 019 and part of the site lies within the sites of WW2 features (BCC 025,BCC 006). 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.
- 8.68. Previous archaeological evaluation (Cotswold Archaeology 2021) has defined the surviving extent of the workhouse burial ground. SCCAS has confirmed that they are satisfied that the proposed plans will not disturb human remains.
- 8.69. As such SCCAS have raised 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.

#### Ecology and Biodiversity

- 8.70. Policy WLP8.34 sets out the policy position for Biodiversity and Geodiversity. The policy sets out that where there is reason to suspect the presence of protected species or habitat, applications should be supported by an ecological survey, and if present the proposal must be sensitive to, and make provision for their needs. An Ecological Assessment and Bat Emergence Survey were initially submitted. The Ecological Assessment identified a number of potential ecological impacts arising from the scheme.
- 8.71. The Ecological Assessment identifies the potential for Great Crested Newts. The initial assessment advises two options for great crested newt mitigation, using either a Low Impact Class Licence (LICL) or the District Level Licence (DLL) route. Given the two different mitigation options available the applicant must clarify which is to be used, prior to the determination of this application. If a LICL is to be used then, in accordance with the recommendation in the Ecological Assessment, further great crested newt surveys are required prior to the determination of this application so that it can be ensured that impacts on protected species are fully considered. If the DLL approach is to be used then

there is no requirement for further great crested newt surveys prior to determination, however an Impact Assessment and Conservation Payment Certificate (IACPC) signed by both the applicant and Natural England will need to be submitted prior to determination in order to demonstrate that the site has been accepted into the DLL scheme by Natural England.

- 8.72. Following the submission of further information, the Ecology Team raised no objections with the conditions to be finalised and reported to members when available.
- 8.73. The proposal involves the removal of several trees within the application site. The Bat Emergence Surveys (Small Ecology, December 2022) confirmed that no bats emerged from any of the buildings on site, however it was believed that a pipistrelle bat had emerged from a poplar tree nearby. Significant numbers of noctule bats were also recorded commuting across the site which suggested that the bats may be roosting within or within proximity of the application site and possibly that a maternity colony may be present. However, the exact location of the potential noctule roost was not able to be fully determined. If any of the trees proposed for removal are potentially suitable for roosting bats then they must be subject to further survey prior to determination of the application, in order to determine whether any roosts are present and will be impacted by the proposed development. These further bat surveys must be undertaken in accordance with the relevant recommendations within the Ecological Assessment (Small Ecology, October 2022). Officers note the additional information provided, included trees with bat roost potential (BRP) with regards to Phase 1 and Phase 2. Further bat surveys on trees within Phase 2 can be controlled via condition and through the reserved matters application where detailed design is included.
- 8.74. The Ecological Assessment recommends that a Phase 2 walkover during late spring or summer is undertaken in order to identify any rare or scarce plants within the application site.
- 8.75. The Ecological Assessment also notes that Japanese Knotweed (*Fallopia japonica*), Butterfly bush (*Buddleia davidii*) and Cotoneaster sp are present within and around the redline boundary of the application site. Therefore, prior to the commencement of development, an invasive non-native species protocol will need to be submitted to and approved by the local planning authority, detailing the containment, control, and removal of invasive species on site. It is suggested that details of mitigation for invasive plant species are submitted via a condition.

#### Ecological Enhancements / Biodiversity Net Gain

- 8.76. Paragraph 4.13 of the adopted Development Brief for this site (Residential development brief for Land north of Union Lane, Oulton (WLP2.14) (2021)) states that *“Development will be supported where it will retain, restore, and enhance the biodiversity of the site. Development should achieve demonstratable net gains for wildlife, habitats, and green infrastructure improvements”*.
- 8.77. The NPPF paragraph 186(d) states that *“development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design,*

especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

- 8.78. The application was made valid on the 22<sup>nd</sup> of December 2022, which is before Biodiversity Net Gain came into act for Major application on the 12<sup>th</sup> of February 2024. Therefore, a net gain in biodiversity under the BNG legislation is not required.
- 8.79. Whilst it is acknowledged that the Development Brief for this site does not explicitly require the submission of a Biodiversity Net Gain (BNG) assessment as part of the planning application, use of such an assessment (including use of the Biodiversity Net Gain Metric) could be an appropriate way of demonstrating that the proposal meets the relevant planning policy tests. The applicant, however, has contended that a BNG assessment is not a requirement, and as such has not submitted one.
- 8.80. As the submission of a BNG assessment was not a requirement at the time of submission then one cannot be required. However, instead of providing a BNG assessment the applicant has submitted an Ecology Enhancements Plan and contends that Biodiversity has been integrated as part of the design of the scheme.
- 8.81. The Ecology Enhancements Plan shows two wildlife corridors; a north-south wildlife corridor between phase 1 and phase 2, and a wildlife corridor along the northern and western boundary of phase 2. These wildlife corridors are noted as being focused areas of planting which the applicant sets out would enhance biodiversity. There would also be new tree planting provided throughout both phase 1 and 2.
- 8.82. The applicant also sets out that each dwelling would have a private garden and front gardens would be landscaped and planted to enhance the setting of the new dwellings. Alongside this, marginal planting, submergent planting, alongside a woodland wildflower mix, wetland wildflower mix, and amenity grass seed would be planted to enhance biodiversity.
- 8.83. In addition, two new attenuation basins would be provided, in phase 1 and phase 2. The overarching proposed Drainage Strategy has been designed with consideration of the four key pillars of SuDs: water quality, water quantity, amenity, and biodiversity. In relation to biodiversity, the proposed attenuation basins have been designed with varying depths of permanent water to encourage biodiversity and amenity value. In addition, vegetation will be encouraged to improve biodiversity and amenity value.
- 8.84. In relation to public access, the site is not currently accessible to the public. The proposals would allow public access via the provision of new footways and a cycleway, which would lead to the open space created by the attenuation basins in phase 1 and the Burial Ground in phase 2. As set out previously the Burial Ground is a significant heritage asset, the applicant has set out its intention to sensitively restore and enhance the Burial Ground with a detailed landscaped scheme, which would be secured via condition.
- 8.85. It is worth noting that the site is allocated for allocated for up to 150 homes in the local plan and this scheme does fall below this threshold. Therefore, whilst it is noted that ecological net gain is limited within the scheme, the scheme as a whole does provide a level of ecological enhancement. This then needs to be balanced alongside all elements of the scheme and the constraints set out within this report.

- 8.86. The Councils Principal Ecologist has reviewed the information submitted and raised no objections with the conditions to be finalised. The scheme is thus in accordance with the ecological objectives of the Development Plan and NPPF.

Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS)

- 8.87. The development site is within the recreational disturbance Zone of Influence for Habitats Sites (European Sites) in East Suffolk, as set out in the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS). The LPA has been seeking appropriate mitigation for new residential housing in the zone of influence to ensure that there is no adverse effect on the integrity of Habitats Sites in East Suffolk. In addition, to these designated sites, the application site is approximately 3.1km to the north-east of components of the following designated sites:
- Broadland SPA;
  - Broadland Ramsar Site; and
  - The Broads SAC.
- 8.88. As the application proposes up to 132 dwellings, this would trigger the threshold of 50+ residential units which requires a Habitat Regulation Assessment (HRA) to be undertaken. The HRA also considered the above mentioned designated sites in relation to potential impacts from increased recreational disturbance, water abstraction and changes to water quality.
- 8.89. The HRA has been undertaken by the Councils Principal Ecologist, and a consultation was subsequently undertaken with Natural England who raised no objection to the HRA. The HRA recognises that the new residential development will potentially give rise to increased recreational disturbance at the identified European designated sites in-combination with other new residential development.
- 8.90. To address the potential for the overall development to result in recreational disturbance impacts, the following measures will be secured across the two phases:
- On-site public open space of approximately 0.8Ha, including walking routes around and through the development.
  - Connections to the local public rights of way network, including north from Phase 1 to link to Footpaths 3 and 9 (the mechanism to create this route will be secured in the S106 agreement), and through the southern boundary of Phase 2 linking to Union Lane and
  - Footpaths 2 and 6. This gives access to the public rights of way network to the west of the development, allowing for a range of circular walks of different lengths (up to and exceeding 2.7km) away from any European designated sites.
  - Improvements to the walking route alongside Parkhill (the B1375) to the south of the development site, improving walking route options to the south.
  - Signage/homeowner packs directing residents to the local PROW network.
  - Dog waste bins.
  - A financial contribution of £42,401.04 (132 dwellings x £321.22) to the Suffolk Coast RAMS, secured as part of the S106 agreement.



- 8.91. Having considered the proposed avoidance and mitigation measures above, East Suffolk Council conclude that, with mitigation, the project will not have an Adverse Effect on the Integrity of the European sites included within the Suffolk Coast RAMS.
- 8.92. Having made this appropriate assessment of the implications of the project for the site(s) in view of those sites' conservation objectives, and subject to the opinion of Natural England, the authority may now agree to the plan or project under regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).
- 8.93. Subject to appropriate conditions, S106 agreements and RAMS contribution the scheme would accord with the requirements of Local Plan policy WLP8.34, the NPPF, and the Conservation of Habitats and Species Regulations (2017) (as amended).

#### Affordable, Custom and Self-build housing

- 8.94. Policy WLP8.2 (Affordable Housing) requires that all new housing developments on sites with a capacity of 11 dwellings or more must make provision for 20% of housing to be affordable housing within the Lowestoft and Kessingland area (excluding Corton). However, in exceptional circumstances the level and tenure of affordable housing may be varied where it can be satisfactorily demonstrated through the preparation of a viability assessment, that a different tenure mix, or lower percentage of affordable housing, are required to ensure the site remains financially viable.
- 8.95. Affordable housing provision will only be reduced on sites which are necessary to the overall supply of housing in the District unless the scheme has wider sustainability benefits.
- 8.96. Alongside this application a Financial Viability Assessment has been submitted, which has been prepared by Pathfinder. The Viability Assessment concluded that the proposed scheme of 132 dwellings with 20% affordable housing would not deliver an economically viable level of land value as required by the National Planning Policy Framework.
- 8.97. An identical scheme was considered for 100% market housing of 132 dwellings without a pre-school. The proposed scheme generates a residual land value, which is considered to create a marginally economically viable level of land value as required by the National Planning Policy Framework, if the developer took considerable additional risk around achieving costs lower than expected or revenues in advance of market expectations.
- 8.98. The submitted planning statement sets out that, despite a 100% market scheme being only marginally viable, the Applicant would like to deliver an element of affordable housing to contribute towards providing much needed affordable housing in the area. It is therefore proposed to provide 4 affordable housing units, equivalent to 3%, comprising 4 x 2-bed units.
- 8.99. The affordable housing would be located in phase 2 on plots 30-33, and the statement sets out that they would be indistinguishable from the market housing in terms of the location, external appearance, design, standards and build quality.

- 8.100. Furthermore, the applicant has set out that as the scheme, which includes 128 market dwellings and 4 affordable housing units, is only marginally viable; it is not proposed to include land for the setting of a pre-school, as this would make the scheme unviable.
- 8.101. The Local Planning Authority has commissioned an independent review of the submitted Viability Report, which has been undertaken by BNP Paribas. In their initial report, it was concluded that the proposed Development with 20% affordable housing generated a surplus of £440,171 against the viability benchmark. However, following the submission of additional information, around the construction costs of the project, BNP have advised that the proposed Development with 20% affordable housing generates a RLV of £1,179,317: a deficit of -£697,881 against the viability benchmark.
- 8.102. Therefore, given the independent assessment/review of the applicant's submitted Viability Report, officers are content that the proposed development would be unviable if the policy required level of 20% affordable housing was provided. However, it was recommended by BNP Paribas that the Council include both early and late stage review mechanisms within the Section 106 Agreement to consider any potential changes that might occur during the build out of the scheme.
- 8.103. Policy WLP8.3 (Self Build and Custom Build) sets out that developments of 100 or more dwellings will be expected to provide a minimum of 5% self or custom build properties on site through the provision of serviced plots.
- 8.104. The indicative masterplans shows that 7 x 4 bed custom builds, equivalent to 5% could be provided on the southwest corner of phase 2. The submitted information states that the custom builds could allow occupiers a level of customisation, whilst ensuring the design ties in with the new dwellings and the surrounding context. The customisation offered would include a choice of house type, cladding, roof tiles, window frame, front door design, and a range of interior options.
- 8.105. Officers consider that the proposed range of house types to choose from will with limited customisation not be acceptable. Of critical importance will be the level of design freedom offered to initial occupants through a design code, which should be conditioned to the hybrid permission if the app is to be granted. It is also noted that the data on the councils register shows a big demand for self-build rather than custom build, although policy allows either.
- 8.106. The number of plots proposed is considered compliant with policy WLP8.3 requirements, and, whilst the level of customisation is not deemed appropriate from the information provided, the Custom Build plots form part of the second phase of the development, which is in outline form with all matter expect access reserved. Therefore, details of custom building plots can be detailed to be submitted alongside the Reserved Matters application to ensure acceptability.

#### Flooding and Drainage

- 8.107. The application site is situated within Flood Zone 1, the Environment Agency maps also show that there is a low risk of surface water flooding on the site, increasing to high risk towards the western boundary of the application site.

- 8.108. Furthermore, the scheme includes two foul water pumping stations, the first is it to be positioned on the south side of the principal route between phase 1 and 2. The second is proposed to be positioned on land between Flixton Road and Union Lane towards the south-west area of phase 2.
- 8.109. Suffolk County Councils Local Lead Flood Authority (LLFA) initially raised a holding objection to the scheme due to the requirement for several further pieces of information that need to be submitted and designed into the schemes. This has resulted in an overall increase in the size of the attenuation basin in phase 1 which required some minor amendments to the layout around the attenuation basin. Following further consultation with the LLFA they have raised no objections to the overall scheme subject to conditions.
- 8.110. Following this response, it was noted that there may be issues around the maintenance of a 3m ditch to the Western boundary of Phase 1, due to the presence of existing and proposed landscaping, and clarification was sought on how the ditch will be maintained. The applicant has provided an updated FRA as well as a plan showing that maintenance of the ditch can be undertaken via three routes, one off the principal access route, and the other two via plots 20 and 21. Whilst this is not an ideal situation, officers and the LLFA consider that in this instance it would be an acceptable approach in the event the ditch requires maintenance.
- 8.111. The scheme also includes two foul water pumping stations, the first is it to be positioned on the south side of the principal route between phase 1 and 2. The second is proposed to be positioned on land between Flixton Road and Union Lane towards the south-west area of phase 2.
- 8.112. Anglian Water has reviewed the submitted scheme and confirmed that the foul drainage from this development is in the catchment of Lowestoft Water Recycling Centre which has available capacity for these flows. As such they have raised no objections to the application.

#### Contamination

- 8.113. The application is accompanied by a Phase 1 contaminated land report, a Phase 2 contaminated land report and a supplementary ground gas report in support of the application. The reports have identified elevated CO<sub>2</sub> levels in areas of the site, whilst they have not determined flow and therefore the C665 Gas Screening Value has been calculated to classify the site as Green in accordance with NHBC traffic light system requiring no mitigation. Environmental Protection Officers requested that further discussion as to the likely source of the gas be provided along with consideration of environmental factors (including but not limited to seasonal and climatic variation) that may influence gas generation and flow in order to provide further confidence that the site is correctly classified. This information has been provided and Environmental Protection Officers are confident on the classification.
- 8.114. The Phase 2 has identified areas of lead and asbestos contamination, and these will need to be addressed adequately prior to development. As such Environmental Protection Officers have requested that a Remediation Method Statement be produced in line with Land Contamination Risk Management (LCRM) principles including the stage 2 options appraisal in order to ensure all appropriate remediation methods are considered. This

forms part of a suite of Land Contamination Conditions that are proposed if approval is granted.

### Play and Open space

- 8.115. Policy WLP2.14 sets out that an area of play space equivalent to a local equipped area for play of approximately 0.4 hectares in size should be provided within the application site. The Councils Leisure Team have been consulted on the application. They have advised that it is usually recommended that there is an area at least 0.05ha for an equipped play area that should have at least 500sqm of an activity zone. The play experience should be stimulating and challenging and should include equipment providing opportunities for Swinging, Sliding, Climbing, Spinning, Balancing, Sensory Play, and Brachiating. Within the sensory play at least three of the senses will be engaged and fully accessible from a seated and standing position, these could include Sight/Visual, Sound, Scent, Tactile or Movement and Balance.
- 8.116. Based upon the draft Healthy Environments Supplementary Planning Document, the consultation for which closed in January 2024, and is due for adoption in Spring 2024, a recommended figure of 0.25 hectares per 1,000 people is to be used to calculate the minimum quantity of both types of play provision required. Based upon the 132 dwellings proposed this would equate to 0.0792 hectares (792 sqm). This is equivalent to a good LEAP provision.
- 8.117. The current illustrative layout has an excessive density in parts of Phase 2, officers expect that total number of dwellings to fall when it comes to reserved matters for Phase 2. The area referred to as the 'Neck' of the site has illustratively been laid out poorly for the north side of the road. Almost of the tree and hedge edge is proposed to be lost, presenting a hard fenced edge onto the countryside. Dwellings are also proposed too close to the pumping station which will have poor amenity and visual effects on them. This is a good location for play provision instead. It is well positioned to be delivered as an early part of Phase 2 to serve both phases, it allows a better landscaped edge and adds quality and interest to the route. The space looks roughly right to meet the 792sqm as shown below. This should be secured through a land use parameter plan.

### Sustainability

- 8.118. Policy WLP8.28 (Sustainable Construction) sets out that proposals for major residential development of 10+ should demonstrate through the submission of a sustainability statement that, where practical, they have incorporated:
- Improved efficiency of heating, cooling, and lighting of buildings by maximising daylight and passive solar gain through the orientation and design of buildings.
  - Sustainable water management measures such as the use of sustainable drainage systems, green roofs and/or rainwater harvesting systems.
  - Locally sourced and recycled materials.
  - Renewable and low carbon energy generation into the design of new developments.
  - Larger schemes should explore the scope for District heating.

- Minimising construction waste, including designing out waste during the design stage selecting sustainable and efficient building materials and reusing materials where possible.
- Accessible and unobtrusive sustainable waste management facilities such as adequate provision of refuse/recycling/composting bin storage.
- A show home demonstrating environmentally sustainable options which can be purchased and installed in homes bought off-plan.

- 8.119. As part of the submission documentation for this application an Energy and Sustainability Statement was submitted. This statement sets out that the development would have a fabric first approach to design and construction, seeking to improve insulation and airtightness where possible. A review of suitable renewable technologies has also been undertaken and it was considered that Photovoltaic Panels (PVs) and Air Source Heat Pumps would be suitable for the development. In addition, it is proposed that 1 EV charging point per dwelling would be provided in line with Building Regulations. Additionally, during the construction phase, it states that materials would be sourced locally where possible, and the amount of construction waste would be minimised through planning. A condition is proposed that all construction take place in accordance with the recommendation of the submitted and approved an Energy and Sustainability Statement.
- 8.120. Additionally, policy WLP8.2 sets out that all new residential development in the District should achieve the optional technical standard in terms of water efficiency of 110 litres/person/day. This can form a condition on any approval of the site.

#### Early Years Provision

- 8.121. Policy WLP2.14 sets out that if needed at the time of the planning application, 0.09 hectares of land on the site should be reserved for a new pre-school setting. Both this allocation and Policy WLP2.15, which allocates land between Hall Lane and Union Lane, Oulton, have this stipulation.
- 8.122. The level of new development within Oulton is likely to generate a need for a new pre-school setting. The preference for this would be in an existing primary school or in a location close to other services and facilities provided in the area. However, if there is no suitable, available site at the time of a planning application, and there is still a need for a setting, it may be necessary for a new setting to be included on this site. In this case SCC have set out that a new pre-school setting is required in the Oulton Area.
- 8.123. Officers however consider that there are several issues that could arise as a result of providing a pre-school on this site. These include the pedestrian access to the site, which as previously noted is slightly substandard in width, and therefore may not be as suitable in encouraging pedestrian activity to the pre-school. Furthermore, the provision of a pre-school would reduce the overall housing numbers of the site, which are already proposed significantly below the original allocation of 150 homes.
- 8.124. It was anticipated that of the two Oulton site allocations, the one that came forward first would be the one to provide the pre-school setting. This application was submitted first and is likely to be determined before the application on allocation WLP2.15.

8.125. Allocation of WLP2.15, which is just south of the application site, has a current application, and as part of that it is proposed there would be a pre-school setting. Given the similar timings of the two application, the issues in terms of housing numbers on the site, and the more favourable siting of that allocation in terms of proximity to the majority of residents in Oulton, pre-school provision on that allocation would be preferable to this application site.

### Other Matters

8.126. SCC Suffolk Fire and Rescue Service has provided comments on the application, many of the matters such as access, firefighting facilities, and sprinklers are covered under building regulation legislation. However, Suffolk Fire and Rescue Service has recommended that fire hydrants be installed within the development site on a suitable route for laying hose, i.e. avoiding obstructions. However, it is advised that it is not possible, at this time, to determine the number of fire hydrants required for firefighting purposes. The requirement will be determined at the water planning stage when site plans have been submitted by the water companies. Therefore, a condition requiring details of these measures is appropriate at this stage.

8.127. Anglian Water has provided comment on the application. As set out within the amenity section AW have noted the proximity of their infrastructure to neighbouring residents, which is covered within the section, but to summarise, officers deem this acceptable. However, they have also advised that this development is in the catchment of Lowestoft Water Recycling Centre that will have available capacity for these flows.

8.128. Furthermore, AW have reviewed the submitted documentation around Flood Risk and Drainage and consider that the proposed connection is acceptable. As such they have advised that they do not require a condition in planning for foul water. Finally, they note that if the developer wishes to connect to their sewerage network, they should serve notice under Section 106 of the Water Industry Act 1991. Anglian Water will then advise them of the most suitable point of connection.

## **9. Conclusion**

9.1. The proposed development would deliver significant public benefits including (inter alia):

- The provision of a total of 132 dwellings to boost the supply of homes in the area;
- 4 affordable homes;
- 7 Custom Build plots;
- A range of dwelling sizes and types between 1 and 4-bedrooms;
- Creating a well-designed environment, respecting the character and quality of Oulton;
- Retention and enhancement of the historic Burial Ground, alongside provision of open space, and play space;
- Providing new infrastructure to support new access routes for pedestrians and cyclists through the surrounding area;
- Landscaped areas, with enhanced planting and greening;
- Provide measures to result in positive environmental improvements and sustainable design; and

- Contribution to the Community Infrastructure Levy.

9.2. Paragraph 208 of NPPF requires that, where less than substantial harm to designated heritage assets would arise, that this harm should be weighed against the public benefits of the proposal. The public benefits arising from the scheme are noted above and officers conclude that the low level of less than substantial harm to the designated heritage assets of the adjacent Listed Buildings would be far outweighed by the wider public benefits of this development proposal.

9.3. The scheme details an acceptable residential development of this planned, allocated site and will help meet the District housing need identified by the East Suffolk (Waveney) Local Plan. The proposal is in accordance with the Development Plan, comprising the Local Plan and Neighbourhood Plan, and there are no material considerations to indicate for a decision other than approval.

## **10. Recommendation**

10.1. Authority to Approve, subject to the completion of the S106 Legal Agreement and planning conditions that are summarised in section 11 of this report.

## **11. Conditions (summarised):**

1. Reserved matters approval submission time frame (87 Outline dwellings)
2. Full permission time limit (45 full planning permission dwellings)
3. Approved drawings compliance
4. Submission of a scheme for the provision of fire hydrants
5. Submission of implementation of a programme of archaeological work
6. Submission of Written Scheme of Investigation
7. Submission of Construction Management Plan
8. Internal noise level standards
9. Implementation of noise mitigation measures/construction methods
10. Submission of noise level and/or noise mitigation works validation report
11. Control of noisy construction activities hours
12. Submission of a Supplementary Ground Gas Report
13. Submission of a Remediation Method Statement
14. Completion of RMS approved under condition 13
15. Submission of Validation report for approved RMS
16. Unexpected contamination (unlikely event action)
17. New access construction
18. Provision of storage and presentation for collection/emptying of refuse and recycling bins
19. Submission of details showing the means to prevent the discharge of surface water
20. Improvement to local bus stops
21. Submission of details of the estate roads and footpaths (including street furniture)
22. Construction of carriageways and footways
23. Submission of further information on off-site highways improvements
24. Submission of details on EV charging points
25. Submission of travel plan details
26. Implementation of the Flood Risk Assessment
27. Submission of surface water drainage verification report
28. Submission of a Construction Surface Water Management Plan (CSWMP)

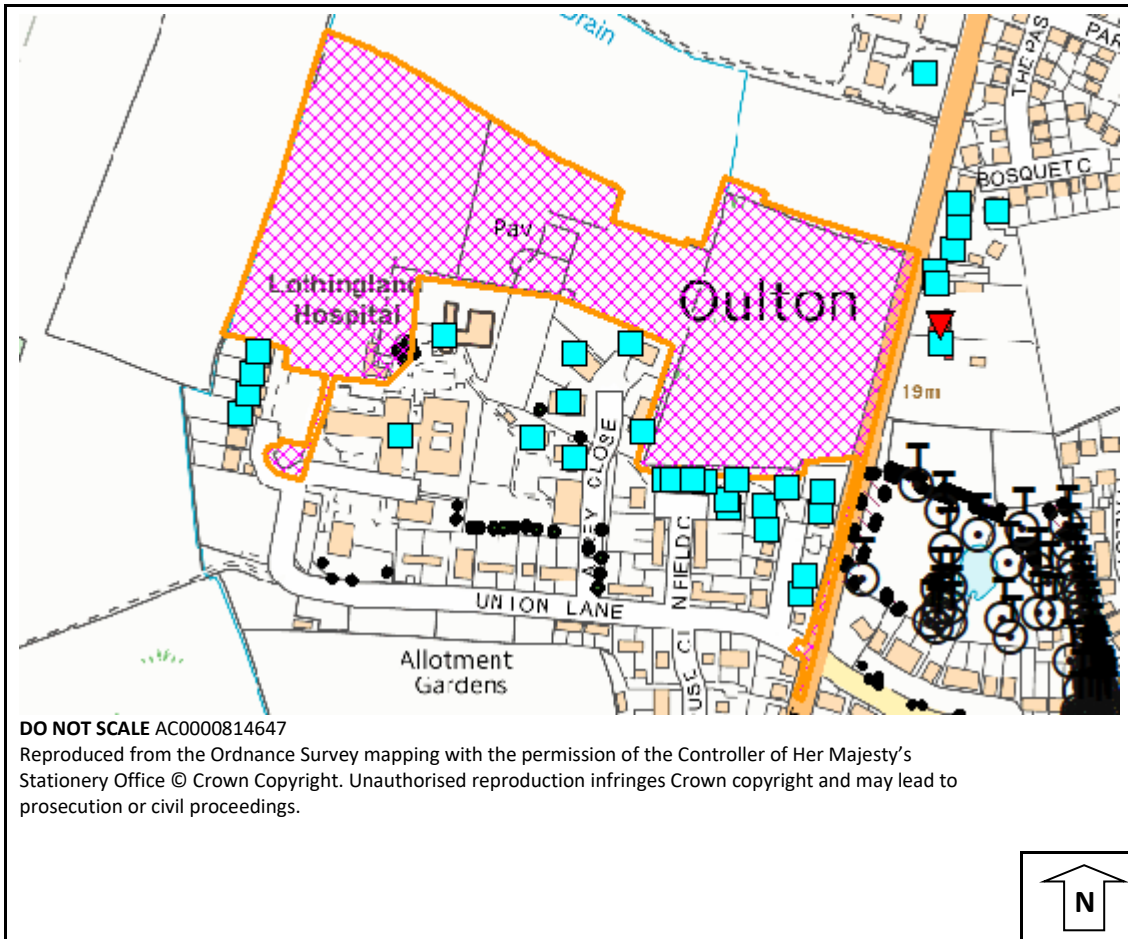
29. Requirement for development to be served by most viable high-speed broadband connection.
30. Submission of details in respect of Building Regulation requirement M4(2) 'accessible and adaptable dwellings' and/or requirement M4(3) 'wheelchair user dwellings'
31. Water consumption requirement
32. Requirement for dwellings to be built in accordance with approved the report 'Sustainability and Energy Statement for Residential Development'
33. Submission of details for Custom/Self Build Plots
34. Phasing Plan
35. Submission of construction plan for attenuation basin on Phase 2 Burial Site
36. Completion of Landscaping Plan for phase 1
37. Submission of Phase 2 Landscaping Plan
38. Submission of precise details for Childrens Play Area
39. Submission of Surface Water Drainage Scheme for Phase 2
40. Submission of surface water drainage verification report for Phase 2
41. Series of Ecology conditions as required by councils Principal Ecologist.

### **Background information**

See application reference DC/22/4993/FUL on [Public Access](#)



# Map



## Key



Notified, no comments received



Objection



Representation



Support