



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, 27 February 2024 at 2.00pm.**

This meeting will be broadcast to the public via the East Suffolk YouTube Channel at <https://youtube.com/live/BdmJUyEcM5o?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.

Part One – Open to the Public		Pages
1	Apologies for Absence and Substitutions	
2	Declarations of Interest 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.	
3	Declarations of Lobbying and Responses to Lobbying To receive any Declarations of Lobbying in respect of any item on the agenda and also declarations of any response to that lobbying.	
4	Minutes To confirm as a correct record the minutes of the meeting held on 23 January 2024.	1 - 8
5	East Suffolk Enforcement Action - Case Update ES/1861 Report of the Head of Planning and Coastal Management.	9 - 24
6	DC/22/3748/FUL - Land off Keightley Way, Tuddenham St Martin ES/1862 Report of the Head of Planning and Coastal Management.	25 - 68
7	DC/22/2999/FUL - The Hollies, Straight Road, Foxhall, IP10 0FN ES/1863 Report of the Head of Planning and Coastal Management.	69 - 104

Part One – Open to the Public		Pages
8	DC/23/4469/VOC - 32 Thoroughfare, Woodbridge, IP12 1AQ ES/1864 Report of the Head of Planning and Coastal Management.	105 - 116
9	DC/23/2120/FUL - Land at Pages Hill, Alderton Road, Hollesley, IP12 3RN ES/1865 Report of the Head of Planning and Coastal Management.	117 - 125

Part Two – Exempt/Confidential **Pages**

There are no Exempt or Confidential items for this Agenda.

Close

A handwritten signature in black ink, appearing to read 'Chris Bally', with a stylized, cursive script.

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.

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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, 23 January 2024 at 2.00pm.**

Members of the Committee present:

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

Officers present:

Ellie DeGory (Assistant Planner), Matt Makin (Democratic Services Officer (Regulatory)), Agnes Ogundiran (Conservative Political Group Support Officer), Rachel Smith (Principal Planner (Development Management, Central Area Lead)), Dominic Starkey (Assistant Enforcement Officer (Development Management)), Becky Taylor (Assistant Planner), Ben Woolnough (Planning Manager (Development Management, Major Sites and Infrastructure))

1 Apologies for Absence and Substitutions

No apologies for absence were received.

2 Declarations of Interest

Councillor Colin Hedgley declared a Non-Registerable Interest in the planning application being considered at item 6 of the agenda as he had attended a number of public and parish council meetings on the application in his capacity as ward member.

3 Declarations of Lobbying and Responses to Lobbying

Councillor Colin Hedgley declared he had been lobbied in writing on the planning application being considered at item 6 of the agenda; he advised that he had responded only to acknowledge receipt of correspondence.

4 Minutes

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

RESOLVED

That the minutes of the meeting held on 19 December 2023 be agreed as a correct record and signed by the Chair.

5 East Suffolk Enforcement Action - Case Update

The Committee received report **ES/1825** 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 had been sanctioned under delegated powers up until 13 December 2023. At that time there were 16 such cases.

The Chair invited the Assistant Enforcement Officer (Development Management) to comment on the report. The Committee was advised that in respect of case F.4 (28 Brick Kiln Avenue, Beccles), following a further court hearing additional fines and costs had been issued against the site owner.

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

RESOLVED

That the outstanding enforcement matters up to 13 December 2023 be noted.

6 DC/22/3748/FUL - Land off Keightley Way, Tuddenham St Martin

The Committee received report **ES/1826** of the Head of Planning and Coastal Management, which related to planning application DC/22/3748/FUL. The application sought full planning permission for 25 dwellings on a site allocated within the Suffolk Coastal Local Plan (the Local Plan) in Tuddenham St Martin for approximately 25 dwellings.

The application was before the Committee for determination at the request of the Head of Planning and Coastal Management, as per the scheme of delegation set out in the East Suffolk Council Constitution, due to the significant interest from members of the public, Tuddenham St Martin Parish Council, a neighbouring parish council, and a ward member.

The Committee received a presentation from the Principal Planner (Development Management, Central Area Lead), who was the case officer for the application. The site's location was outlined and the Principal Planner highlighted Keightley Way's relationship to the High Street and the proposed access to the application site. The Committee's attention was drawn to the update sheet, published on 22 January 2024, which made a correction to paragraph 6.1 of the report in respect of prior development in Tuddenham St Martin.

The Committee was shown an aerial view of the site and was advised that the site allocation policy in the Suffolk Coastal Local Plan (the Local Plan) required the retention of the existing boundary vegetation. The Principal Planner provided a profile of Tuddenham St Martin which outlined previous development in the village, facilities, the total number of dwellings, the total number of new homes built between 2008/09 and 2018/19, and the village's population profile.

The Committee was shown photographs of the site demonstrating the following views:

- Looking along the High Street towards the junction with Keightley Way
- Keightley Way/High Street junction from x and y directions
- Looking in and out of the Keightley Way/High Street junction
- Along Keightley Way towards the existing playing fields access
- The existing playing fields adjacent to the application site (including the proposed new access from the development site, per the site allocation policy)
- Properties on Keightley Way adjacent to the proposed site access
- Looking into the site from the proposed access location
- Across the site towards the northern, southern, eastern and western boundaries

During the display of the images, the Principal Planner highlighted existing parking issues on Keightley Way that had been raised as concerns by residents and the Parish Council.

The Committee was shown the proposed site layout plan; members of the Committee were advised that this plan had undergone several revisions following consultations and discussions with the applicant. The Principal Planner noted that eight affordable housing units would be delivered on the site in accordance with the site allocation policy.

The Principal Planner displayed the proposed elevations for the various types of housing units proposed for the site, along with the housing mix plan and the proposed materials plan.

The material planning considerations and key issues were summarised as the principle of development, the proposal's compliance with the requirements of the site allocation policy, design, layout and landscaping, highways, and a surface water drainage strategy. The recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management, as set out in the report, was outlined to the Committee.

The Chair invited questions to the officers. The Principal Planner highlighted the areas of the application site proposed as public highway, shared drive, and private drive, confirming that the latter would not be open to public parking.

In response to a question on drainage of the surface water attenuation area, the Principal Planner advised this question would be best answered by the applicant's representatives, who were present to address the Committee later in the meeting.

The Principal Planner advised that there had been no pre-application advice sought on the scheme by the applicant and said that in relation to heating, the developer would be required to meet building regulations more stringent than what was required in the Local Plan.

A member of the Committee asked if the Council could insist on linking cycle routes to the public right of way network, citing land ownership issues. The Planning Manager (Development Management, Major Sites and Infrastructure) advised that this would need to be discussed with Suffolk County Council as the relevant authority and highlighted that there was an infrastructure delivery plan in place for the village, with

£100,000 of Section 106 funding allocated for pedestrian improvements. The Committee was advised that the proposed connections to existing routes was considered by officers to be acceptable.

Another member of the Committee queried the proposed mix of affordable housing units and asked if there was a need for larger units in the area; he also asked about car movements on and off the site and if the density of the proposed development was in keeping with the rural area. The Principal Planner noted that the proposed affordable housing mix included two 3-bedroom properties and met the demand identified by the Council's Housing team.

The Planning Manager added that the provision of parking on the site met the Highways Authority's parking standards and that body had not objected to the proposal. In respect of the density per hectare, the Principal Planner noted the site was 1.5 hectares in size and that the density was 15-16 dwellings per hectare.

In response to further questions on linking the application site to the surrounding area, officers advised that although any planning permission would be subject to a Section 106 agreement, there was no policy requirement to improve existing routes in the surrounding area and this was not considered essential for the development to be considered viable. A breakdown of the existing population by age range was provided to the Committee, in response to a question on the number of "family" homes already in Tuddenham St Martin.

A member of the Committee highlighted the Parish Council's comments that the development was contrary to policy SCLP7.1 of the Local Plan regarding sustainable transport and sought further clarity from officers. The Planning Manager said that although SCLP7.1 was a material planning consideration, the Committee was required to also consider the site allocation policy which set out what should be achieved on the site, including transport links.

In response to a supplementary question on insisting on a connection as part of any planning permission granted, the Planning Manager advised that the Committee was required to consider the application that was before it and noted that Suffolk County Council, as the relevant authority for both highways and public rights of way, had not objected to the application; the Committee was informed that as the responsible authority, objections would be expected where this authority had concerns about an application.

Replying to further questions about linking the site to existing facilities in the village, officers noted there would be difficulties with providing a pedestrian link on the High Street which did not involve crossing the highway due to the terrain and the highway width.

Members of the Committee were assured by officers that should it delegate authority to the Head of Planning and Coastal Management to approve the application, the applicant would need to satisfy all the recommended conditions before any permission was granted. In response to a request that the Chair and Vice-Chair of the Committee be consulted before planning permission was issued, the Planning Manager said this

was not standard procedure but it was in the Committee's gift to require this as part of any resolution it made.

The Committee was advised that local people would be given priority on affordable housing and that this would be detailed in the Section 106 agreement.

The Chair invited Mr Ward, who objected to the application, to address the Committee. Mr Ward displayed materials during his presentation and highlighted the route that would be taken through Keightley Way by vehicles leaving the application site. Mr Ward displayed images comparing Keightley Way from 2002 to 2022 and considered that at least 20 dwellings had been constructed in that period; he noted the location of his own home and was of the view that visitor parking would take place on Keightley Way.

Mr Ward provided a photograph of on-street parking taking place adjacent to the proposed site access location, highlighting that parking was on the pavement and would extend on to the site when the development was completed. Mr Ward also displayed a photograph of an oil tanker attempting and failing to make a delivery to a dwelling on The Paddocks due to on-street parking. Mr Ward said that the situation was already poor and would be made worse by the development.

The Chair invited questions to Mr Ward. Mr Ward confirmed that he was representing a group of objectors that lived adjacent to the application site and that residents were concerned about issues arising due to parking issues.

When asked if alternative parking arrangements had been considered, Mr Ward explained that some issues had been discussed by residents to improve the situation in Keightley Way, including the creation of a car park either on the application site or by relocating an existing electricity sub-station.

In response to a question from a member of the Committee, the Principal Planner confirmed that the application met the Highways Authority's parking standards.

The Chair invited Councillor Procter, representing Tuddenham Parish Council, to address the Committee. Councillor Procter confirmed that the Parish Council's concerns and objections remained as set out in their consultation responses, which were included in the report. Councillor Procter said it was helpful that the update sheet had corrected the report to accurately reflect the level of development that had already taken place in Tuddenham St Martin.

Councillor Procter considered that the development had been "parachuted" into Tuddenham St Martin with little attention to how it would relate to the village, including sustainable transport. Councillor Procter considered that pedestrian link issues had been inadequately addressed and said that should the application be approved, contrary to the views of the Parish Council and residents, the Committee should consider imposing conditions prohibiting construction traffic approaching from the east to avoid further damage to the highway.

Councillor Procter highlighted that highway and pedestrian issues were such a concern that a significant amount of funding had been allocated to address it through Section

106 and Section 278 agreements. Councillor Procter said the benefits of the proposal did not outweigh the harm that it would cause to the area and asked the Committee to minimise this negative impact if it was minded to approve the application.

The Chair invited questions to Councillor Procter. Councillor Procter confirmed that during the examination of the Local Plan, the Parish Council had made representations against the allocation of the site due the concerns previously expressed, and these concerns had not been taken into account by the Planning Inspector.

When asked about linking the site to the wider village, Councillor Procter said the Parish Council was of the view that whilst this would be difficult, it could be achieved and had not been given full consideration by the Highways Authority, and wanted to see it considered further.

A member of the Committee asked if the Parish Council considered that affordable housing was not needed. Councillor Procter acknowledged that it was required but reiterated that the benefits of the scheme did not outweigh the harm it would cause. Councillor Procter confirmed that the parking allocation for The Paddocks had been inadequate.

In response to a query on accidents in Tuddenham St Martin, Councillor Procter said these mostly involved vehicles colliding with one another rather than pedestrians and said that the primary issue was pavement parking restricting the accessibility of pedestrian routes. When asked about the existing playing fields, Councillor Procter said that the Parish Council was funding increased use of the area and said that it was currently used for football, planting, and social events.

The Chair invited Mr Bell, representing the applicant, to address the Committee. Mr Bell was accompanied by Mr Clarke-Gifford, who was present to answer any questions the Committee had. Mr Bell confirmed he was speaking on behalf of the developer who had made the application and was principally present to answer questions.

Mr Bell outlined that the proposal was in line with the site allocation policy and had been submitted in September 2022, and had been revised following an extensive consultation with both public and statutory consultees. Mr Bell noted that the only objections had come from the Parish Council regarding site access.

Mr Bell said that the Highways Authority was not objecting to the allocation of the site for development or the application, and had not raised concerns about the impact of the scheme on the road network. Mr Bell highlighted that colleagues had met with members of the public and the Parish Council and had made changes to the proposed construction management plan in response to concerns raised.

Mr Bell concluded that the site was allocated for development in the Local Plan and the application accorded with the relevant policy, having met all the requirements. Mr Bell added that the application was compliant with the Highways Authority's parking standards and that rigorous work had been undertaken to ensure the application was policy compliant.

The Chair invited questions to Mr Bell and Mr Clarke-Gifford. When asked if the developer was receptive to the concerns of the community, Mr Bell said that they had been acknowledged but were not backed up by the Highways Authority, reiterating that no other statutory consultees had objected to the application.

A member of the Committee noted that 75 third party objections had been made in respect of the application and asked why Mr Bell had implied that the Parish Council was the only objector. Mr Bell said he was concerned by the level of objections and noted that in his address, he was referring to statutory consultee.

Mr Bell reiterated his view that the development would not add to the existing difficulties in the area and highlighted that the development was overproviding on parking provision and providing funding through a Section 106 agreement to further mitigate any issues. Mr Bell confirmed that the unallocated parking spaces would be distributed evenly across the site and said that no existing on-street parking on Keightley Way would be lost as a result of the development.

Mr Bell explained that whilst the areas marked as a private drive would not be available for on-street parking, there would be no privately owned parking spaces on the site; the site would be overseen by a management company.

In response to a question on surface water attenuation drainage, Mr Bell explained that this would be discharged into the existing ditch network immediately to the north of the site, which would be maintained by the management company. Mr Bell added that landowners across the wider network would be responsible for maintaining ditches on their land.

Mr Bell confirmed that air source heat pumps would be used for all dwellings of the site. In respect of biodiversity net gain, Mr Bell noted this was yet to come into force but assured the Committee it would be meeting the various proposed ecological conditions and would be improving the biodiversity of the site.

In response to questions on parking, the Planning Manager advised the Committee that the development at The Paddocks had been subject to older parking standards and that current standards looked to achieve an amount of parking in excess of what was needed.

The Chair invited the Committee to debate the application that was before it. A member of the Committee, who was also ward member for the application, stated that he was not against the principle of development on the site but was concerned that the proposed scheme was a cramped form of development. The Member also expressed concern that the Highways Authority had not fully considered the impact on the road network and pedestrian routes and considered the development was at odds with the Council's cycling and walking strategy.

The Member highlighted that despite allocated funding there were limits on how the High Street could be improved and noted that there were existing issues with buses having to stop in the middle of the road to service the bus stop in Tuddenham St Martin, causing traffic issues. The Member also expressed some concerns about attenuation and drainage given recent flooding events and suggested that the

condition proposed by the Parish Council in respect of construction traffic be added should the Committee resolve to approve the application.

Concerns were raised during debate that there were a large number of variables relating to the application that needed to be clarified before a decision could be taken.

Councillor Deacon proposed that the determination of the application be deferred to facilitate the Committee undertaking a visit to the application site, to enable Members to understand the nature of the entire area along with the concerns of both neighbouring residents and Tuddenham St Martin Parish Council; this proposal was seconded by Councillor Ninnmey and on being put to the vote it was by a majority

RESOLVED

That the determination of the application be **DEFERRED** to facilitate the Committee undertaking a visit to the application site, to enable Members to understand the nature of the entire area along with the concerns of both neighbouring residents and Tuddenham St Martin Parish Council.

The meeting concluded at 3.28pm.

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Chair



Planning Committee South

Title of Report:

East Suffolk Enforcement Action – Case Update

Meeting Date

27 February 2024

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 25 January 2024. At present there are 16 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. *3 current cases*

B. Cases on which a formal enforcement notice has been served and is now the subject of an appeal. *6 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. *0 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. *5 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 25 January 2024 be noted.

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

A.1

LPA Enforcement Case Reference	ENF/21/0290/USE
Location / Address	141 Kirton Road, Trimley St Martin
North or South Area	South
Date of Report of Breach	17.06.2021
<u>Nature of Breach:</u> Change of use of cartlodge to a shop.	
<u>Summary timeline of actions on case</u>	
19/01/2023 –Enforcement Notice served. Comes into effect on the 20/02/2023	
20/02/2023 – Extension of time agreed to 20/10/2023	
21/11/2023 -Site visited, partially complied, further visit to be undertaken.	
05/12/2023 -Site visited, unable to see inside cartlodge. Further visit to be arranged.	
<u>Current Status/Position</u>	
Visit to be undertaken	
Date by which Compliance expected (or prosecution date)	20/10/2023

A.2

LPA Enforcement Case Reference	ENF/22/0133/USE
Location / Address	Patience Acre, Chenerys Loke, Weston
North or South Area	North

Date of Report of Breach	22.04.2022
<u>Nature of Breach:</u> Residential occupation of holiday let	
<u>Summary timeline of actions on case</u> 28/03/2023 –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. 05/07/2023 - appeal against refusal of planning application refused.	
<u>Current Status/Position</u> In compliance period.	
Date by which Compliance expected (or prosecution date)	27/04/2024

A.3

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

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

B.1

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

B.2

LPA Enforcement Case Reference	ENF/21/0121/USE
Location / Address	The Pastures, The Street, North Cove
North or South Area	North
Date of Report of Breach	17.03.2021
Nature of Breach: 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.	
Summary timeline of actions on case 03/11/2022 – Enforcement Notice served. Comes into effect on the 05/12/2022. 4 months for compliance 14/11/2022 - Pre-start letter from Planning Inspectorate 14/12/2022 - Appeal started. Written Representations Process, statement due by 6 th February 2023. PINS Reference APP/X3540/C/22/3312353	
Current Status/Position Awaiting Planning Inspectorate Decision.	
Date by which Compliance expected (or prosecution date)	Dependent upon date and outcome of Appeal Decision

B.3

LPA Enforcement Case Reference	ENF/21/0201/DEV
Location / Address	39 Foxglove End, Leiston
North or South Area	North
Date of Report of Breach	26.04.2021
Nature of Breach: Artificial hedge, support structure and fencing which is over 2m in height	
Summary timeline of actions on case	
28/11/2022 – Enforcement Notice served. Comes into effect on the 06/01/2023. 2 months for compliance	
09/01/2023- Pre-start letter from Planning Inspectorate	
09/01/2024- Start letter received from Planning Inspectorate, statements required by 20 th February 2024.	
Current Status/Position	
Awaiting start date from Planning Inspectorate.	
Date by which Compliance expected (or prosecution date)	Dependent upon date and outcome of Appeal Decision

B.4

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

B.5

LPA Enforcement Case Reference	ENF/21/0006/DEV
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Location / Address	Land at Garage Block North Of 2, Chepstow Road, Felixstowe, Suffolk
North or South Area	South
Date of Report of Breach	06.01.2021
Nature of Breach: Erection of large fence	
Summary timeline of actions on case 08/08/2023 –Enforcement Notice served. Comes into effect on the 08/09/2023 18/10/2023 - Appeal submitted, statements due 29 th November 2023.	
Current Status/Position Awaiting start date from Planning Inspectorate.	
Date by which Compliance expected (or prosecution date)	Dependent upon date and outcome of Appeal Decision

B.6

LPA Enforcement Case Reference	ENF/22/0247/USE
Location / Address	Part Land East Of Mariawood, Hulver Street, Henstead
North or South Area	North
Date of Report of Breach	15.11.2018
Nature of Breach: Siting of mobile home	
Summary timeline of actions on case 21/09/2023 –Enforcement Notice served. Comes into effect on the 21/10/2023 23/10/2023 - Appeal submitted, awaiting start letter. 05/01/2024 - Start letter received from Planning Inspectorate, statements required by 15 th February 2024.	
Current Status/Position Awaiting start date from Planning Inspectorate.	
Date by which Compliance expected (or prosecution date)	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

LPA Enforcement Case Reference	ENF/21/0411/COND
Location / Address	Paddock 2, The Street, Lound
North or South Area	North
Date of Report of Breach	17.09.2021
<u>Nature of Breach:</u> Change of use of land for residential use and stationing of mobile home	
<u>Summary timeline of actions on case</u> 16/06/2022 – Enforcement Notice served. Took effect on 18/07/2022. 4 months for compliance 26/08/2022 – Appeal Start Date. Written Representations Procedure PINS Reference APP/X3540/C/22/3303066 07/10/2022 – Appeal statement submitted. 28/10/2022 – any final comments on appeal due. 11/09/2023 - Appeal dismissed. 4 months for compliance. 15/01/2024 - Site visit, partial compliance, use ceased and mobile home removed. 3 month extension given to remove remaining development.	
<u>Current Status/Position</u> In compliance period following appeal.	
Date by which Compliance expected (or prosecution date)	17/04/2024

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.

- 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

LPA Enforcement Case Reference	EN08/0264 & ENF/2013/0191
Location / Address	Pine Lodge Caravan Park, Hazels Lane, Hinton
North or South Area	North
Date of Report of Breach	20.10.2008
Nature of Breach:	
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>15/10/2010 – Enforcement Notice served 08/02/2010 - Appeal received 10/11/2010 - Appeal dismissed 25/06/2013 - Three Planning applications received 06/11/2013 – The three applications refused at Planning Committee. 13/12/2013 - Appeal Lodged 21/03/2014 – Enforcement Notices served and became effective on 24/04/2014 04/07/2014 - Appeal Start date - Appeal to be dealt with by Hearing 31/01/2015 – New planning appeal received for refusal of Application DC/13/3708 03/02/2015 – 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. 10/11/2015 – Informal hearing held 01/03/2016 – Planning Appeal dismissed 04/08/2016 – Site re-visited three of four Notices have not been complied with. 21/04/2017 - 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. 19/06/2017 – Site re-visited, no compliance with the Enforcement Notice. 14/11/2017 – Full Injunction granted for the removal of the mobile home and steps. 21/11/2017 – 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. 27/06/2018 – Compliance visit conducted to check on whether the 2010. 06/07/2018 – Legal advice sought. 10/09/2018 – Site revisited to check for compliance with Notices. 11/09/2018 – Case referred back to Legal Department for further action to be considered.</p>	

<p>11/10/2018 – 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>01/11/2018 – 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>13/12/2018 – Site visit undertaken in regards to Injunction served for 2014 Notice. No compliance. Passed back to Legal for further action.</p> <p>04/02/2019 – Site visit undertaken to check on compliance with Injunction served on 01/11/2018</p> <p>26/02/2019 – case passed to Legal for further action to be considered. Update to be given at Planning Committee</p> <p>27/03/2019 - High Court hearing, the case was adjourned until the 03/04/2019</p> <p>03/04/2019 - 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>11/04/2019 – Officers returned to the High Court, the case was adjourned until 7 May 2019.</p> <p>07/05/2019 – 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>05/09/2019 – Site visit undertaken; file passed to Legal Department for further action. Court date arranged for 28/11/2019.</p> <p>28/11/2019 - 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><u>Current Status/Position</u> 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>Date by which Compliance expected (or prosecution date)</p>	<p>Dependent upon potential Legal Process</p>

F.2

LPA Enforcement Case Reference	ENF/2017/0170/USE
Location / Address	Land Adj to Oak Spring, The Street, Darsham
North or South Area	North
Date of Report of Breach	11.05.2017
<p><u>Nature of Breach:</u> Installation on land of residential mobile home, erection of a structure, stationing of containers and portacabins</p>	
<p><u>Summary timeline of actions on case</u> 16/11/2017 – Authorisation given to serve Enforcement Notice. 22/02/2018 – 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>17/10/2019 – 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>13/11/2019 – 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>16/06/2020 – Submission of Appeal Statement</p> <p>11/08/2020 - Appeal dismissed with some amendments.</p> <p>11/12/2020 - 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>25/03/2021 - Further site visit undertaken. Notices not complied with, file passed to Legal services for further action.</p> <p>2022 - Application for an Injunction has been made to the High Court.</p> <p>06/10/2022 - Hearing in the High Court granted and injunction with 5 months for compliance and costs of £8000 awarded.</p> <p>08/03/2023 - Site visit conducted; injunction not complied with therefore matter passed to legal for further action.</p> <p>30/03/2023 - appeal submitted to High Court against Injunction – awaiting decision from Court.</p> <p>10/07/2023 -Injunction appeal failed, 2 weeks given to comply with Injunction by 10am on 24th July.</p> <p>25/07/2023-Site Visit conducted; injunction not complied with. Information sent to legal team.</p>	
<p><u>Current Status/Position</u> With Legal Team</p>	
<p>Date by which Compliance expected (or prosecution date)</p>	<p>24th July 2023</p>

F.3

LPA Enforcement Case Reference	ENF/21/0051/USE
Location / Address	Land West Of Guildhall Lane, Wrentham
North or South Area	North
Date of Report of Breach	10.02.2021
<p><u>Nature of Breach:</u> 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><u>Summary timeline of actions on case</u> 10/03/2022 - Enforcement Notices served and takes effect on 11/04/2022. 4 months for compliance.</p>	

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

F.4

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

F.5

LPA Enforcement Case Reference	ENF/20/0404/USE
Location / Address	200 Bridge Road, Lowestoft
North or South Area	North
Date of Report of Breach	24.09.2020

<u>Nature of Breach:</u> Change of use of land for the storage of building materials	
<u>Summary timeline of actions on case</u> 19/01/2023 –Enforcement Notice served. Comes into effect on the 20/02/2023 26/06/2023 –Site visited, notice not complied with, case will be passed to the legal team for further action. 23/10/2023 - Court found defendant guilty and fined a total of £4400. 11/11/2023 - Further compliance date set for 11 th January 2024. 15/01/2024 - Site visited, notice not complied with, case will be passed to the legal team for further action.	
<u>Current Status/Position</u> In compliance period.	
Date by which Compliance expected (or prosecution date)	11 th January 2024.

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

G.1

LPA Enforcement Case Reference	ENF/2015/0279/DEV
Location / Address	Land at Dam Lane Kessingland
North or South Area	North
Date of Report of Breach	22/09/2015
<p><u>Nature of Breach:</u> 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><u>Summary timeline of actions on case</u> 22/09/2015 - Initial complaint logged by parish. 08/12/2016 - Case was reopened following further information 01/03/2017 - 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. 05/09/2018 - Notice served by recorded delivery. 18/06/2019 - Appeal started. PINS Reference APP/T3535/C/18/3211982 24/07/2019 – Appeal Statement Submitted 05/02/2020 - Appeal dismissed. Compliance with both Notices by 05/08/2020 03/03/2021 - 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. 30/04/2021 - 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. 04/05/2021 - Further visit conducted to check for compliance on Notice relating to the lake. No compliance. Case being reviewed. 05/07/2021 – Court hearing, owner was found guilty of two charges and had already pleaded guilty to one offence. Fined £550 and £700 costs 12/07/2021 – Letter sent to owner giving until the 10th August 2021 for the structures to be removed 13/08/2021 - Site visited and all structures had removed from the site, but lake remains</p>	
<p><u>Current Status/Position</u> 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>	

Date by which Compliance expected (or prosecution date)	31/12/2024
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Committee Report

Planning Committee South - 27 February 2024

Application no DC/22/3748/FUL

Location

Land Off
Keightley Way
Tuddenham St Martin
Suffolk

Expiry date 20 February 2023
Application type Full Application
Applicant Bennett Homes and W & M Pipe

Parish Tuddenham St Martin
Proposal Residential Development for 25no. New Dwellings
Case Officer Rachel Smith
07887 452719
rachel.smith@eastsoffolk.gov.uk

1. Summary

- 1.1. The application seeks full planning permission for 25 dwellings on a site allocated within the Local Plan in Tuddenham St. Martin for approximately 25 dwellings.
- 1.2. The application is being presented to Planning Committee South for determination at the request of the Head of Planning and Coastal Management due to its significant public interest from members of the public, the Parish Council, a neighbouring Parish Council and Ward Member.
- 1.3. The application was first considered by Planning Committee South on 23 January 2024 when Members resolved to carry out a site visit prior to the application being re-considered.
- 1.4. The recommendation is for authority to approve; the application complies with the allocation policy as well as other Development Plan policies and national and local

guidance however requires completion of a S106 Agreement prior to its formal determination.

2. Site Description

- 2.1. The application site covers an area of 1.54Ha and is located on the edge of Tuddenham St. Martin. The site is within the defined Settlement Boundary and is allocated within the Local Plan (Policy SCLP12.66). Access to the site is towards the southern end of the eastern boundary, directly off Keightley Way, an existing residential cul-de-sac.
- 2.2. Residential properties adjoin the southern and much of the eastern site boundaries whereas a playground adjoins the north-eastern site boundary. To the north and west of the site is agricultural land.
- 2.3. The site is rectangular in shape and there is vegetation along the majority of the boundary.
- 2.4. As a village, Tuddenham St Martin has a population of approximately 323 people and it comprises of approximately 175 homes. The village has a public house (The Fountain), a village hall and a church. The village is served by a bus service connecting it to Ipswich and Woodbridge which passes through the village approximately every two hours each way during daytime hours.

3. Proposal

- 3.1. The application seeks permission for a residential development comprising 25 dwellings, eight of which would be affordable. Access to the site would be to the south-east of the site, linking up to the end of the existing highway known as Keightley Way. The access road would lead into the site and to the north with shared drives and private drives leading off this serving the wider site.
- 3.2. An area of open space would be situated close to the site entrance, just to the south of the centre of the site. Further open space is provided in the north-east part of the site where an attenuation basin as part of the Sustainable Urban Drainage System (SuDS) is situated. There is also a pedestrian and cycle link to the north-east of the site providing access to a neighbouring playground.
- 3.3. The northern, western and southern boundaries would have a landscape buffer to the neighbouring agricultural land and residential dwellings.

4. Consultees

Third Party Representations

- 4.1. A total of 76 letters from third parties have been received in response to this application. 75 of these object to the proposal and have come from 38 different addresses and cover different rounds of consultation. One letter made comments in relation to a boundary matter.
- 4.2. The overriding main objection relates to highways and access concerns:
 - Junctions nearby are already dangerous.

- Impact of traffic on Conservation Area.
- Concern over capacity of access route during construction and once completed.
- Existing on-street parking in Keightley Way causing an obstruction for construction traffic and access to existing dwellings.
- Existing highway routes are narrow with existing on-street parking.
- No footway on The Hill to provide pedestrian access into the village or to public transport links.
- Westerfield Land is single-width with passing places and already used as a rat-run.
- Impacts on National Cycle Route.
- Westerfield Lane is a designated 'quiet lane'.
- Access crosses footpath route.
- Increased impact on 'rat-run' route to Westerfield.

4.3. Other objections raised:

- Pressure on hospitals, schools, GPs, social care.
- Need for Biodiversity Net Gain.
- Landscape Impact.
- No justified or necessary need for additional growth given approx. 4000 dwellings planned nearby.
- Overlooking/loss of privacy to neighbouring gardens.
- Will add to traffic and air quality issues in the village.
- Would result in approx. 15% increase in population and therefore same increase in service requirements.
- Proposal doesn't take account of Sustainable Development Principles as set out in the NPPF (previously paras. 6-17).
- Impact on Donkey Lane - Anglian Water sewage works at capacity.
- Impact on Fynn Valley County Wildlife Site.
- Devalue property.
- Loss of habitats.
- Disturb peaceful area.

Consultation responses to first consultation in December 2022

Parish/Town Council

Consultee	Date consulted	Date reply received
Tuddenham St Martin Parish Council	7 December 2022	10 January 2023
<p>Summary of comments:</p> <p>It was not possible to submit the comments below, from Tuddenham St Martin Parish Council, via the Public Access system and so they are instead being submitted by email.</p> <p>Please reply by return to let the Parish Council know if there is any problem with this email format, which would result in these comments not being accepted for this consultation. Kind regards, Carol Frost (Clerk for Tuddenham St Martin Parish Council).</p> <p>Tuddenham St Martin Parish Council held a meeting on 28th December 2022 to consider this application (DC/22/3748/FUL - Residential Development for 25 new dwellings in Keightley Way) and these are the comments following that meeting.</p>		

The Parish Council wish to record this complaint and require a statement and an apology from East Suffolk Council Planning Dept. about why there was a delay in this application being put on the Public Access system. The application was submitted September 2022 but did not appear on the Public Access system until 07 December 2022, with a comments submission deadline of 30th December 2022, which is one of the most inconvenient dates in the year. There was a further delay in the receipt of the neighbour consultation letters, which has resulted in members of the public not being able to take part in the application consultation process and this is due to the initial chosen date for the comments deadline of 30th December 2022. Furthermore, several public comments submitted by villagers to the Public Access system from 23rd December to 28th December 2022 have not been viewable individually for the Parish Council to take into account at its meeting on the 28th December due to this consultation being delayed until over the Christmas period.

Tuddenham St Martin Parish Council object to this application. The 25 proposed new dwellings at this location, in a village with very few village amenities, poor public transport, without footways in places and only small footways in other places, and very small narrow roads would make living in the area very different and profoundly worse for some villagers. The Parish Council have been made aware that some residents have already considered selling up and moving away from the village due to the proposals.

The Parish Council objects in principle to this proposed development of 25 dwellings as being too large, out of character and scale for the village. It maintains its objection to the allocation of this site in the Local Plan. This development is contrary to SCLP5.2: Housing Development in Small Villages, where development should be 'a small group of dwellings of a scale appropriate to the size, location and character of the village'. Under Policy SCLP5.2, development of new housing is supposed to help support local services and there is already a lack of local services in the village. The Local Plan also states that 'The form and character of Small Villages varies across the Plan and the impact of these will be a key consideration in determining planning applications.' This proposed development will profoundly and irrevocably alter the entire village in Tuddenham and in particular, Keightley Way, The Hill and Westerfield Lane.

This development is contrary to Policy SCLP7.1: Sustainable Transport, where 'development proposals should be designed from the outset to incorporate measures that will encourage people to travel using non-car modes to access home, school, employment, services and facilities.' This application does not meet with criteria a), b), c), d), e), f), g) and h) of this Policy. There is no footway from this proposed development to safely access public transport. All schools, services and facilities are outside of the village and accessible by public or private transport. Pedestrian access to any of these services and facilities is only possible via dangerous highways without safe footways. There will be a significant impact, especially in the immediate highway area and this proposed development will increase travel by vehicular modes, increasing carbon emissions and volume of traffic on a recently adopted Quiet Lane (Westerfield Lane). The Quiet Lane status will be compromised with the likely traffic increase. The Highways recommended traffic survey, carried out as part of the Quiet Lane process, demonstrated a volume that was close to the maximum recommended within the Quiet Lane guidance. The road is already used by a significant volume of 'cut through traffic', in addition to that from within the village. Pedestrians will be intimidated from using it by the volume of traffic use. Westerfield Lane is also part of a National Cycle route, and steps to encourage cycling should be in place as laid out in SCLP7.1. The existing highway network for the village, including Main Road, The Street, Grundisburgh Road, Westerfield Lane, The Hill and Keightley Way are narrow in places, have steep gradients at certain points and suffer

poor visibility. Residents of Keightley Way, which is the only proposed access to this development, already complain of difficulty in parking and passing this highway. There is also a question as to whether Keightley Way is suitable for main access to this development. There are already parking issues throughout the village and the recorded volume of vehicles passing through the village has substantially increased since the Local Plan was drafted.

The proposed development ignores the existing acute off-street parking shortages in the village and especially those off Keightley Way, The Hill and The Paddocks. This leads it to being contrary in particular to Policy SCLP7.2: Parking Proposals and Standards. b). This states 'Proposals involving vehicle parking will be supported where they take opportunities to make efficient use of land and they include opportunities to reduce the recognised problem of anti-social parking or potential problems that may arise which impacts upon the quality of life or vitality of an area for residents and visitors'. If the development is to be agreed in principle by ESC, the Parish Council would like to see a reevaluation of the parking provision to accommodate a more realistic number of off-street and public parking spaces in the development. As the entrance to the proposed development is already overly congested with roadside and pavement parking on Keightley Way, the Parish Council would suggest an inclusion of unrestricted off-street parking amenities being provided just inside the new development entrance. This would enable existing residents to ease the current congestion whilst parking safely near to their properties.

If the development is to be agreed in principle by ESC, the Parish Council request that as a provision of the construction management plan, an alternative temporary work access is provided to the site via Poplar Farm due to the size of the development, it's rural location and proximity to residential dwellings in order to reduce the nuisance and significant impact the construction would have on residents particularly in Keightley Way.

If the development is to be agreed in principle by ESC, Tuddenham St Martin Parish Council formally requests that in consideration of this application, clauses are made which would enable residents with local connections to have first refusal to the affordable homes provided, assuming they meet the criteria.

The Parish Council have noted the Consultee comments which have so far been submitted on this application. These include the recommendation that a holding objection being maintained until clarification of the points raised have been received and approved by the Local Highways Authority on the grounds of sustainable transport and highway safety from Suffolk County Council Highways.

The Consultee comments also include comments from the Housing Strategy and Enabling Manager at ESC. This states that 'I would expect to see a mix of 1, 2 and 3 bed homes. 4 of the properties should be delivered as affordable rent, 2 homes as shared ownership and the remaining 2 as First Homes. This mix is based on housing need data as per the SHMAA evidence and local housing need from the Council's Housing Register.' It also states that 'Dwellings should meet the following size standards; 1 bed, 2 persons; 2 bed, 4 persons; 3 bed, 5 persons; and 4 bed, 6 persons, with a predominance of houses, especially for families.'

If the development is to be agreed in principle by ESC, the Parish Council would like to see that Chris King (Design Champion and Specialist Services Manager at ESC) is approached for guidance on this development to ensure that it enhances rather than detracts from the charm of our village.

The Parish Council are concerned that there are no details in the application of the maintenance proposed for the communal areas and boundary edges of the proposed development, including

the Open Space at the south of the development and set out on the proposed Site Layout. Clarity is needed about the maintenance of these areas and whether there will be a covenant to prevent additional future development on the proposed open space. Volunteers in the village already carry out a lot of maintenance of grassed areas in the village and there is no capacity for additional voluntary maintenance of green areas in the village.

Concern has been raised at a potential ancient lights issue (i.e., the right of a building or house owner to the light received from and through his windows) resulting from Plot 1 of the proposed development for existing Keightley Way residents that back onto the development and this specific plot.

Policy SCLP12.66 of the Local Plan states that 'Rushmere Hall Primary School is operating close to capacity and, considering this allocation along with forecasts, would be over capacity during the first five years of the plan period.' It also states that 'development of the site would need to come forward later in the plan period. Northgate High School is expected to exceed capacity, with new provision due to be made at Ipswich Garden Suburb.' The Parish Council are aware that both catchment schools (Primary and Secondary) for the village already exceed capacity and there is already frustration in the village that children fail to gain access to catchment or local schools due to the village being on the outskirts of the catchment areas. Development of this site before any additional school provision is provided will exacerbate the problem even further.

Furthermore, a statement was presented to the Parish Council meeting on 28th December 2022 on behalf of 35 signatories from the village as follows:

We wish to make the following objections to the proposed development on Keightley Way.

Attached to this statement is a list of signatures we wish to be taken into account when the parish council comments on proposed works. We believe this demonstrates the high level of opposition to this plan throughout the whole village, not just Keightley Way. We trust the parish council act as representatives and advocates of the local community's objections and concerns in discussing the proposals and the following objections and comments.

We believe this development to be at a great detriment to the local rural community, the residents and parish council work so hard to protect.

The proposed development will profoundly and irrevocably alter the entire village in Tuddenham and in particular Keightley Way, The Hill and Westerfield Lane.

25 proposed new houses in a village with very few village amenities, poor public transport, small footpaths and very small narrow roads would make living in the area very different and profoundly worse for some, in fact, many residents have already considered selling up due to the proposals.

The village is already used as a main through way for traffic into Ipswich, something the parish council go to great pains to control and any more traffic would cause serious traffic issues on already overloaded and narrow roads.

We understand that development is important and houses are much needed but this plan in its current form is unsuitable and overwhelmingly opposed by those already living here.

These are the specific views of all residents who wish to comment but were unable to attend this meeting.

1. Accessibility. The proposed route for main access is through Keightley Way. A road with predominantly on-road parking, all residents who currently live in Keightley Way will attest to the difficulty of parking and passing currently. In fact the parish council have addressed this particular issue on more than one occasion posting "considerate parking" notes through all the houses on Keightley Way.

East Suffolk highways design recommendations state that Carriageways for access to between 25 and 50 houses must be at least 4.8m in width. Although Keightley Way is this exactly, 5.5m before the paddocks 4.8m after, the effect of how it is used will cause serious traffic problems due to how narrow it is. Residents comment that Keightley Way in every way possible is not suitable for main access to this development.

An extra 40+ cars on this road will turn Keightley Way into an impassable, busy and dangerous narrow road with no parking for existing residents and make already very difficult access for emergency vehicles, oil tankers, lorries etc almost impossible.

The Hill, adjacent to Keightley Way is practically a one-way road with no useable footpath and no way to widen the road, again discussed at parish council meetings. Any more traffic flow would make this road impassable for vehicles to enter Keightley Way and pose a serious risk to pedestrians, people with mobility issues, cyclists, other motorists, oil and grocery delivery lorries not to mention the large number of heavy vehicles that will be part of the construction of the development.

We deem the idea of access into the new development via Keightley dangerous, short-sighted and negligent in its planning and proposal. Residents in The Paddocks and High Street particularly have strongly objected to Keightley Way becoming a main through way due to deliveries of oil and building materials being almost impossible, causing some deliveries to be cancelled and causing damage to property due to the existing poor access into Keightley Way.

2. The disruption caused by building works will be sustained and substantial. A number of residents have expressed concern about working nights and the significant disruption that this would cause their sleep during the day. This must be taken into consideration.

3. Quiet Lane Westerfield Lane was designated a "Quiet Lane". This development will increase issues such as traffic flow, litter and bank damage considerably and destroy this beautiful local asset. It will no longer be in fact a Quiet Lane.

4. Existing objections. The previous objections to the initial proposal need to be fully taken into account during this phase of the consultation process. We would hope the parish council would assist and advocate for the local community in this matter. Residents have also said that they have made objections to the Parish Council and received no feedback or updates. Why has the Parish Council not gone further to keep the local residents fully apprised of where their historic objections have gone?

5. Devaluation of property All residents have expressed the utmost concern on the devaluation of their property on Keightley Way due to it becoming a main road into the new estate and thus a less desirable place to live. Residents have commented that they moved to Keightley Way to live on a quiet street, safe for their children to play and not a busy main road, this will again have a

detrimental effect on the whole village and not just Keightley Way. How will the residents be compensated if this development goes ahead?

6. Look and sustainability of proposed new builds The plan that has been submitted shows several styles, none of which is in keeping with the local area and is considered an eyesore by many residents. It is felt that Newbuild style houses are not in keeping with the local aesthetic. Residents were not involved in any part of the design process again alienating the community from this plan. No discussion or description about how the development will be sustainable was on the plans issued. For obvious reasons development on rural areas is less sustainable than urban therefore shouldn't developers be held to as high account as possible for sustainability? The current proposal makes no mention of sustainability. Rural homes often appeal to young families and the elderly. There is also no discussion or description about accessibility in the existing plans or how the houses will be adapted for the life span of the residents.

7. The manner that planning was announced. Planning notices appeared only 14 days before the deadline for comment, a parish council meeting organised 2 days before this deadline. We do not consider this fair warning and not in keeping with community spirit and has already weakened trust in local land ownership, and the representation of the parish council. We recognise there were some attempts in Facebook and via notice boards but this was considered too little too late.

8. Parish Council representation. A number of residents have said that after expressing objections at historic Parish Council meetings they no longer received any email correspondence, all residents have discussed how no information reaches them in terms of Parish Council. Whilst it's accepted that some responsibility lies on the individual it is incumbent as representatives of the residents of the village for the Parish Council to make sure that residents know what will happen in their village.

9. Transport We are almost completely reliant on cars to leave Tuddenham, there is already very poor access to public transport and the use of The Hill as a main access point would make accessing public transport even more difficult. Especially for the elderly, disabled residents and families with young children.

10. Continual road- works on The Hill and Tuddenham High Street. As all residents of Tuddenham know the main road continually requires works which sometimes totally close off the village. How will Tuddenham cope with 35-40 extra vehicles daily? This will make an area of outstanding beauty and a protected Conservation Area one continual traffic jam affecting the whole village, not just Keightley Way.

11. Sewage The plan shows the sewage from the proposed development being pumped to the main outlet on Keightley Way, as this was designed for the current housing stock, is the existing infrastructure capable of taking on this significant increase in sewage and how will this affect the current residents?

As Tuddenham residents we hope that all our concerns, objections, worries and fears are taken into account and fairly represented by Parish Councillors in a transparent and objective way when the Parish Council makes any recommendation or comment on the proposals to the Local Authority. As residents we consider the Parish Council to be representatives of the local community advocating their wishes to the Local Authority and hope this continues.

Consultee	Date consulted	Date reply received
Westerfield Parish Council		20 January 2023
<p>Summary of comments: Westerfield Parish Council (PC) were not a consultee for the above planning application but the application was discussed at the PC meeting on 17 January.</p> <p>Westerfield PC wish to formally object to planning application DC/22/3748/FUL, mostly re the following Traffic & Highways concerns:</p> <p>Westerfield Lane and Moss Lane are pre-war design and construction when there was little or no residential housing. Both Westerfield Lane and Moss Lane are single track lanes not built for modern day traffic, with no footpaths, and no potential to add footpaths, and with little or no lighting. Moss Lane is also a quiet lane used by pedestrians, and a cycle route. To go towards Ipswich, traffic would pass through Westerfield Parish, having to negotiate the Moss Lane/Church Lane junction which has a history of accidents (not all reported to the police), and causing a further increase in traffic levels on Church Road / Lower Road. There would also be an increase in traffic idling at junctions (including the railway crossing) thereby reducing the air quality.</p>		

Statutory consultees

Consultee	Date consulted	Date reply received
SCC Flooding Authority	7 December 2022	22 December 2022
<p>Summary of comments: Holding objection.</p>		

Consultee	Date consulted	Date reply received
SCC Highways Department	7 December 2022	23 December 2022
<p>Summary of comments: Holding objection being maintained until clarification of points has been received and approved by the Local Highways Authority on the grounds of sustainable transport and highway safety.</p>		

Consultee	Date consulted	Date reply received
Anglian Water	21 April 2023	27 April 2023
<p>Summary of comments: Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.</p> <p>The foul drainage from this development is in the catchment of Tuddenham-Donkey La Water Recycling Centre that will have available capacity for these flows.</p>		

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. The applicant has indicated on their application form that their method of surface water drainage is via SuDS. If the developer wishes Anglian Water to be the adopting body for all or part of the proposed SuDS scheme the Design and Construction Guidance must be followed.

Non statutory consultees

Consultee	Date consulted	Date reply received
Ward Councillor – Cllr Colin Hedgley	26 September 2023	6 September 2023

Summary of comments:

I have concerns regarding the change of positioning of the open green space and I am particularly concerned regarding the highways situation from the application site and the route to the village centre. Both, it seems to me require examination at full committee level via the referral panel.

Consultee	Date consulted	Date reply received
Network Rail Property (Eastern Region - Anglia)	7 December 2022	No response

Summary of comments:

No comments received.

Consultee	Date consulted	Date reply received
East Suffolk Housing Development Team	7 December 2022	7 December 2022

Summary of comments:

This site delivers a total of 25 dwellings and would be required to provide 8 affordable homes based on the 33% policy.

At least 50% of all dwellings should meet the building regulations M4(2) wheelchair accessible standards as per the Suffolk Coastal policy, both for market and affordable homes.

The developer is suggesting 8x2 bed homes, including bungalows and houses. I would expect to see a mix of 1, 2 and 3 bed homes. 4 of the properties should be delivered as affordable rent, 2 homes as shared ownership and the remaining 2 as First Homes.

Consultee	Date consulted	Date reply received
Police - General	7 December 2022	No response

Summary of comments:

No comments received.

Consultee	Date consulted	Date reply received
SCC Section 106 Officer	7 December 2022	16 December 2022
Summary of comments: No objection. Sets out infrastructure requirements for CIL and S106.		

Consultee	Date consulted	Date reply received
SUSTRANS	7 December 2022	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Suffolk Police Design Out Crime Officer	7 December 2022	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	7 December 2022	13 December 2022
Summary of comments: No objections. Planning conditions recommended regarding contamination, working hours and a Construction Management Statement.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	7 December 2022	21 December 2022
Summary of comments: Comments included in report.		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	7 December 2022	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	7 December 2022	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Disability Forum	7 December 2022	12 December 2022
Summary of comments: All dwellings should be visitable and meet Part M4(1), and at least 50% of the dwellings should meet Part M4(2). It is disappointing to note that no bungalows are planned – at least 2 of these dwellings should be bungalows. Footpaths should be wide enough for wheelchair users. Surfaces should be firm, durable and level.		

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	6 March 2023	8 December 2022
Summary of comments: No objections but recommend standard archaeological investigation by condition.		

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	6 March 2023	13 December 2022
Summary of comments: A condition is required for fire hydrants.		

Reconsultation consultee responses

Consultee	Date consulted	Date reply received
SCC Highways Department	6 September 2023	12 September 2023
Summary of comments: Holding objection until further information is received including: - Maintain the 3m width to the cycle/pedestrian to connect up to the existing footway. - What measures are proposed to prevent vehicles driving/parking on the cycle/pedestrian link? - Concerns with the parking arrangements for plots 1-3 where it would appear that there is an unofficial parking space behind the spaces. - Details of pedestrian crossing points needed .		

In line with SCLP policy 12.66 Appendix B, page 471, we request either £100,000 for pedestrian facilities from the site to local amenities, including local bus stops, or drawings showing proposed works for the same reasons that can be conditioned and undertaken through the section 278 process.

Consultee	Date consulted	Date reply received
SCC Flooding Authority	26 September 2023	18 October 2023

Summary of comments:

The LLFA recommends a holding objection at this time because the latest drawings and calculations are not in accordance with the prior submitted Addendum 2 and further comments raised by local watercourse owners.

Consultee	Date consulted	Date reply received
SCC Highways Department	N/A	21 November 2023

Summary of comments:

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

Consultee	Date consulted	Date reply received
SCC Flooding Authority	14 November 2023	20 December 2023

Summary of comments:

Recommend approval of this application subject to conditions.

Consultee	Date consulted	Date reply received
Disability Forum	6 March 2023	No response

Summary of comments:

No comments received.

Consultee	Date consulted	Date reply received
East Suffolk Ecology	6 March 2023	31 March 2023

Summary of comments:

Comments in report.

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	6 March 2023	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	6 March 2023	6 March 2023
Summary of comments: The original, published comments may remain in place for the amendments.		

Consultee	Date consulted	Date reply received
East Suffolk Housing Development Team	6 March 2023	7 March 2023
Summary of comments: I have looked at the documents online and can see that 8 affordables (6 affordable rent and 2 shared ownership) are planned on this site so I have no objections or comments.		

Consultee	Date consulted	Date reply received
Police - General	6 March 2023	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Network Rail Property (Eastern Region - Anglia)	6 March 2023	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
SCC Section 106 Officer	6 March 2023	7 March 2023
Summary of comments: I have considered the updated documents in relation to the re-consultation. I note the 3m cycleway provision as per the policy requirement and which is pleasing to see. My contribution requests as set out 16 December 2022 still stand.		

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	6 March 2023	8 March 2023
Summary of comments: Planning conditions recommended. Comments in report.		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	6 March 2023	28 March 2023
Summary of comments: Holding objection.		

Consultee	Date consulted	Date reply received
SCC Highways Department	6 March 2023	8 June 2023
Summary of comments: Holding objection.		

Consultee	Date consulted	Date reply received
Suffolk Police Design Out Crime Officer	6 March 2023	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
SUSTRANS	6 March 2023	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	6 March 2023	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	6 March 2023	27 March 2023
Summary of comments: Comments in report.		

Consultee	Date consulted	Date reply received
Tuddenham St Martin Parish Council	6 March 2023	24 March 2023

Summary of comments:

It was not possible to submit the comments below, from Tuddenham St Martin Parish Council, via the Public Access system and so they are instead being submitted by email. Please reply by return to let the Parish Council know if there is any problem with this email format, which would result in these comments not being accepted for this consultation on the amendments to the application. Kind regards, Carol Frost (Clerk for Tuddenham St Martin Parish Council).

Tuddenham St Martin Parish Council have noted the amendments to this application but continue to strongly object to this development, which is in a village with very few amenities, poor public transport, without footways in places and very small narrow roads which would make living in the area very different and profoundly worse for some residents, especially in the Keightley Way area.

The Parish Council maintain that this development is contrary to SCLP5.2: Housing Development in Small Villages.

The amendments from the applicant have not addressed the major concerns which were submitted by the Parish Council to the original application. The Parish Council reiterate those comments, maintain the concerns raised, and request that this application is referred to the Planning Committee for a decision if the Case Officer is minded to approve. The Parish Council also request that no decision is made about this application without a full site visit of the location and surrounding area and highways due to its unique characteristics which would not be correctly assessed if carried out remotely.

Three of the main issues that raise serious concern for the Parish Council are:

- the strong potential for increased traffic to undermine highway safety
- there is no safe site connectivity with the main area of the village, and the only access (The Hill) to the main area is unsuitable for pedestrians, especially those with mobility issues
- the impact of construction traffic and increased traffic due to the development that will be experienced by local residents

The Parish Council feel that the site should not be assessed in isolation, but the impact on the village as a whole should be looked into when this application is considered.

The Parish Council acknowledge that an extra parking space has been allocated to this development as a result of the amendments but still feel there is insufficient parking which will exacerbate parking issues already being experienced in the village. The Parish Council would still

like to see a re-evaluation of the parking provision to accommodate a more realistic number of off-street and public parking spaces.

The Parish Council have noted the volume and content of the other Consultee comments to this application.

Comments for instance, from Suffolk County Council (SCC) Highways to the original application stated that 'In line with SCLP policy 12.66 Appendix B, page 471, we request either £100,000 for pedestrian facilities from the site to local amenities, including local bus stops, or drawings showing proposed works for the same reasons that can be conditioned and undertaken through the sections 278 process.' They also stated that a holding objection be maintained until the points they raised had been received and approved by the Local Highways Authority on the grounds of sustainable transport and highway safety. The Parish Council have already however, had several site visits with representatives from SCC Highways and have been advised by their then Assistant East Area Highways Manager, that it would not be possible to extend pedestrian facilities on The Hill (from the site to local amenities, including local bus stops), due to the location limitations. The Parish Council maintain that this development is contrary to Policy SCLP7.1: Sustainable Transport.

Three of the four access points to the village are 60mph until the built-up area within the village and there is already serious concern, especially at peak periods, of unsafe approaches to the village by speeding traffic which has been registered by the village Speedwatch Team. This will be exacerbated by the increased traffic connected to this new development (additional vehicles on the highway and construction traffic).

There is a question as to whether Keightley Way is suitable for main access to this development, especially as access is only via The Hill or Westerfield Lane, and as already stated, neither of these routes are suitable. If the development is to be agreed in principle by ESC, the Parish Council request that as a provision of the construction management plan:

- that construction traffic is prohibited from approach from The Hill/The Street as this highway is particularly unsuitable to additional construction traffic
- as already stated, an alternative temporary work access is provided to the site via Poplar Farm due to the size of the development, its rural location and proximity to residential dwellings in order to reduce the nuisance and significant impact the construction would have on residents particularly in Keightley Way.

The Parish Council have been made aware that several residents in the immediate vicinity of the site are shift workers and would be significantly impacted by the construction of this development, even if there is a standard construction plan put in place. A strict construction plan should be put in place to reduce the impact on local residents, such as no weekend construction and a time limit of construction during working hours.

Consultee	Date consulted	Date reply received
Westerfield Parish Council	6 March 2023	28 March 2023
Summary of comments: Westerfield PC note the additional details provided, but do not address the objections previously raised, mostly re the following Traffic & Highways concerns:		

Westerfield Lane and Moss Lane are pre-war design and construction when there was little or no residential housing. Both Westerfield Lane and Moss Lane are single track lanes not built for modern day traffic, with no footpaths, and no potential to add footpaths, and with little or no lighting. Moss Lane is also a quiet lane used by pedestrians, and a cycle route. To go towards Ipswich, traffic would pass through Westerfield Parish, having to negotiate the Moss Lane/Church Lane junction which has a history of accidents (not all reported to the police), and causing a further increase in traffic levels on Church Road / Lower Road. There would also be an increase in traffic idling at junctions (including the railway crossing) thereby reducing the air quality.

Consultee	Date consulted	Date reply received
Anglian Water	10 July 2023	12 July 2023
Summary of comments: Comments as per previous response.		

Consultee	Date consulted	Date reply received
Disability Forum	10 July 2023	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	10 July 2023	No response
Summary of comments: No further comments received.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	10 July 2023	No response
Summary of comments: No further comments received.		

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	10 July 2023	No response
Summary of comments: No further comments received.		

Consultee	Date consulted	Date reply received
East Suffolk Housing Development Team	10 July 2023	No response
Summary of comments: No further comments received.		

Consultee	Date consulted	Date reply received
Police - General	10 July 2023	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Network Rail Property (Eastern Region - Anglia)	10 July 2023	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
SCC Section 106 Officer	10 July 2023	21 July 2023
Summary of comments: Previous comments still apply.		

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	10 July 2023	11 July 2023
Summary of comments: My previous recommendation stands.		

Consultee	Date consulted	Date reply received
SCC Highways Department	10 July 2023	2 August 2023
Summary of comments: Holding objection.		

Consultee	Date consulted	Date reply received
Suffolk Police Design Out Crime Officer	10 July 2023	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
SUSTRANS	10 July 2023	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	10 July 2023	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	10 July 2023	20 July 2023
Summary of comments: Comments in report.		

Consultee	Date consulted	Date reply received
Tuddenham St Martin Parish Council	10 July 2023	2 August 2023
<p>Summary of comments:</p> <p>Tuddenham St Martin Parish Council strongly object to this application and all our previous comments still stand. We are extremely disappointed that none of the points raised previously have been acknowledged or addressed in any way. This is particularly in relation to comments regarding parking as this is already a serious concern in the village, especially in Keightley Way. The comments by the Landscaping Team are looking at the site in isolation and not in the context of its situation within a rural village surrounded by fields and adjoining a playing field and play area.</p> <p>In previous comments to this application, the Parish Council highlighted that the proposed development ignores the existing acute off-street parking shortages in the village and especially those off Keightley Way, The Hill and The Paddocks. The unsuitability of highways access to the site and volume of the development remains a serious concern as referred to in our responses and as referred to by Westerfield Parish Council.</p>		

If the development is to be agreed in principle by East Suffolk Council, the Parish Council have suggested a re-evaluation of the parking provision to accommodate a more realistic number of off-street and public parking spaces in the development with the inclusion of unrestricted off-street parking amenities being provided just inside the new development entrance. This would enable existing residents to ease the current congestion whilst parking safely near to their properties. More overall parking provision was achieved on the first plan submitted by the applicant. An extra visitor parking space has now been provided by the latest amendments, but the overall parking provision has been reduced from 70 to 68 parking spaces.

The Parish Council would like to see specific details of how Suffolk County Council Highways will spend CIL money associated with this development, if it is permitted, to achieve the necessary pedestrian facilities from the site to local amenities, which would provide required connectivity for the village and include access to public transport.

Consultee	Date consulted	Date reply received
Tuddenham St Martin Parish Council		7 September 2023

Summary of comments:

I am emailing on behalf of Tuddenham St Martin Parish Council to request that the Public Open Space (POS) of this development is reviewed.

The Parish Council have noted that in the latest layout of the development, the POS has been repositioned to be centrally located in order to address recommendations from the East Suffolk Landscape Team.

If the development is to be agreed by East Suffolk Council, the Parish Council suggest that the layout initially proposed by the applicant, which featured an open space positioned southerly (to provide a frontage separation to create the feeling of a more well-spaced and open feeling development rather than that set out in the latest layout) would be more suitable for this site. Please see the attachment, which is the layout showing the Parish Council preferred option of location for the Public Open Space.

The Parish Council feel that the layout of this site, especially including the position of the POS, should not be looked at in isolation. The POS should provide a buffer area between Keightley Way and the allocated site. The layout should be looked at in the context of its situation with the existing neighbouring dwellings and within a rural village surrounded by fields, and adjoining a playing field and playground.

I am writing to you to draw your attention to the attached photo which has been highlighted to the Parish Council and was taken August 2023. This clearly shows that there is no secure access for emergency vehicles from this direction of the village and that The Hill, which is one of the only 2 routes into this site, is unsuitable for any additional traffic that will be associated with this development.

It is understood that fire engine got stuck on The Hill and could only move after a car had been removed from the location.

The Parish Council comments submitted 24th March 2023 requested that no decision is made about the application without a full site visit of the location and surrounding area and highways due to its unique characteristics which would not be correctly assessed if carried out remotely.

The Parish Council also stated that three of the main issues that raise serious concern are:

- The strong potential for increased traffic to undermine highway safety
- There is no safe site connectivity with the main area of the village, and the only access to the main area (The Hill, which is shown in the attached photo), is unsuitable for pedestrians, especially those with mobility issues
- The impact of construction traffic and increased traffic due to the development that will be experienced by local residents

Consultee	Date consulted	Date reply received
Westerfield Parish Council	10 July 2023	18 July 2023

Summary of comments:

Westerfield Parish Council discussed the additional information e.g. site layout, details of the housing mix, floor plans & elevations etc. but couldn't see anything that addressed the concerns flagged by the PC to the original application considered in March. Therefore, Westerfield PC wish to formally object to planning application DC/22/3748/FUL, mostly re the following Traffic & Highways concerns:

Westerfield Lane and Moss Lane are pre-war design and construction when there was little or no residential housing. Both Westerfield Lane and Moss Lane are single track lanes not built for modern day traffic, with no footpaths, and no potential to add footpaths, and with little or no lighting. Moss Lane is also a quiet lane used by pedestrians, and a cycle route. To go towards Ipswich, traffic would pass through Westerfield Parish, having to negotiate the Moss Lane/Church Lane junction which has a history of accidents (not all reported to the police), and causing a further increase in traffic levels on Church Road / Lower Road. There would also be an increase in traffic idling at junctions (including the railway crossing) thereby reducing the air quality.

Consultee	Date consulted	Date reply received
SCC Flooding Authority	17 July 2023	7 August 2023

Summary of comments:

Holding objection.

Publicity

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

Category	Published	Expiry	Publication
Major Application	1 December 2022	22 December 2022	East Anglian Daily Times

Site notices

General Site Notice

Reason for site notice: Major Application

Date posted: 12 December 2022

Expiry date: 5 January 2023

5. 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)

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

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

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

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

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

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

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

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

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

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

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

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

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

SCLP12.66 - Land off Keightley Way, Tuddenham (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)

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

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

6. Planning Considerations

- 6.1. 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. Other material considerations to the determination of the application include the Supplementary Planning Documents (SPDs) referred to above and the National Planning Policy Framework (2023).

Principle of Development

- 6.2. The application site is included within the defined Settlement Boundary for Tuddenham St Martin. Tuddenham is classified as a 'Small Village' within the Settlement Hierarchy (Policy SCLP3.2) of the Local Plan. 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. 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, Table 3.4 sets out the type and scale of development appropriate for each level of the hierarchy. In respect of housing within Small Villages, it states "New housing allocations (Section 12)" or "Small groups of new housing and infill within Settlement Boundaries (Policy SCLP5.2)" would be appropriate.
- 6.3. 10% of the Suffolk Coastal Local Plan housing growth is proposed to be accommodated in Small Villages (a total of 1,140 homes across all Small Villages). The site is therefore

included as a site allocation by Policy SCLP12.66 for approximately 25 dwellings (equating to less than 0.5% of the Suffolk Coastal Local Plan housing growth). The principle of development, in accordance with the development plan, the settlement hierarchy and the allocation policy, is therefore acceptable. The addition of 25 dwellings would result in a 14.28% increase of homes in the village. This village has had limited major housing growth since the 1960s and this is the only planned major growth for the village within the Local Plan which runs until 2036. This 25-dwelling addition to the village would be the only significant housing development in the village in a 75-year period.

6.4. SCLP12.66 is as follows:

"1.54ha of land off Keightley Way, Tuddenham, as shown on the Policies Map, is identified for the development of approximately 25 dwellings. Development will be expected to accord with the following criteria:

- a) Provision of semi detached and terraced properties in the southern part of the site;
- b) Provision of affordable housing on site;
- c) Retention of existing trees and hedgerows on the boundaries of the site;
- d) Provision of open space and a pedestrian and cycle link between Keightley Way and the playing fields to the east of the site; and
- e) A site-specific Flood Risk Assessment will be required, and any necessary mitigation provided."

6.5. The application proposes 25 dwellings which is entirely in accordance with the site allocation policy. With respect to part a) of the policy, along the southern boundary it is proposed to have two detached dwellings, a terrace of four dwellings and a pair of semi-detached dwellings. The proposed layout and house types have been amended over the course of the application following feedback from officers. The current layout is in accordance with part a) of the allocation policy.

6.6. The application proposes affordable housing on site. The Policy requirement is for one in three units to be provided in an affordable form. A total of eight dwellings would be provided on the site (Plots 5-6 and 18-23) and an additional contribution secured as part of a S106 Agreement would be required for the additional one-third of a unit, as set out in the SPD. Criterion b) of the allocation policy is therefore complied with.

6.7. The proposed site layout and landscaping scheme has also been amended during the course of the application, again following detailed feedback given by officers. This has resulted in retention of, and additional planting, along the site boundaries to comply with criterion c).

6.8. The proposed site layout includes an area of Public Open Space located just to the south of the centre of the site but also close to the site entrance and this would be surrounded by dwellings. A cycle and pedestrian access link is also proposed from the site entrance off Keightley Way to link up with the existing playground to the north east of the site. This therefore complies with part d) of the allocation policy.

6.9. The application site lies within Flood Zone 1, an area with a low risk of flooding, however the application is required to be accompanied by a Flood Risk Assessment (FRA) given the size of the site (over 1Ha) and as required by the policy. During the course of the application, additional information has been submitted to support the documents considered by Suffolk County Council as Lead Local Flood Authority in respect of dealing

with surface water. An acceptable scheme using SuDS is proposed with the attenuation basin in the northeastern corner of the site. The FRA considers the risk of flooding to the site from all sources and concludes that this risk is 'low'. The LLFA have suggested conditions to ensure the implementation of the agreed details and an additional plan to be agreed during construction. The proposal is therefore in compliance with part e) of the policy.

- 6.10. As detailed above, the proposal is in compliance with the wider spatial strategy set out in the Local Plan and the site-specific allocation policy which was consulted on and considered by an Inspector prior to adoption of the Local Plan. The principle of development of the site is therefore acceptable.

Design and Layout

- 6.11. 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. Paragraph 135 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.
- 6.12. Keightley Way is an existing residential cul-de-sac within Tuddenham. There are a variety of property types, designs and styles, however, it is dominated by semi-detached, two-storey houses constructed in red brick under concrete tiled roofs during the 1960s. There are also a number of properties that include the use of render. Notably, a more recent dwelling (approx. 2007) has been constructed at the end of Keightley Way, immediately adjacent to the southern side of the proposed site access. This property is a chalet style dwelling, again constructed in a light red brick with a tiled roof. While the existing area has its own character, the properties are not of a particularly notable design or appearance such that it would be essential for particular design features to be carried through into any new, adjacent development. Further to this, and noted within some of the consultation responses, not all of the properties in Keightley Way have their own drives and/or off-street parking which results in the need for on-street parking.
- 6.13. The proposed development includes a mix of two-storey dwellings, one-and-a-half storey chalets and single-storey bungalows and a mix of detached, semi-detached and terrace properties. The proposed material palette for the development includes a majority of brick with render to the front elevations of some plots, and also a limited amount of horizontal boarding. A mix of pantiles are proposed as roof coverings with a majority of terracotta and red shades with the addition of some grey. This proposed material mix would be consistent with the existing adjacent development and appropriate for its setting and context.
- 6.14. The design of the dwellings differs from the dominant character in Keightley Way, with a greater variation in style, size and design. This, however, would not result in an unacceptable approach to the development but result in a well-designed development that is reflective of its time without harming the setting of the existing area.

Highways

- 6.15. 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. The above policy objectives are reflected within paragraphs 104, 108, 111, 114 and 116 of the NPPF. Paragraph 115 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.
- 6.16. The main concern raised by local residents as well as the Parish Councils is the suitability and safety of the local highway network giving access to the site. After originally raising a holding objection to the proposal, Suffolk County Council as Local Highways Authority most recently have been able to remove this and raise no objection to the development subject to recommended conditions. This comes following numerous rounds of consultation and revisions to the originally proposed scheme, including matters relating to the pedestrian/cycle link, parking provision, pedestrian crossing points, landscaping, parking provision and drainage. It is noted that the County Council also comments that, either a £100,000 contribution for pedestrian facilities from the site to local amenities, including local bus stops should be provided, or drawings showing proposed works for the same reasons that can be conditioned and undertaken through the section 278 process. There is no expectation within the Local Plan that a footway link into the village must be achieved. Following the Committee meeting in January, Officers have met with Suffolk County Council Officers to discuss potential improvements that could be made. While there remains no specific plan in place (and this could only be secured within a S106 Agreement), Officers are optimistic that improvements could be made to secure betterment for occupiers of the new development as well as existing residents.
- 6.17. Significant concerns have been raised locally regarding the highway network providing access to the site including concerns over the (narrow) width of carriageways, existing on-street parking, the lack of footways and dangerous junctions. The Highways Authority has not raised any objection to the application in terms of the impact on highway safety or the wider highway network. The Highways Authority were also consulted during the preparation of the Local Plan and raised no objections to the proposed site allocation at this time either. Given the site has been considered for this scale of development during the development of the Local Plan and access and highway matters were also considered by the Inspector prior to adoption of the Local Plan, without any specific concerns raised by the Highways Authority at this stage, a potential reason for refusal on highway safety grounds cannot be substantiated.

Parking

- 6.18. It is noted above that not all properties within Keightley Way have their own drives or off-road parking which leads to additional on-street parking which might not otherwise exist. The proposed development would comply with Suffolk County Council's parking standards, requiring one space for each one-bedroom dwelling, two spaces for each two or three bedroom dwelling and three spaces for each 4+ bedroom dwelling. Some plots have

parking provision above these guidelines. In addition to this, nine un-allocated visitor spaces are proposed across the development. The level of parking spaces provided across the development is therefore in compliance with guidelines and is unobjectionable. Most notably, it is unlikely to result in additional pressure on Keightley Way itself and has the potential to reduce existing on-street parking given the proposed un-allocated spaces, albeit it is recognised that these are not immediately adjacent to the demand and therefore this might not be a practical, or used, option.

Cycling and Walking Strategy

- 6.19. The Council adopted a Cycling and Walking Strategy in October 2022. This identifies key corridors and links to improve cycling and walking opportunities and also makes a number of recommendations in relation to site allocations. In respect of this site, this includes introducing a cycling and walking route from the site, through the playground and east along the field boundary to Bridleway 10, and to introduce a cycling and walking track from the site west, along the northern built edge of the village, to Footpath 8. The existing public right of way (PRoW) network is not in immediate proximity of the development site and there would therefore be practical difficulties in negotiating and securing such provision. Having said this, with potential funding within a S106 Agreement, this is an option which will be further considered.
- 6.20. The recommendations in the SPD are not requirements or policy but rather a 'wish list' of improvements. The site allocations policy identifies the need for the development to be linked to the existing adjacent playground and the proposed layout achieves this, which in itself is an improvement. While there is no provision for the extension of access routes proposed beyond the site boundaries, in addition to the links within the site, additional works to improve pedestrian links (or a financial contribution to enable such) is also required. Combined, the proposal is considered to support and improve pedestrian access links such that the proposal is compliant with SCLP7.1 and SCLP7.2.

Housing Mix

- 6.21. Policy SCLP5.8 of the Local Plan requires that proposals for new housing development delivers housing needed for different groups in the community including a mix of housing tenures, types and sizes. It also notes that there should be a focus on smaller dwellings (1 and 2 bedrooms). Further, to contribute towards meeting the needs for housing for older people, proposals for ten or more dwellings should demonstrate how the development will contribute to meeting the needs of older people and at least 50% of the dwellings will need to meet the requirements for accessible and adaptable dwellings under Part M4(2) of the Building Regulations.
- 6.22. The proposed development includes eight one-bedroom and two-bedroom properties, 11 three-bedroom properties and six four-bedroom properties. While this mix is dominated by three-bedroom dwellings, there is no specific requirement for certain proportions of property sizes within the policy, and the larger, four plus bedroom dwellings, are in the minority. In terms of meeting the needs of older people, the proposal includes three bungalows and two chalet bungalows, all of which provide accommodation at ground floor level. Overall, the mix is considered suitable to meet the needs of many groups within the community.

- 6.23. It is noted that some of the properties included as two-bedroom dwellings have a small room on the first floor labelled as 'study'. This room has a floor area of just over five square metres, and overall this property type is noticeably smaller than other three-bedroom properties within the development. The Local Plan has no specific space standards in relation to dwelling sizes or room sizes, however, national space standard guidelines indicate a minimum bedroom for an adult should be 7.5 square metres. Other guidance indicates that this can be reduced to 4.64 square metres for a child under ten. Therefore there is the potential for this room to be occupied as a third bedroom, however, given its very modest size, the fact that there is a high demand for home office space, and that overall these properties are smaller than other three-bedroom units across the development, it is not considered that this significantly impacts on the overall housing mix.
- 6.24. Also, two of the larger properties with an attached double garage include floorspace above the garage labelled as 'annexe'. How this might be occupied as ancillary accommodation to the main dwelling, i.e. as a bedroom, office or games room for example, would be up to any future occupiers. The impact of this wouldn't impact on consideration of the housing mix policy or parking requirements.

Affordable Housing

- 6.25. The Council's Affordable Housing SPD states that "In the Suffolk Coastal Local Plan area, schemes will be expected to deliver 25% First Homes (which will fulfil the requirement to deliver 25% discounted home ownership), 50% affordable rent / social rent and 25% Shared Ownership. This will accord with the PPG requirement to deliver 25% First Homes and with the mix specified by Policy SCLP5.10."
- 6.26. The proposed affordable housing provision complies with the national and local policy requirement and the Council's Housing team has confirmed that they have no objection to the proposed affordable housing provision.
- 6.27. Given that the proposal is for 25 homes and the requirement for affordable dwellings is 'one-third', in accordance with paragraph 5.3 of the Affordable Housing SPD, a commuted sum will also be secured to provide one third of an affordable dwelling alongside the eight affordable dwellings on site.

Landscape Character

- 6.28. 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. These policy objectives are reflected within the NPPF, including the requirement to recognise the intrinsic character and beauty of the countryside.
- 6.29. The Settlement Sensitivity Assessment Volume 2: Suffolk Coastal Settlements identifies the landscape surrounding Tuddenham as 'highly sensitive to development due to its historic intact character, distinctive valley slopes and settlement form and high quality river valley

setting', and suggests that the landscape setting should be conserved through appropriate management. The proposed development site is located to the north-western edge of the village adjacent to existing arable farmland and should therefore be considered a sensitive rural edge. Despite the site's elevation above the surrounding wider rural landscape, it is relatively well screened by existing boundary vegetation, so any visual impact from the development would be limited. Having reviewed the location of surrounding PRoW, it is noted that public access in the surrounding land is limited to a bridleway to the east which runs along the route of the River Fynn.

- 6.30. Existing field boundary vegetation helps to screen views into the site and should be retained and enhanced with additional planting. It is important for landscape character to retain and enhance native hedgerow and emergent hedgerow tree planting here.

Landscaping

- 6.31. The Council's Landscape Officer has provided advice in respect of the site layout and landscaping proposals during the course of the application and a number of changes have been made to the scheme as a result. This has included moving the location of the open space. Originally this was proposed to be to the south of the site where it would not encourage good use of the space as it would have relatively poor natural surveillance. This layout also created a linear layout to the space, and in terms of built form the layout did not create a strong sense of arrival into the site. Revised proposals therefore include a more centrally located open space to better link the development into the existing street pattern, enabling development to surround a public green space with the dual benefit of excellent natural surveillance and a more pleasant outlook for a greater number of dwellings. If designed appropriately, this would still enable partial views towards existing countryside when viewing from Keightley Way as there would be visibility across the green space.
- 6.32. Retention of boundary trees is welcomed, as required by the site allocation policy. Originally the scheme was designed to include some boundary hedgerow removal to 'enhance outlook' from the front of properties proposed in this location. This however was not supported, nor was it compliant with the policy. This boundary provides a sense of continuity and rurality to the external character of the site, which is one of the reasons a policy point has specifically set out to protect it.
- 6.33. The detailed design of the landscape treatments could be secured by condition of any approval. This should include appropriate consideration to which areas would be adopted, which would fall under private ownership and which would be managed by a management company or equivalent, and the full details including maintenance schedules could be secured by the relevant standard condition of any approval.
- 6.34. The centrally located open space creates an attractive arrival space, is well overlooked and provides a good opportunity to boost tree planting at the site. Although there are some pockets of less useable green space towards the southwest corner of the site, this does provide scope for an enhanced, softer landscape buffer to the adjoining countryside and planting here will provide some visual amenity and biodiversity value.
- 6.35. The Illustrative landscaping plan shows additional tree planting along boundaries to bolster existing vegetation which will also enhance screening. Street trees are proposed

within the open space which should provide the opportunity to design tree pits with adequate soil volumes for trees to thrive. Larger feature trees are proposed within the open space and to the edge of the SuDS basin which will help to boost ecosystems services provision.

- 6.36. The Arboricultural Impact Assessment indicates that parking spaces will be installed within the root protection area of a Category A tree (T10). A condition is therefore proposed to ensure that construction methods in this area will not be harmful to its health. Other parts of the development are outside of the root protection areas.

Ecology

- 6.37. Additional ecological information was submitted during the course of the application, in response to comments made by the Council's Ecologist. The submitted Preliminary Ecological Appraisal (PEA) (Anglian Ecology, November 2022) identified the need for further surveys for great crested newts (in the form of eDNA testing) to establish whether the proposal was likely to result in any impacts on this species and whether any specific avoidance or mitigation measures would be required. The additional ecological report has reviewed this requirement and undertaken an HSI assessment on the accessible pond and has reviewed the habitats surrounding the two other ponds which are present within 250m of the application site. Based on the results of this further assessment the ecological consultant has concluded that eDNA surveys for great crested newts are not required. The Council's Ecologist agrees with the revised consideration put forward by the ecological consultant and does not consider that further great crested newt surveys are required prior to the determination of this application.
- 6.38. A number of conditions are proposed in relation to ecology including requirements for the development to be undertaken in accordance with the PEA, for a lighting strategy for biodiversity is to be agreed, and to secure ecological enhancements, a landscape and ecological management plan and a construction environmental management plan.
- 6.39. The site also lies within the Suffolk Coast RAMS Zone of Influence (Zone B - within 13km of the Sandlings SPA; Deben Estuary SPA; Deben Estuary Ramsar Site; Stour and Orwell Estuaries SPA and Stour and Orwell Estuaries Ramsar Site) 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. A financial contribution (of 25 x £321.22) will be secured within the S106 Agreement.

Residential Amenity

- 6.40. Policy SCLP11.2 seeks to ensure that new 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. This objective is reflected in the NPPF.
- 6.41. The layout of the development as a whole provides a good level of amenity for future occupiers, with each property having its own private amenity space and a layout that

provides for attractive outlooks. The proposed layout would not result in any direct overlooking between proposed dwellings.

- 6.42. While not the main or most common concern raised among objections, overlooking into existing neighbouring properties has been raised. With regards to the proposed dwellings to the south, the majority of the southern boundary is bordered by two residential gardens. These gardens are in excess of 35 metres from the application site and therefore the back-to-back distances of the dwellings are well in excess of what is considered to be an acceptable level. The remainder of the southern boundary is shared with a property accessed off The Paddocks. This property has a much smaller garden and while the proposed development would be much closer to this property, it is angled away with an existing patio area screened by part of the neighbouring dwelling. Views from the rear of Plot 25 would be at a distance of approximately 15 metres to the edge of the development site. The whole southern boundary is proposed to be planted with a landscape buffer (alongside existing vegetation) which again would reduce any possible overlooking.
- 6.43. The Council's Environmental Protection Team has been consulted on the application and have raised no objection. Recognising the rural location of the site and the proximity of existing residential properties, they do however recommend conditions requiring the submission and approval of a Construction Management Plan and a condition restricting the hours of work during the construction phase.

Surface Water Drainage

- 6.44. 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. Paragraph 175 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.
- 6.45. The application site is located within Flood Zone 1 where the risk of flooding is low. A Drainage Strategy, prepared Rossi Long Consulting, has been submitted in support of the planning application. A number of changes have been made to the proposed surface water drainage scheme which has involved numerous discussions and consultations with Suffolk County Council as Lead Local Flood Authority. A position has now been reached in which the proposed scheme is acceptable, using a SuDS scheme. This outlines that the surface water from the development will be disposed of through infiltration by incorporating SuDs, including a basin, permeable paving and swales. In terms of foul water, it is proposed that the development would be connected to the existing foul water sewer network. Anglian Water has been consulted on the application. Their response identifies that the foul drainage from this development is in the catchment of Tuddenham-Donkey La Water Recycling Centre that will have available capacity for these flows. Anglian Water has raised no objections to the development. The proposed development would accord with Policy SCLP9.6, in addition to the relevant objectives contained within the NPPF.
- 6.46. Following the recent flooding event, concern was raised by a local resident concerned that excess water that isn't contained by the SuDs will be diverted to their ditch and that, as this ditch can struggle to cope with heavy rainfall now, the additional development would make that situation worse and cause flooding of neighbouring fields. In relation to this, the LLFA has advised that it is an individual landowner's responsibility to maintain

watercourses within their boundary and this is a watercourse that ultimately flows to a river so the applicant has every right to use it. Based upon the SuDS led approach to drainage for the site, any discharge of surface water would be at a greenfield rate and therefore effects of surface water would be no greater than the existing situation. A Construction Surface Water Management Plan condition is proposed to ensure that any surface water from the site during construction is suitably contained and this must be implemented at the appropriate early stage in development.

Sustainability

- 6.47. 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. This has now been exceeded by the latest building regulations and therefore need not be secured as part of the planning application. Additionally, all new residential development should achieve the optional technical standards in terms of water efficiency of 110 litres per person, per day. Further guidance on this topic can be found within the adopted Sustainable Construction SPD.

Archaeology

- 6.48. 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. 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.
- 6.49. 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 assts. However, in accordance with paragraph 205 of the NPPF, SCC Archaeology have recommended that any planning permission granted be subject to their suggested conditions.

7. Conclusion

- 7.1. The principle of the development is acceptable as the application proposes a scheme that is in accordance with the relevant site allocations policy. This is a modest and proportionate addition of housing, including eight affordable homes, to this Small Village and it represents the only major housing growth it will see in approximately 75 years. The proposed design and layout of the development is acceptable; it would result in a good quality design with sufficient open space to create an attractive environment for future residents while retaining and enhancing the landscape buffer around the boundaries.
- 7.2. While it is noted that there is significant local concern with regards to the local highway network providing access to the site, the Highways Authority did not raise an objection to the site either during the development of the Local Plan or in response to the current application. There would not be an unacceptable impact on highway safety, neither would

the residual cumulative impacts on the road network be so severe as to warrant a reason for refusal on these bases.

- 7.3. The proposed development would secure benefits including affordable housing provision and improvements to pedestrian facilities. It would also secure necessary infrastructure contributions to RAMS, primary school places and school transport.

8. Recommendation

- 8.1. Authority to Approve subject to controlling conditions as drafted below and completion of a S106 Agreement to secure a contribution to RAMS, provision of Affordable Housing, a contribution to primary school places and primary and secondary school transport and a contribution to improving pedestrian facilities.

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 carried out in all respects strictly in accordance with the following plans and documents:

Site location plan drawing no. 1000, Topographical Survey and Flood Risk Assessment / Drainage Strategy 211209 received 21 September 2022

Contaminated land reports received 7 October 2022 and 22 November 2022

Ecology Report, Heritage Statement and Flood Risk Assessment/Drainage Strategy received 22 November 2022

Flood Risk Assessment and Drainage Strategy Addendum EJK/S/211209 Rev.00 received 2 March 2023

Ecology report by James Blake received 10 March 2023

Drawing nos. 1500C, 2000B, 2001B, 2002C, 2003, 2005B, 2006B, 2007A, 2008C, 2009C, 2010A, 3000C, 4000D, 5000D, 5002D 5004E, 5005D and JBA 23/079/SK01 A all received 7 July 2023

Schedule of accommodation and Arboricultural Impact Assessment received 7 July 2023

Drawing nos. 1001N, 2004B and 5003 F received 6 September 2023

Foul & Surface Water Drainage Strategy 211209-C-001-P08 received 19 December 2023
Swales and Ditch and Headwall Section 211209-C-011-P01, Impermeable Area Plan 211209-C-002-P04 received 25 September 2023

Downstream Defender Select SIA, Smart Monitoring Info (Downstream Defender), Downstream Defender Select Design Data E/0223 Downstream Defender Select Installation - DDS-C-1000-AV Installation Rev.A, Downstream Defender Select 1000 Concrete Advanced Vortex XXXXPROJECT-1000CAV Rev.C, Surface Water Treatment Device Performance Declaration, Microdrainage calculations wider network and Microdrainage calculations PP all received 29 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. No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

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

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

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy SCLP11.7 of Suffolk Coastal Local Plan (2020) and the National Planning Policy Framework (2023).

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 (2023).

6. Prior to the commencement of development, a scheme for the provision of fire hydrants shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in full prior to occupation of any dwelling hereby permitted.

Reason: To ensure there is suitable infrastructure in place to serve the development in the event of fire.

7. 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.

8. Prior to the commencement of development, a Construction Management Plan shall be submitted to, and approved by the Local Planning Authority. This should contain information on how noise, dust, and light will be controlled so as to not cause nuisance to occupiers of neighbouring properties. The approved scheme shall be complied with at all times during the construction phase of the development.

Reason: In the interest of residential amenity.

9. Hours of working during construction shall be limited to:
Monday to Friday 07:30 until 18:00 hours
Saturdays 08:00 until 13:00 hours

Sundays & Bank Holidays – none

Reason: In the interest of residential amenity.

10. The strategy for the disposal of surface water 'Foul & Surface Water Drainage Strategy 211209-C-001-P08 (12-12-2023)' and the Flood Risk Assessment 'Flood Risk Assessment / Drainage Strategy 211209 (21-09-2022)' shall be implemented as approved in writing by the local planning authority (LPA). The strategy shall thereafter be managed and maintained in accordance with the approved strategy.

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

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

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater

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

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

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

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

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

14. 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.

15. The use shall not commence until the areas within the site shown indicatively on drawing no. 0445 1001 N 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.

16. 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).

17. Development must be undertaken in accordance with the ecological avoidance, mitigation and enhancement measures identified within the Preliminary Ecological Appraisal (Anglian Ecology, November 2022) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

18. Prior to any works above ground level, 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.

19. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:
- a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.
- The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

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

20. Prior to any works above ground level an Ecological Enhancement Strategy, addressing how ecological enhancements will be achieved on site, will be submitted to and approved in writing by the local planning authority. Ecological enhancement measures will be delivered and retained in accordance with the approved Strategy.

Reason: To ensure that the development delivers ecological enhancements.

21. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to first occupation 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 organisation 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: To ensure that the long-term ecological value of the site is maintained and enhanced.

22. Prior to occupation, evidence of how the required water efficiency standard of 110 litres per person per day will be achieved 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.

23. The hereby approved development must include provision for 50% dwellings, including affordable dwellings, that meet the requirements of M4(2) for accessible and adaptable dwellings.

Drawings and/or documents shall list which units/plots meet the M4(2) and shall be submitted to and approved in writing by the local planning authority prior to development of each phase.

Reason To ensure the development complies with Planning Policy SCLP5.8, ensure awareness and enforcement of requirements by Building Control/Building Inspectors and enabling monitoring.

24. 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.

25. 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.

26. No site clearance, preparatory work or development shall take place until the tree protection measures as outlined in the Arboricultural Impact Assessment have been carried out. These measures shall be retained during the course of construction.

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

27. 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

28. No development shall commence until a method statement and/or plans detailing any groundworks within the root protection area of T10 has been submitted to and approved in writing by the local planning authority. Thereafter the method of construction shall be adhered to and implemented in its entirety unless otherwise agreed in writing by the local planning authority.

Reason: To ensure the roots of the trees are not damaged during construction.

29. Prior to occupation of any of the properties hereby approved, a management plan for maintenance of all communal areas to include (but not limited to) access drives, landscaped areas, pedestrian links and open space 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 25 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 that the wider site is properly maintained 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. The applicant is advised that the proposed development may require the naming of new street(s) and numbering of properties/businesses within those streets and/or the numbering of new properties/businesses within an existing street. This is only required with the creation of a new dwelling or business premises. For details of the address charges

please see our website www.eastsuffolk.gov.uk/planning/street-naming-and-numbering or email llpg@eastsuffolk.gov.uk

3. 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.
4. 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. More information is provided within their consultation response available on the Council's public access website.
5. Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991.
Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017.
6. 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.

For further information go to:

<https://www.suffolk.gov.uk/roads-and-transport/parking/apply-and-pay-for-a-dropped-kerb/> or:

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

County Council drawings DM01 - DM14 are available from:

<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/standard-drawings/>

A fee is payable to the Highway Authority for the assessment and inspection of both new vehicular crossing access works and improvements deemed necessary to existing vehicular crossings due to proposed development.

7. Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect

existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

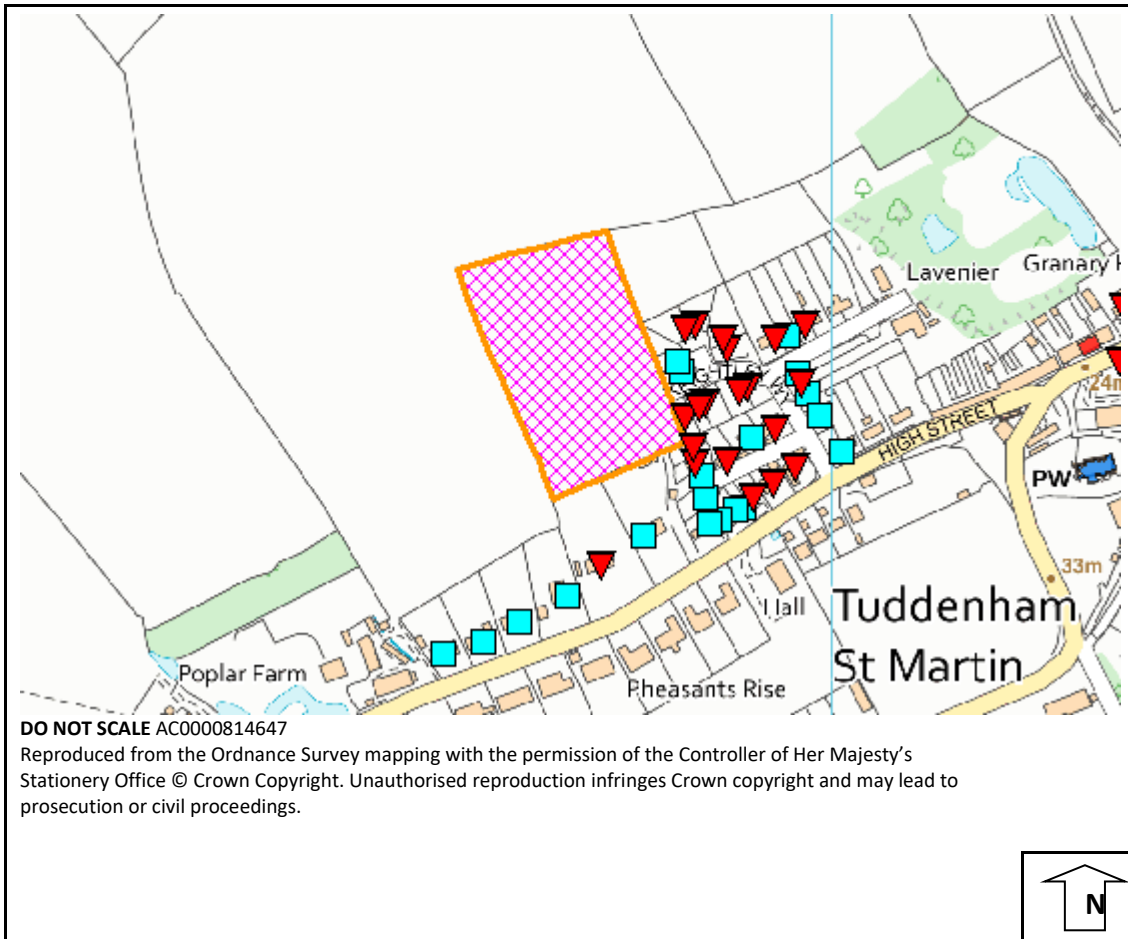
Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

Background information

See application reference DC/22/3748/FUL on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support

Committee Report

Planning Committee South – 27 February 2024

Application no DC/22/2999/FUL

Location

The Hollies
Straight Road
Foxhall
Ipswich
Suffolk
IP10 0FN

Expiry date 25 October 2022
Application type Full Application
Applicant Suffolk Agricultural Association

Parish Foxhall

Proposal Utilise the existing land formally known as "The Hollies Sports Centre and Social Club" as home pitch locations for both youth and adult football. Creation of new vehicular access/parking and associated facilities

Case Officer Danielle Miller
07799 071744
danielle.miller@eastsoffolk.gov.uk

1. Summary

- 1.1. This application seeks to utilise the existing land formally known as "The Hollies Sports Centre and Social Club" as home pitch locations for both youth and adult football. The creation of a new vehicular access, parking and associated facilities are also proposed within the submission. The site relates to The Hollies, Straight Road, Foxhall.
- 1.2. The application is before Planning Committee South as it is, in the opinion of the Head of Planning and Coastal Management, of significant public interest. Officers are minded to approve the application, contrary to the comments received from Foxhall Parish Council whom object to the application, and there has been a large amount of public interest in the application.

- 1.3. The application process has been extended due to both consultation responses and officer comments, which have resulted in the request for amendments to the proposed scheme in light of third party comments.
- 1.4. The first round of re-consultation took place in November 2022; this included a flood risk and drainage strategy to respond to the objection made by the Lead Local Flood Authority. Since the receipt of this information that objection has been removed.
- 1.5. Following this, officers requested additional information in relation to foul drainage and a statement of need, in response to third party comments. These documents were published on 1st and 2nd February 2023.
- 1.6. The second round of re-consultation took place in November 2023, following further officer critique of the proposals. This resulted in amendments to the access and parking arrangements, which have been positioned to locate them further from the southern boundary of the residential properties within The Hollies.
- 1.7. Officers consider that the proposals accord with local policy and meet the requirements of the NPPF in terms of sports and leisure offered in the district. The objections received from the Parish Council and neighbouring properties have been addressed in the report and through consultation with East Suffolk Council's Environmental Protection team and the County Council Highway Team. No other statutory consultees have objected to the proposals put forward; as such officers are recommending approval.

2. Site Description

- 2.1. The site is related to the former BT sports and playing fields, which consisted of football pitches, cricket pitches, tennis and netball courts, a rifle range, indoor squash courts and social club with bar. To the west of the site is The Hollies residential area and to the south is agricultural land.
- 2.2. This site has quite an extensive planning history which has resulted in the original BT sports centre being demolished and the ground relatively recently built on with 14 residential properties; these were approved under DC/14/4202/FUL and subsequently amended under various applications (DC/15/4281/VOC, DC/16/1552/VOC, DC/16/3923/VOC, DC/17/1843/AME, DC/17/0855/VOC and DC/17/1702/VOC). There is no mention of the sports field in the committee report for the approval of the residential housing, however the wider area was not included within the application site. The application stated that the sports facility was privately managed (Civil Service) and not available to the general public for use at the time; as such its use in terms of impact on residential amenity would not have been considered negatively.
- 2.3. Prior to this approval permission was granted for the conversion and change of use of the sports accommodation to B1 office use under C10/0243 and more recently C13/0109.
- 2.4. The site is located outside of the settlement boundary for Foxhall and therefore for planning purposes is located within the countryside.
- 2.5. Straight Road is a narrow road linking Felixstowe Road with Bucklesham Road and for the most part is single carriageway with a few passing places along its length. The speed limit is 60mph along this road.

- 2.6. In addition to The Hollies, residential development lies to the north of the site on Bucklesham Road and to the south along Felixstowe Road. The residential properties in the vicinity contain a varied mix of housing styles, plot sizes, and house sizes and there is a varied palette of materials. Immediately due west is the Suffolk Showground.
- 2.7. The main parcel of land is still considered to be leisure use, as this was its last permitted use in relation to BT's recreational facility, albeit this would not have been for public use due to the ownership. The land shown on the submission for parking is agricultural land, accessed off Straight Road.
- 2.8. This application is a resubmission of a previously withdrawn application (reference DC/21/0903/FUL); this was withdrawn to allow for the agents to review the consultee comments received and provide the necessary information required for officers to properly assess the application. This included a traffic assessment, noise assessment and further information on trees.

3. Proposal

- 3.1. This application has been put forward by AFC Kesgrave and seeks to use the site as football pitches for both youth and adult football. The plans show six pitches along with five storage containers which will be used as changing rooms; office; cycle store and storage, located to the south of the pitches. Three of the pitches are 11v11 (91m x 55m); two pitches are 9v9 (73m x 46m), with one of the two 9v9 pitches also doubling as a 7v7 (73m x 46m); and one 5v5 (37m x 27m).
- 3.2. The pitches are proposed to be used by both youth and adult football teams, and those visiting teams associated with AFC Kesgrave.
- 3.3. In addition, a new access is proposed to be created off Straight Road to access a parking area to the south. The visibility splays for the access do not require the removal of any trees along this boundary. The car parking will be provided as an open grid grassed parking area and entrance drive with filter granular stone beneath and 300mm voided stone – MNOT type 3 to create storage laid on terram/filter membrane. A total of 150 spaces has been shown on the block plan, including 2 disabled spaces. There is an assumed access route from the car park across the existing field, however this will remain grassed. An Excel G-Explorer self-propelled all terrain wheelchair is proposed to be kept on site to be used to assist with access where required.
- 3.4. The pitches are proposed to be used from no earlier than 9.00am on a Saturday and no later than 5.00pm on match days during the season (mid-August to mid-May). On a Sunday they would be used from no earlier than 1.00pm and no later than 5.00pm. All persons / vehicles will have left the site by 6.00pm on all days.
- 3.5. There may be occasional pre-season use (July to August) where some teams will have pre-season friendlies / sessions on a week day evening. All games would kick off by 6.30pm and all persons / vehicles will be off site by 9.00pm at the latest. There also may be some mid-week league games which may need to be played at the end of the season (April and May) but the number will depend on how interrupted the season has been by poor weather (frozen pitches, snow etc).
- 3.6. The following updates have been made which resulted in the latest consultation phase of this application:

- Amended Design and Access Statement (Revision B) received 21 November 2023, including:
 - Revised traffic flow numbers from AFC Kesgrave dated 23/08/2023 (Appendix E).
 - Sharps Redmore report with Technical Note 1 dated 11/10/2023 (Appendix F).
 - Liz Lord Ecology Report, updated 27/09/2023 (Appendix G).
 - Stroud Associates Flood Risk and Drainage Strategy updated memo 10/10/2023 (Appendix H).

The drawings have been revised based upon officer recommendation to show the following;

- Revised access to carparking moved further south down Straight Road.
- Pedestrian access onto the site at the junction of Straight Road and Bucklesham Road.
- Hedge planting and tree planting to the boundary of the site onto The Hollies housing development.
- Noting use of an all-terrain wheelchair across the grassed areas for accessible use.

4. Consultees

Third Party Representations

- 4.1. 61 letters of objection have been received over the course of the three consultation periods. These letters are from 18 addresses which have written in numerous times.
- 4.2. The matters being objected to are namely those relating to traffic and access arrangements; noise and antisocial behaviour; crime; ecology; and landscape including loss of trees. The main points from the letters have been summarised below.
- 4.3. The objections raise the following comments:
 - The intensification of parking to the south of The Hollies residential properties is likely to be a cause of significant noise particularly on match days with a high level of vehicular traffic in the village.
 - There is currently no lighting within Straight Road or The Hollies as such the dark skies should be respected.
 - The assessment undertaken by Sharps Redmore is not conclusive as there is no data to compare to.
 - Response by Environmental Protection is unvalidated, and unsubstantial, the Environmental team have carried out no analysis of their own and in the absence of a better understanding have just taken the information written by Sharps Redmore on face value.
 - Neither Sharps Redmore or Environmental Protection have made any quantitative assessment of these facts. They have not recognised that sound can be disturbing despite being below "official limit values". They have not carried out an in-depth exercise. They have not carried out a detailed analysis of recorded data. They have not

carried out any analysis for dominant frequency content produced by items such as engine noise or whistles.

- The response from Environmental Protection seems entirely based on the unvalidated, unsubstantiated information provided by Sharps Redmore, which I have, in a previous objection shown to have inherent bias and mathematical calculation errors. The response from the Environmental team is to all intents and purposes just a rewrite of the Sharps Redmore text and completely ignores all of the technically higher level theory and analysis provided by my previous objections. The Environmental team have carried out no analysis of their own and in the absence of a better understanding have just taken the information written by Sharps Redmore on face value.
- The Environmental protection team are not and cannot be expected to be high level subject matter experts on the psychoacoustic effects of noise on the health and well-being of neighbouring sufferers.
- The writer makes a suggestion of acoustic barriers for the southernmost dwellings however I do not believe this can be approved as it is not in keeping with the surrounding environment which was a planning stipulation for the development of the housing at the Hollies in which post and rail fencing was mandatory and street lighting not permitted. It cannot be one rule for one and another for another.
- The visibility splay lines have been conveniently indicated but the survey does not provide a true reflection of the actual verge conditions along Straight Road; the trees have not been properly shown; the topography of the verges have not been shown
- Fictional reports that the Oak to be removed is in decline.
- Poor visibility on this stretch of road.
- Pollution risk associated with car park.
- Misleading Ecology report.
- Inadequate facilities for changing.
- Other facilities currently being used by AFC Kesgrave will suffer from reduced usage and revenue.
- Straight Road is not able to deal with the amount of traffic which will be produced by the development.
- No mains sewerage to be connected.
- Contrary to local and national policy NPPF 108-110.
- Inadequate Transport assessment.
- Straight Road floods as such is unsuitable for additional traffic associated with proposal including the disposal/emptying of sewage systems.
- There is a lack of public transport and no cycle lanes or pathways.
- Noise from the car park would disturb those living at The Hollies.
- Nesting of Skylarks in the fields as witnessed – Skylarks is on the RSBCs ‘red-listed’ birds and under threat by removal of its habitat.
- Only partial submission of tree report.
- The applicant is unable to meet the statutory requirements for this application as detailed many times. This is in respect of traffic and road access safety/suitability, noise and disturbance requirements, flooding and water management, facilities provided, drainage and sewerage, failure to meet NPPF policy plus countless other items that have been raised through many objections.
- The reports imply that the fields in question have been used to park for the Suffolk show however this has only happened once in 15 years and only on the smaller southern field.

- Unacceptable removal of trees for visibility splays, inaccurate reporting that it is on health and safety grounds.
- Security would become an issue to the affected properties from "outsiders" attending the matches.
- Straight Road is a single carriageway with few passing places with a speed limit of 60mph and is therefore totally unsuitable for the number of car users that are predicted to use the proposed facility. This would mean approximately 300 car movements on each day at the weekend and many movements on training days during the week.
- Greater risk of wildfires.
- There will also be additional noise from any on site generators running to provide electricity and I see no account has been taken for this when carrying out noise testing.
- AFC Kesgrave are a community based football club and they are proposing these 6 football pitches to be formed outside of their community, causing their teams, spectators and parents to get in their cars and travel outside of it, causing pollution in rural Foxhall. Within Kesgrave Town, the football pitches that they currently used are all accessible by foot, cycle and bus, this is not so in Foxhall.
- Potential for future applications as number of changing rooms does not account for the number of teams proposed to use these facilities.
- Shipping containers not in keeping with the nature of the area.
- The noise report is not an accurate description given the noise the report is based on is only when one game at a site is played.
- Fear of crime.
- There is a large number of accidents currently on Straight Road.
- The pitches will be crammed together and will take over almost the entire field. The overbearing nature of the proposal also means that we will have a complete lack of privacy, particularly with spectators wandering past looking directly into the back of our home virtually all the year round.
- Mud will be brought onto the road from the car park.
- A large part of this road is covered by TPO.
- The Council must still take into account the utilisation of existing facilities which I brought up in the previous objection: There are currently 148 grass pitches in Ipswich, it is unlikely that they are all being used to their full potential. From the 148 there are 24 full size pitches & 14 junior pitches (mostly run by the council) in the adjacent post code areas to AFC Kesgrave. Indeed, there is a substantial amount of land adjacent to the pitches currently used by AFC Kesgrave which is already located on Main Road (A1214) with excellent access.
- This development, should it be granted is completely out of character for the area with no obvious benefit to the immediate local community. It would impair the lives of both residents and wildlife in the immediate area but also those of us in the surrounding locations.

Additional points raised following re-consultation:

- Concern over future development in terms of lighting and permanent buildings to replace temporary containers.
- More appropriate existing sites already available for this development.
- The relocation of the access does not alter the suitability of Straight Road to accommodate the increased traffic.

- Surface water drainage strategy is not considered sufficient.
- Unsuitable location where which is not suitable for pedestrians.
- Flawed information submitted in highway report and noise report.
- Cannot achieve visibility splays without the loss of the foliage along Straight Road.
- No logic in noting the previous use of the land which was some 20 years ago.
- Flooding issues along Straight Road mean that it is inappropriate for intensification.
- Concern over advertisement boards along boundaries.
- Concern has been raised over the council's handling of the application and the delay in reaching a consideration.
- There is no evidence that the land has been used for sporting leisure use over the last 20 years.
- Wildlife species will be endangered.
- Revised proposals are for mixed native hedge/trees to be planted on the boundary of the 12 properties which border the proposed site, resident does not agree to this new boundary treatment.
- Concern over noise and disturbance to children's wellbeing.
- Concern on how the proposed septic tank will be emptied. There is no mains foul sewage in the locality.
- Concern over the length of time this application has been in the planning system. False information provided; concern that officers have not read contracting reports.
- Noise report not adequate.

One letter of representation:

- I have no objection to the planning going ahead however I would like to point out that the goal posts should NOT be positioned beside the hedge which runs along Bucklesham Road to avoid broken windows.

Parish Council

Consultee	Date consulted	Date reply received
Foxhall Parish Council	18 August 2022	4 September 2022
<p>Summary of comments:</p> <p>The Parish Council strongly objects to this application. We are surprised that a new application has been submitted for this site with only a few changes to the previous application which generated numerous objections from local residents, the Parish Council and Suffolk County Council Highways. It is clear that Straight Road and adjoining roads such as Monument Farm Lane are inadequate to cope with the additional traffic such a development will bring particularly over the short time frame the pitches would be in use. This will no doubt lead to traffic chaos in and around Straight Road and will therefore be very detrimental to Highway Safety.</p> <p>The new application states that a suitable visibility splay will be maintained but how this is to be achieved is disputed by several objectors. We are concerned that the proposed entrance remains adjacent to dwellings in The Hollies and within the 60mph speed limit. Highways are concerned by the dangers caused by coaches turning off Straight Road which is narrow single-track road but the applicant has boldly stated that no coaches will use the site and only the occasional minibus! How is this going to be enforced?</p>		

Suffolk County Council the Lead Local Flood Authority have already expressed their concerns about the Surface Water Flood Risk and the Pollution Hazard of siting a 150-site car park on a field. Whilst local residents have also expressed their concerns about the treatment of sewage generated by this development. An area that has been sadly absent from this application.

Should this application be allowed to go ahead it will have a considerable detrimental effect on the local residents and Highway Safety in Straight Road and the adjacent area. It will also lead to the loss of wildlife habitat which has recently seen the arrival of Skylarks which are a protected species.

For these reasons we join with local residents and other statutory consultees in objecting to this application.

Parish Council - Reconsultation Responses

Consultee	Date consulted	Date reply received
Foxhall Parish Council	3 November 2022	20 November 2022

Summary of comments:

The Parish council has discussed the contents of the latest set of documents to support this application and consider that they offer no material changes and give no clarification on the numerous concerns and problems with this applicant which have been highlighted repeatedly by the Parish Council and local residents.

We are also concerned by the fact that some of the documents are vague and misleading. This is particularly true of the document relating to the visibility along Straight Road and the Ecological Appraisal parts of which are clearly at odds with the experience and knowledge of local residents, including the presence of skylarks. The Parish continues to object to this proposal on the grounds we have already stated which include highway safety, noise and disturbance to wildlife. It is very clear that Straight Road can never provide a suitable access to the site without substantial changes to the road itself including widening and reducing the speed limit.

Foxhall Parish Council	3 November 2022	11 December 2023
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Summary of comments:

The Parish Council continues to strongly object to this application. The changes to the access and car park have made no material change to our principal reason why this application should be refused.

It is clear that Straight Road and adjoining roads such as Woodhouse Lane and Monument Farm Lane are inadequate to cope with the additional traffic such a development will bring particularly over the short time frame the pitches would be in use. This will no doubt lead to traffic chaos in and around Straight Road and will therefore be very detrimental to Highway Safety.

The road is narrow, prone to flooding, as demonstrated recently, and the majority is subject to the National 60mph speed limit. The concerns about road safety detailed in our previous letters of objection remain valid as do the concerns of local residents.

The Parish Council also supports the concerns expressed by residents about the effect of this development on local wildlife. It is also of concern that the information supplied by the application

is contrary to the observations and experience of the local residents.
 Due to concerns about Highway Safety and the detrimental affect such a development would have on the local wildlife this application should be refused without further delay.

Statutory consultees

SCC Highways Department

Consultee	Date consulted	Date reply received
SCC Highways Department	3 November 2022	3 February 2023

Summary of comments:
 Having conducted a further review into the potential highway impacts of this development using the information provided regarding the location of club members, it is not expected that the impact would be severe and therefore would not warrant a refusal under NPPF paragraph 111. It is stated in the Traffic Statement by Richard Carter dated 8th November 2021 that 50% of the trips to and from the site would be for the away team. This would therefore mean that, the 70% of Kesgrave based members, only refers to approx. 35% of the total trips. Therefore, the actual amount of vehicles using the Bell Lane/Foxhall Road junction would be lower than originally expected and would not significantly increase the risk at a location with a history of accidents. Additionally, it is noted that the previous use of the former ‘Hollies Sports Centre and Social Club’, off Straight Road, Foxhall, which consisted of football pitches, cricket pitches, tennis and netball courts, a rifle range, indoor squash courts and social club with bar. Therefore, a precedent has been set for a use similar to the proposed.

Therefore, it is recommended that the application is approved subject to conditions.

SCC Highways Department - Reconsultation Response

Consultee	Date consulted	Date reply received
SCC Highways Department	21 November 2023	22 November 2023

Summary of comments:
 The County Council as Highway Authority recommends that any permission which that Planning Authority may give should include the conditions.

SCC Flooding Authority

Consultee	Date consulted	Date reply received
SCC Flooding Authority	18 August 2022	23 August 2022

Summary of comments:
 A holding objection is necessary because the impacts of a 150-car parking area have not been assessed in terms of either surface water flood risk or pollution. The proposed use of ‘grass matting’ is noted but is not sufficient. The detailed proposals could be conditioned, but the

applicant should at the very least assess the potential impacts and acknowledge how this could be mitigated at this stage.

The holding objection is a temporary position to allow reasonable time for the applicant and the LLFA to discuss what additional information is required in order to overcome the objection(s). This Holding Objection will remain the LLFA's formal position until the local planning authority (LPA) is advised to the contrary. If the LLFA position remains as a Holding Objection at the point the LPA wishes to determine the application, the LPA should treat the Holding Objection as a Formal Objection and recommendation for Refusal to the proposed development. The LPA should provide at least 2 weeks prior notice of the publication of the committee report so that the LLFA can review matters and provide suggested planning conditions, even if the LLFA position is a Formal Objection.

The points below detail the action required in order to overcome our current objection:-

1. Assess potential surface water flood risk impacts from parking area
2. Assess potential pollution hazard presented by 150 car parking area

SCC Flooding Authority - Reconsultation Responses

Consultee	Date consulted	Date reply received
SCC Flooding Authority	24 November 2022	24 November 2022

Summary of comments:

The following submitted documents have been reviewed and the LLFA recommends a holding objection at this time:

1. PROPOSED BLOCK PLAN & ACCESS DETAIL 21119 2E (05-2021)
2. Memo on Porous paving design (27-10-2022)

The point below details the action required to overcome our current objection:-

1. The LLFA accepts the design principle proposed but the applicant should provide information regarding ground investigation from the nearby scheme with further supporting information and context for this scheme to justify design viability.
2. The applicant should provide a suitable maintenance strategy for the car park and associated drainage.

As a minimum, we require the following documents and information to be submitted for each type of planning application or stage with the planning process.

Consultee	Date consulted	Date reply received
SCC Flooding Authority	24 November 2022	14 December 2022

Summary of comments:

We have reviewed the following submitted documents and we recommend approval of this application subject to conditions.

1. PROPOSED BLOCK PLAN & ACCESS DETAIL 21119 2E (05-2021)
2. Memo on Porous Paving Design SW433 (27-10-2022)
3. Design and Access Statement MP/KAE/21.119
4. Flood Risk and Drainage Strategy SW433 (28-11-2022)

Comments: The LLFA acknowledges that there is not sufficient information available as would normally be expected with a full planning application, but that infiltration is the only viable means of surface water discharge. Given this and the supporting information made available the only material changes going forward will be the depth of permeable paving to provide sufficient storage on-site.
 Before work commences on the car park area they should provide infiltration testing to BRE365 methodology that is relevant to the car park construction to verify the current design viability.

Consultee	Date consulted	Date reply received
SCC Flooding Authority	21 November 2023	18 December 2023
Summary of comments: We have reviewed the additional submitted documentation since our prior response (14-12-2022) and have no further comments to make at this time.		

Natural England

Consultee	Date consulted	Date reply received
Natural England	18 August 2022	5 September 2022
Summary of comments: NO OBJECTION Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites. Natural England's generic advice on other natural environment issues is set out at Annex A.		

Natural England - Reconsultation Response

Consultee	Date consulted	Date reply received
Natural England	3 November 2022	18 November 2022
Summary of comments: Natural England has previously commented on this proposal and made comments to the authority in our letter dated 9th June 2021 (our ref: 354831 and 5th September 2022 (our ref: 404414). The advice provided in our previous response applies equally to this amendment although we made no objection to the original proposal. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal. Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of		

the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

SCC County Archaeological Unit

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	18 August 2022	30 August 2022
Summary of comments: I do not recommend archaeological conditions for this application. Whilst there is some archaeological potential in this area, the proposed groundworks will not be that intrusive.		

SCC County Archaeological Unit - Reconsultation Response

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	03 November 2022	09 November 2022
Summary of comments: Thank you for consulting us, we have looked at the amended plans. These do differ slightly to the original plans, however, we would not recommend archaeological conditions.		

Sport England

Consultee	Date consulted	Date reply received
Sport England	18 August 2022	08 September 2022
Summary of comments: Sport England assesses this type of application in light of the National Planning Policy Framework (NPPF) and against its own planning objectives, which are Protect - To protect the right opportunities in the right places; Enhance - To enhance opportunities through better use of existing provision; Provide - To provide new opportunities to meet the needs of current and future generations. Further information on the objectives and Sport England's wider planning guidance can be found on its website: https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport The Proposal and Assessment against Sport England's Objectives and the NPPF This proposal relates to the use of the former Hollies Sports Centre and Social Club as home pitch locations for both youth and adult football, including the creation of new vehicular access and parking and associated facilities. The previous application was withdrawn by the applicant, in order to address concerns raised by the local authority. The proposal will see three 11v11 pitches provided, one 9v9 pitch, one 7v7 pitch and one 5v5 pitch for AFC Kesgrave. There will be ancillary facilities, including two portacabin changing rooms, one storage container, one office and cycle storage. I have consulted the Football Foundation and Suffolk FA on this proposal and they comment as follows:		

Football Foundation

“The Football Foundation is supportive of the proposed development of this site, which will promote growth in football participation in East Suffolk. The grass pitches and ancillary facilities will support the growth of AFC Kesgrave and provide health and physical activity benefits to the local community. The Football Foundation has reviewed the proposed changing facilities at the site, which consist of converted containers, which would typically provide a temporary option, rather than a permanent solution. We would strongly recommend that the club seeks confirmation that the proposed changing facilities would meet the full extent of current building regulations, receive building control sign off and can be operated sustainably for the longterm to support the grass pitches proposed at the site.

We have changing pavilion “key consideration” guidance available at the following link (Changing Pavilion Design Key Considerations | Football Foundation), which should be consulted alongside Sport England pavilion guidance. The Foundation offers its support to the club to achieve high-quality, suitable facilities to benefit the club and local community.”

Suffolk FA

Suffolk FA support the grass pitch development at ‘The Hollies’. AFC Kesgrave will see significant growth and an increase in participation with the additional grass pitch facilities on site. A letter of support was provided by my predecessor Jodie Allard alongside the previous planning application and I would echo her support. The Football Foundation has reviewed the proposed changing facilities at the site, which consist of converted containers, which would typically provide a temporary option, rather than a permanent solution. We would strongly recommend that the club seeks confirmation that the proposed changing facilities would meet the full extent of current building regulations, receive building control sign off and can be operated sustainably for the long-term to support the grass pitches proposed at the site.

We have changing pavilion “key consideration” guidance available at the following link (Changing Pavilion Design Key Considerations | Football Foundation), which should be consulted alongside Sport England pavilion guidance.

I have already had a conversation with the club regarding this and they are open to this conversation around what is acceptable and required for any funding including basic requirements and therefore the building designs, layouts, materials, type etc. to be changed accordingly.” There is clearly an identified need for AFC Kesgrave to find a permanent home to develop the senior and junior delivery of football.

The proposals also include car parking to the south of the pitches, and I understand that the proposals seek to address concerns regarding access onto the main road, which resulted in the previous application being withdrawn.

By providing new pitches that could help address established playing pitch deficiencies, the proposal would meet objective 3, and therefore Sport England supports this application in principle.

Sport England recommends that a ground conditions assessment is undertaken by a sports turf specialist/agronomist who can recommend a scheme for preparing the playing fields to the required specification. The recommended scheme should then be implemented. Detailed guidance on the issues that require consideration is set out in Sport England’s guidance ‘Natural Turf for Sport’.

A copy of this guidance can be found at:

<https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-costguidance/outdoor-surfaces> The revisions relate to the provision of car parking to serve this site, which will be provided on a field to the south of the playing fields. It is not Sport England’s role to assess the issues in relation to highway safety, but we support the need for car parking to serve this site, and we therefore support the provision of car parking as shown on the additional plans.

Conclusion

This being the case, Sport England offers its support for this this application, as it is considered to meet Objective 3 as set out above.

Sport England - Reconsultation Responses

Consultee	Date consulted	Date reply received
Sport England	3 November 2022	14 November 2022
Summary of comments: Comments as previously received, in support of application.		

Consultee	Date consulted	Date reply received
Sport England	21 November 2023	08 December 2023
<p>Summary of comments:</p> <p>The revised block plan now identifies three 11v11 pitches provided, one 9v9 pitch, and two 5v5 pitch. There is no longer a 7v7 pitch. There will still be ancillary facilities, including two portacabin changing rooms, one storage container, one office and wheelchair.</p> <p>Due to the slight change in the pitches being provided the Football Foundation and Suffolk FA were consulted. They commented the following:</p> <p>Football Foundation</p> <p>The Football Foundation is supportive of the proposed development of this site, which will promote growth in football participation in East Suffolk. The grass pitches and ancillary facilities will support the growth of AFC Kesgrave and provide health and physical activity benefits to the local community. The Football Foundation has reviewed the proposed changing facilities at the site, which consist of converted containers, which would typically provide a temporary option, rather than a permanent solution. We would strongly recommend that the club seeks confirmation that the proposed changing facilities would meet the full extent of current building regulations, receive building control sign off and can be operated sustainably for the long term to support the grass pitches proposed at the site. We have changing pavilion “key consideration” guidance available at the following link (Changing Pavilion Design Key Considerations Football Foundation), which should be consulted alongside Sport England pavilion guidance. The Foundation offers its support to the club to achieve high-quality, suitable facilities to benefit the club and local community.</p>		

Suffolk FA

Suffolk FA support the grass pitch development at 'The Hollies'. AFC Kesgrave will see significant growth and an increase in participation with the additional grass pitch facilities on site. A letter of support was provided by the predecessor Jodie Allard alongside the previous planning application and they echo her support. The Football Foundation has reviewed the proposed changing facilities at the site, which consist of converted containers, which would typically provide a temporary option, rather than a permanent solution. They would strongly recommend that the club seeks confirmation that the proposed changing facilities would meet the full extent of current building regulations, receive building control sign off and can be operated sustainably for the long-term to support the grass pitches proposed at the site. We have changing pavilion "key consideration" guidance available at the following link (Changing Pavilion Design Key Considerations | Football Foundation), which should be consulted alongside Sport England pavilion guidance. They have already had a conversation with the club regarding this and they are open to this conversation around what is acceptable and required for any funding including basic requirements and therefore the building designs, layouts, materials, type etc. to be changed accordingly. By providing new pitches that could help address established playing pitch deficiencies, the proposal would meet objective 3, and therefore Sport England supports this application in principle.

Sport England's Concluding Remarks

Based on the above, Sport England supports the proposal subject to the conditions recommended being attached to any permission.

Non statutory consultees

East Suffolk Ecology

Consultee	Date consulted	Date reply received
East Suffolk Ecology	18 August 2022	12 September 2022

Summary of comments:

I have read the Preliminary Ecological Appraisal (PEA) (Liz Lord Ecology, October 2022, Rev A) and note the conclusions of the consultant. A single mature oak tree was identified for removal due to health and safety concerns, the tree was deemed to have negligible suitability to support roosting bats. However, the PEA identified several other mature oak trees along the eastern and western boundaries with low to moderate suitability to support roosting bats. The submitted Tree Survey (Hayden's Arboricultural Consultants, September 2021) notes ten trees which require urgent removal, although there is no plan of these included and it is unclear whether these are the same trees that have been surveyed within PEA or not. It is therefore currently unknown if the removal of these trees will impact roosting bats. It is requested that it is confirmed which trees are scheduled for removal and whether these trees are suitable to support roosting bats prior to the application being determined.

The PEA also notes that the grass fields within the application site are unlikely to be used by ground nesting species such as skylark and lapwing due to the regular mowing scheme and increased predation risk associated with tall boundary vegetation. However, there is anecdotal evidence that skylark are known to nest within the application site. The likelihood of skylark nesting within the application site is likely dependent on the management regime of the grass

fields whereby when the vegetation within the grass fields is allowed to grow up the suitability for nesting skylarks increases. The proposed development may therefore result in some loss of potential skylark nesting habitat in the local area, and this should form part of the consideration when determining this application.

Should it be concluded that planning permission should be granted, a condition to secure that ground nesting birds are protected is suggested below.

East Suffolk Ecology - Reconsultation Responses

Consultee	Date consulted	Date reply received
East Suffolk Ecology	3 November 2022	8 December 2022
Summary of comments: Included within the officer report. No objection in principle.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	21 November 2023	10 January 2024
Summary of comments: We note the revised access proposals and updated Preliminary Ecological Appraisal (PEA) (Liz Lord Ecology, September 2023, Rev B), we have no additional comments beyond those made on 8th December 2022. The Ecology team defer comments on the new access proposals to the Council's Arboricultural team.		

East Suffolk Landscape Team

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	18 August 2022	9 September 2022
Summary of comments: In respect of the previous application (DC/21/0903/FUL), I commented as follow: I don't have any significant objections to this proposal on grounds of adverse landscape impact. It is a fairly open landscape setting but with a fairly strong pattern of field boundary hedgerows and trees. I am assuming that the proposal is to use the existing field access off Straight Road and that this can be achieved to Highways standards without the need to fell any existing roadside trees. If that position changes, I would be concerned about potential erosion of landscape fabric and character. I'd be happy to review this issue if necessary. With this current application, we are advised that a 2.4m. x 215m. splay is required. It is regrettable that the applicant has not submitted a detailed topographical plan that accurately shows the position and extent of roadside woody vegetation. Until such a drawing is received, it is not possible to fully understand whether the roadside trees and shrubs will be affected by the splay requirement. It may be that the splays can be achieved simply by cutting back, but if they require removal of stems, then this will fundamentally affect the character of Straight Road which		

is notable for its roadside trees despite being relatively close to the edge of Ipswich.

In the absence of the necessary information to make an accurate judgement, I must register a holding objection on the grounds of potential harm to the local landscape character and amenity.

East Suffolk Landscape Team - Reconsultation Response

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	21 November 2023	5 December 2023
<p>Summary of comments:</p> <p>I have reviewed the most recently submitted plans and in respect of the access of Straight Road, provided that the positions of the mature trees have been accurately plotted, I am satisfied that the required visibility splays can be achieved with only the pruning back of low level remnant hedge material which would be beneficial to the restoration of a better hedge structure. The access point is close to but just about acceptable in terms of encroachment into the anticipated root zone of the two adjacent Oak trees.</p> <p>The proposed footpath access point will require the cutting back of low level hedge material, but this is acceptable.</p> <p>The proposed new native species hedgerow with trees is also acceptable subject to submission of full planting details (species, plant sizes and planting specification) which can be sought by Condition. The only point I would raise is to query why the hedge doesn't make a full return along the southern edge of The Hollies and connect with the roadside vegetation. This should be done with the submission of final details.</p> <p>My previous comments of 9th September 2022 regarding landscape impact remain valid.</p>		

East Suffolk Environmental Protection

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	3 November 2022	25 November 2022
<p>Summary of comments:</p> <p>Full comments included within officer report under Amenity Section.</p> <p>Conclusions</p> <p>In terms of operational noise from the use of the sports pitches, then I consider that significant adverse impacts from noise would be avoided. Noise will however be clearly audible and distinctive at noise sensitive receptors. Without removing further sports pitches, there would seem to be no further mitigation of noise impacts from the use of the pitches themselves. If the LPA are minded to approve this application then I recommend that controls are applied in terms of the days and times of use in order to afford protection of residential amenity against associated noise. I strongly recommend that the times are controlled in order to avoid the sensitive night-time period of 23:00 to 07:00 hours. An appropriate start time in the morning should be carefully considered, as should the latest finish to ensure all visitors have left the site well before 23:00</p>		

hours.

In accordance with national planning and noise policy and guidance, adverse impacts on health and quality of life should be mitigated and minimised as far as possible. To that end I consider that there are additional measures that could be taken with respect to the use of the proposed parking area to afford more protection of residential amenity to occupiers of dwellings at The Hollies. This might include a new layout/redesign of the entrance road, and acoustic barriers to protect the southernmost dwellings from noise of vehicles on the access road.

East Suffolk Environmental Protection - Reconsultation Response

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	21 November 2023	1 December 2023

Summary of comments:

This memorandum is further to that of 18th August 2022. I note within this re-application that changes have been made to the proposed car parking area access track. I consider that these changes represent an improvement on the last scheme in terms of noise impacts on residential amenity at dwellings in The Hollies residential area. The access road is no longer adjacent to dwellings but is shifted south off Straight Road and ensures a good separation distance between the parking area, the access road and residential properties.

I consider that there would be no significant adverse impacts from noise, and that the scheme overall would have a low impact from noise associated with parking and sports pitches. I therefore have no objections to these proposals and no further recommendations to make.

East Suffolk Leisure And Play

Consultee	Date consulted	Date reply received
East Suffolk Leisure And Play	3 November 2022	8 November 2022

Summary of comments:

As an area previously used for sports provision including football pitches, tennis courts, squash courts, multi-use games area and a social club, it is encouraging to see the open space being able to be utilised for sport provision again.

The Play Pitch and Outdoor Sports Assessment Nov 2021, showed that there is currently a shortfall of youth 11 v11 by 2.5 matches and a shortfall of youth 9v9 7 matches and future shortfall of mini 5v5 by 2036. This development will help to fill the shortfall within East Suffolk and will promote the growth in football participation.

AFC Kesgrave play on multiple sites within Ipswich and East Suffolk, to have a permanent home for the club will help to develop the senior and junior delivery of football, by providing more opportunities for young people and adults to lead healthy, active, and fulfilling lives. In East Suffolk, 32.3% of young people do less than an average of 30 minutes a day of activity (Sport England Active Lives Survey 2020-21) and with rising Obesity in young people 20.9% of primary school children are overweight or obese (Kesgrave and Martlesham Community Partnership Data

pack 2022), by providing these new facilities and allowing the club to grow will in turn give more young people an opportunity to lead a healthy, active life.

The Leisure team recommends the approval of this application.

Other Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Communities	3 November 2022	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	3 November 2022	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
East Suffolk Economic Development	3 November 2022	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	3 November 2022	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
Ward Councillor	3 November 2022	No response
Summary of comments: No comments received on this application.		

Publicity

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

Category	Published	Expiry	Publication
Major Application	25 August 2022	16 September 2022	East Anglian Daily Times

Site notices

General Site Notice

Reason for site notice: Major Application

Date posted: 25 August 2022

Expiry date: 16 September 2022

5. Planning policy

National Planning Policy Framework 2023

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

SCLP8.2 - Open Space (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP4.8 - New Retail and Commercial Leisure Development (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)

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)

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

6. Planning Considerations

- 6.1. The principle of development lies within Paragraph 97 of the NPPF which states that planning policy needs to provide for social, recreational, and cultural facilities and services the community needs. This is set out in policy SCLP 8.2: Open Space, where the Council supports the provision of open space and recreational facilities and their continued management across the plan area, primarily to encourage active lifestyles and to increase participation in formal and informal recreation for all sectors of the community.
- 6.2. The main parcel of land, to the north, is still considered to be leisure use, as this was its last permitted use in relation to BT's recreational facility, albeit this would not have been for public use due to its ownership and it was last used as such some 10 years ago. There are no signs that this land has been used for an alternative use during that 10-year period; as such its permitted use has not changed from that of a recreational sports ground and this could be reinstated without the need for planning permission, albeit on a private basis. The parcel of land to the south which is shown for the parking is currently agricultural.

- 6.3. There is no mention of the sports field in the committee report for the approval of the nearby residential housing, and the area was not included within the application. The application stated that the sports facility was privately managed (Civil Service) and not available to the general public for use at the time; as such its use in terms of impact on residential amenity would not have been considered negatively or intrusive.
- 6.4. The main considerations with regards to this application is that of impact on residential amenity in respect of parking, external lighting, and noise; particularly in relation to The Hollies residential development which is situated to the west of the proposed pitches. Furthermore, matters of highway safety have raised significant concerns among respondents, with regards to the safety of the access off Straight Road and the capabilities of the road itself to cater for the increased amount of traffic the use of this site may cause. An additional consideration would be that of impact on landscape and biodiversity. These considerations shall be set out and considered below.

Principle

- 6.5. The principle of development is established here given the 'permitted use' of the larger portion of the site which is proposed for the football pitches. Whilst the use may not have been active over the last several years, there has been no change of use approved and the land has not had any intervening constant use for the last ten years which would have otherwise made an alternative use lawful through the passage of time. The land is currently understood to be maintained and managed by the regular cutting of grass. There are old tennis courts on the site which are now overgrown and in disrepair. In 2015 an application was submitted on the wider ownership of land, and a plan submitted which denoted this parcel of land still as a playing field. Given there have been no other uses of this land, there is nothing to stop the resurrection of the football pitches without the need for planning permission. The proposals seek an intensification of use and the move from a private leisure use to one that is more public, given the intended use of these pitches by AFC Kesgrave football team, in addition to this a change of use of the lower part of the site from agricultural to parking facilities for the club is also sought.
- 6.6. The consultation responses question the need for the site to be located here rather than closer to Kesgrave or other settlement areas. This site has been chosen by AFC Kesgrave to create a new home pitch for them. A supporting statement from the club has been submitted noting that it does not currently have a home. There are concerns that the club moving out of existing premises would leave another site unused. The club note *"We are in the hands of others at present and there is a distinct lack of grassroots pitches in the area. If one of our venues decided to no longer support us or play football at their location, then we would struggle to find any alternative place to play. This is a real threat as can be evidenced by the number of venues (Greshams, Police HQ, Bucklesham) where grassroots football is no longer played. Please note Bucklesham Playing Field was one of our venues at the time we began this process and is now no longer an option."* Having their own site would avoid the need to fold teams in order for them to continue to operate, which is a real possibility if they do not secure a suitable site for themselves. The club has looked into other locations and held discussions with Kesgrave Town Council, however, there are no other suitable options for them at this stage. The club goes on to state *"At present we play at four different venues and the standard of the grass pitches vary from good (Ipswich School Sports Centre) to poor (Kesgrave High School). Having our own facility will mean we will be able to upkeep the pitches to a high standard for all our teams through pitch improvement and pitch maintenance grants available via the FA. This will make the football*

we offer more pleasurable for our players and allow us to also attract better new players... forming a partnership with Suffolk Agricultural Association, will mean AFC Kesgrave can have confidence to look forward as a club and continue to provide football within our community and as well, positively contribute to the physical and mental health wellbeing of its members."

- 6.7. This sentiment is echoed within Sports England's consultation response, and Sport England have themselves consulted the Football Foundation and Suffolk FA. The Football Foundation notes *"The grass pitches and ancillary facilities will support the growth of AFC Kesgrave and provide health and physical activity benefits to the local community. Suffolk FA support the grass pitch development at 'The Hollies'. AFC Kesgrave will see significant growth and an increase in participation with the additional grass pitch facilities on site."* The response from Sport England goes on to note *"There is clearly an identified need for AFC Kesgrave to find a permanent home to develop the senior and junior delivery of football... By providing new pitches that could help address established playing pitch deficiencies, the proposal would meet objective 3, and therefore Sport England supports this application in principle."*
- 6.8. The Council's Leisure Team have also reviewed and commented on the application noting *"As an area previously used for sports provision including football pitches, tennis courts, squash courts, multi-use games area and a social club, it is encouraging to see the open space being able to be utilised for sport provision again."* The Play Pitch and Outdoor Sports Assessment Nov 2021, showed that there is currently a shortfall of youth 11v11 by 2.5 matches and a shortfall of youth 9v9 7 matches and future shortfall of mini 5v5 by 2036. This development will help to fill the shortfall within East Suffolk and will promote the growth in football participation.
- 6.9. AFC Kesgrave play on multiple sites within Ipswich and East Suffolk, to have a permanent home for the club will help to develop the senior and junior delivery of football, by providing more opportunities for young people and adults to lead healthy, active and fulfilling lives. In East Suffolk, 32.3% of young people do less than an average of 30 minutes a day of activity (Sport England Active Lives Survey 2020-21) and with rising Obesity in young people 20.9% of primary school children are overweight or obese (Kesgrave and Martlesham Community Partnership Data pack 2022), by providing these new facilities and allowing the club to grow will in turn give more young people an opportunity to lead a healthy, active life.
- 6.10. AFC Kesgrave have received a letter of support from the Health Improvement Lead at SCC. The response notes that *"there are significant issues in Suffolk, and across the country, caused by high levels of inactivity with over 50% of our children and 40% of all adults in the county failing to meet recommended physical activity guidelines. This has significant and enduring issues for the health and social care system and for wider society. Consequently, anything that encourages and supports people to be active and stay active is to be welcomed. The size and scale of football opportunities currently provided by AFC Kesgrave is really impressive. I'm sure a permanent home for the club will further solidify the clubs work and enable it to engage even more people in participating and volunteering in football. This will inevitably strengthen the sporting infrastructure of the county."*
- 6.11. Policy SCLP8.2 notes that the Council supports the provision of open space and recreational facilities and their continued management across the plan area, primarily to encourage active lifestyles and to increase participation in formal and informal recreation

for all sectors of the community. Paragraph 8.9 of the Council's Local Plan notes "*The open space and recreational facilities and the continued management of these areas across the plan area are vital for the promotion of healthy communities and active lifestyles for all as well as mitigating the impact of development, and has been emphasised by consultation responses.....Ensuring the appropriate provision and retention of a wide variety of accessible open spaces and recreational facilities is an important role for Suffolk Coastal Local Plan, and providing access to these areas is important for people's mental and physical well-being*". The local plan is committed to support the expansion of existing facilities.

- 6.12. The National Planning Policy Framework (NPPF) acknowledges the need for open space and recreational facilities and how these contribute to social interaction and the creation of healthy, inclusive communities. Paragraph 96(c) notes that planning policies and decisions should aim to achieve healthy, inclusive and safe places which enable and support healthy lifestyles, especially where this would address identified local health and well-being needs - for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.
- 6.13. The Council consider that this site is currently lawfully permitted as a recreational sports ground; its intensification is considered appropriate to meet the needs of the wider community, in accordance with both national and local policy. The principle of development in this instance has been established through the lawful use of the site and policy SCLP8.2 and the NPPF, whilst meeting the shortfall highlighted with the Play Pitch and Outdoor Sports Assessment Nov 2021.

Amenity

- 6.14. The planning system plays an important role in safeguarding the quality of life of residents of the area. New development of any type is required to be located and designed with due regard to the amenity of both existing and future residents to avoid generating significant harmful effects. Harmful effects can include those arising from overlooking, loss of privacy, noise, odour and light pollution and overbearing development.
- 6.15. Policy SCLP11.2: Residential Amenity notes that when considering the impact of development on residential amenity, the Council will have regard to the following: a) Privacy/overlooking; b) Outlook; c) Access to daylight and sunlight; d) Noise and disturbance; e) The resulting physical relationship with other properties; f) Light spillage; g) Air quality and other forms of pollution; and h) Safety and security.
- 6.16. One of the key issues with the first application was the lack of any noise assessment; as such this has been undertaken and submitted as part of this application.
- 6.17. The Council's Environment Protection team have reviewed the documentation that accompanies this application, with a particular focus on potential noise impacts. In that respect officers acknowledge receipt of the Sharps Redmore Environmental Noise Assessment report (dated 6 May 2022) and subsequent receipt of Sharps Redmore report with Technical Note 1 dated 11/10/2023 that accompanies the application and seeks to address both noise from use of the proposed pitches, and associated vehicles/parking. Officers also note noise concerns raised by residents and others about these proposals,

which also relate to the use of the pitches themselves, and associated use of the proposed parking area.

- 6.18. Historically it is understood that the development site was a sports ground which co-existed with residential dwellings along Bucklesham Road, noting that The Hollies development was not in existence at this time. That use ceased some 10 years ago and the site has remained unused. More recently a new group of housing has been developed, 'The Hollies' off Straight Road, and adjoining the development site. The site is opposite the Trinity Park events site which generates noise and traffic from events large and small. The study area is also characterised by road traffic noise from Bucklesham Road, Straight Road and Felixstowe Road, as well as the A12 and A14.
- 6.19. Overall, officers do not consider they can justify an objection in principle to the proposed development. Officers note that there are a number of examples in the district of East Suffolk of sports grounds surrounded on three or even four sides by residential development (examples include Felixstowe, and Kirkley & Pakefield) and therefore officers consider these can be compatible uses.
- 6.20. In terms of noise from the pitches when in use, there are no specific standards for the assessment of sports noise. Officers therefore understand the approach taken is to look at guidance within Sport England's 'Artificial Grass Pitch (AGP) Acoustics - Planning Implications' 2015 guidance, and to link that to noise and human health thresholds within the WHO Guidelines for Community Noise (1999).
- 6.21. The WHO guidelines are intended principally for continuous type noises but are nonetheless useful for some measure of annoyance during the day.
- 6.22. In the absence of specific noise thresholds and assessment methodologies, it is reasonable to adopt 50 dBA LAeq,1hour as a target level not to be exceeded with the aim of avoiding 'moderate annoyance' to outdoor living areas of nearby residential dwellings. It should be noted that in the WHO (1999) document this threshold applies to continuous noise sources (for a 16-hour day), whereas the sports pitches would be of a much more intermittent nature and not last all day.
- 6.23. Officers note concerns raised by objectors to the scheme about the more sudden and transient noises that would be generated by the proposed use (e.g. shouts and whistles) and that these are not captured using the LAeq,T metric. These types of sounds are better characterised by other metrics, in particular the LAF,Max. However, there are no guidelines or standards that relate to this metric during the day (07:00 to 23:00 hours) in England. It is therefore difficult to relate these to effects on receptors. Given examples elsewhere however, officers do not consider that hearing whistles and noise from people playing and spectating sports here would give rise to significant adverse impacts from noise.
- 6.24. In terms of source noise levels used in the noise assessment submitted, officers note that Sharps Redmore deviate very slightly from the source levels described in the Sport England Study. The latter source levels have however measured a range of sports (including football) whereas this proposal is for football only. Officers are satisfied with source levels used for the noise predictions, and have subsequently checked with Sharps Redmore how they then predicted noise levels on to the various receptor locations. Officers do not have any justification at this time to further query the operational noise levels at noise sensitive receptors as presented in the noise assessment report.

- 6.25. Following noise assessment of the original scheme, it is noted that the nearest sports pitch to The Hollies residential dwellings has since been removed. The most recent noise assessment therefore predicts noise levels from the simultaneous use of Pitches 2, 3, 4 and 5. In this scenario, noise levels are predicted below 50 dBA (LAeq,1hour) at all receptors except R3 at Holly Farm where a level of 52 dBA might occur. It should be noted however this level may only occur in the event that all these pitches are in simultaneous use, so perhaps for an hour, and certainly not for a 16-hour period. This level is reported as similar to the existing ambient sound levels in this area (which officers have taken from the data measured on the Saturday of the consultants' survey when wind speeds were lower than the following day), though the existing ambient sound would be of a different character. For the majority of the time, noise levels from sports pitches activity officers anticipate would be below 50 dBLAeq, 16 hour at all noise sensitive receptors.
- 6.26. The Sharps Redmore assessment also covers noise from car parking activity associated with the proposed new parking area. Officers do not have any source data with which to compare to that used in the assessment. Officers do understand however that these source values include arrivals/departures, vehicle manoeuvring, and door opening and closing sounds. Officers consider that in general the proposed car parking area is unlikely to have a significant adverse impact in terms of noise. However, the parking area is likely to be used intensively for short periods of time, particularly on weekend match days. Officers were concerned that a large volume of vehicles all entering the site in close proximity to dwellings on the southern side of The Hollies may result in those residents experiencing a high number of vehicles passing their garden both before and after a match. This would be clearly evident and detectable to those living in these particular dwellings. Since this assessment was made by Environmental Protection Officers, the car park and entrance has been moved further south, with the access now 80 metres from the southern boundary of The Hollies and the northern edge of the car park 50 metres from the boundary. In addition, a new native hedge line is proposed along that southern boundary.
- 6.27. In terms of operational noise from the use of the sports pitches, officers consider that significant adverse impacts from noise would be avoided. Noise will however be clearly audible and distinctive at noise sensitive receptors. Without removing further sports pitches however, there would seem to be no further mitigation of noise impacts from the use of the pitches themselves. If the LPA are minded to approve this application then officers recommend that controls are applied in terms of the days and times of use in order to afford protection of residential amenity against associated noise. Officers strongly recommend that the times are controlled in order to avoid the sensitive night-time period of 23:00 to 07:00 hours. An appropriate start time in the morning should be carefully considered, as should the latest finish to ensure all visitors have left the site well before 23:00 hours. A condition has been suggested to that effect.
- 6.28. In accordance with national planning and noise policy and guidance, adverse impacts on health and quality of life should be mitigated and minimised as far as possible. As set out above, during the course of this application changes have been made to the proposed car parking area access track. Environmental Protection have noted that they consider these changes represent an improvement on the original position of the parking and access in terms of noise impacts on the residential dwellings in The Hollies. The access road is no longer adjacent to dwellings but has shifted south off Straight Road, and ensures a good separation distance between the parking area, the access road and residential properties.

Officers consider that there would be no significant adverse impacts from noise, and that the scheme overall would have a low impact from noise associated with the parking and sports pitches. As such officers have no objections to these proposals in terms of amenity and no further recommendations to make above those noted above.

Highway and Access

- 6.29. There have been concerns raised over the suitability of the access and road to accommodate the additional level of traffic as a result of the proposals. The applicants have submitted a traffic assessment, set out within the Design and Access Statement, which has been reviewed by the County Council as Highway Authority. The supporting statement refers to the Highway comments as received during the previously withdrawn application on 10th June 2021.
- 6.30. The Highway Authority have noted that they have conducted a further review into the potential highway impacts of this development using the information provided regarding the location of club members. It is not expected that the impact would be severe and therefore would not warrant a refusal under the NPPF paragraph 115.
- 6.31. It is stated in the Traffic Statement by Richard Carter dated 8th November 2021 that 50% of the trips to and from the site would be for the away team. This would therefore mean that, the 70% of Kesgrave based members, only refers to approx. 35% of the total trips. Therefore, the actual amount of vehicles using the Bell Lane/Foxhall Road junction would be lower than originally expected and would not significantly increase the risk at a location with a history of accidents.
- 6.32. Additionally, it is noted that the previous use of the former 'Hollies Sports Centre and Social Club', off Straight Road, consisted of football pitches, cricket pitches, tennis and netball courts, a rifle range, indoor squash courts and social club with bar. Therefore, a precedent has been set for a use similar to the proposed. Conditions are recommended relating to the proper and correct layout of the new access and requiring a construction management plan to be submitted. These are considered appropriate given the intensification of use at the site and works required to create the parking area.
- 6.33. During the course of this application there have been changes made to the proposed car parking area and access location. This has been positioned further south, increasing the distance between these elements and the properties on the southern side of The Hollies residential development. A further change includes a pedestrian and cycle route towards the north west corner of the site, close to the existing tennis courts. These changes have been undertaken following concerns from residents at The Hollies regarding noise and disturbance from the parking area, and also to allow for easier pedestrian/cycle access.
- 6.34. A site meeting was held between the Applicant, Agent and Highways Authority on 6th June 2023 to discuss the current access position, which is an agricultural access, and that proposed. During the site visit and consideration of this application three alternative access locations were discussed; these are detailed within the Design and Access Statement, noted as:

Location 1 – Far north-east corner of site onto Bucklesham Road - - Ruled out due to poor visibility to the east and west and would not meet the requirements of SCC Highways.

Location 2 – North of the Hollies housing development to the clear space between the northern most house and existing tennis courts. - Ruled out due to the proximity of the junction onto Bucklesham Road, visibility sight lines, and proximity to the residential dwellings, and the associated car parking and traffic movements.

Location 3 - Further south down Straight Road from the original proposed access, south of the Hollies housing development. – Agreed as preferred location noting clear sight lines in both directions and less impact on the residential houses to the south of the Hollies development.

- 6.35. The visibility splays are appropriate for the requirements of this site and agreed by the Highway Authority. It is noted that the site will not host coaches; a minibus will be used for visiting away teams.
- 6.36. The Highways Authority are satisfied with the proposals put forward and have raised no objection to the parking and access arrangements in term of its location, the intensification of the site or access of Straight Road. Given there are no objections from statutory consultees in relation to access arrangements, officers consider that the proposals put forward meet both local and national policies in this respect.
- 6.37. The change of surface to the parking would mean that there is less likely to be any mud taken from the site onto the highway once work has been completed, which was a concern raised by the neighbouring properties.
- 6.38. The question of the accuracy of the reports submitted is considered to have been addressed by the review of the reports by the SCC Highway team whom are the statutory consultee for matters relating to Highways.
- 6.39. Surface water issues have been raised and assessed by the Lead Local Flood Authority (LLFA). The LLFA raised initial concerns regarding the surfacing of the car park. The LLFA acknowledges that there is not sufficient information available as would normally be expected with a full planning application, but that infiltration is the only viable means of surface water discharge at this site. Given this and the supporting information made available, the only material changes going forward will be the depth of permeable paving to provide sufficient storage on-site. Before work commences on the car park area, infiltration testing to BRE365 methodology is required to be provided, relevant to the car park construction to verify the current design viability which is proposed. This can be secured by condition.
- 6.40. Given the above, officers are satisfied that the site is acceptable in terms of parking and access arrangements and would not increase the risk of flooding elsewhere through changes to the surface water within the site, thereby meeting the requirements of SCLP9.6 and SCLP7.2.

Ecology

- 6.41. Officers have read the Preliminary Ecological Appraisal (PEA) (Liz Lord Ecology, October 2022, Rev A) and note the conclusions of the consultant. A single mature Oak tree was identified for removal due to health and safety concerns; the tree was deemed to have negligible suitability to support roosting bats. The Oak in question is no longer intended for removal as part of the scheme as the access has been relocated where there is no requirement to fell any trees. However, the PEA identified several other mature Oak trees

along the eastern and western boundaries with low to moderate suitability to support roosting bats. The submitted Tree Survey (Hayden's Arboricultural Consultants, September 2021) notes ten trees which require urgent removal; this is however part of a wider report undertaken for a much larger area and the other trees noted on that report are not in this location.

- 6.42. Officers note that third-party representations have raised concerns about the accuracy of the reports submitted, however, these have been undertaken by professionals in their field. As noted above, the Oak tree is no longer intended for removal as part of the scheme as the access has been relocated where there is no requirement to fell any trees. Whilst assertions have been made with regards to the area being covered by a widespread Tree Preservation Order (TPO) this is not the case for this western boundary. The TPO is to the south of the site, on the field below and its boundaries. As such where the tree is in private ownership without the protection of a TPO it could be felled without permission.
- 6.43. The Preliminary Ecological Assessment (PEA) also notes that the grass fields within the application site are unlikely to be used by ground nesting species such as skylark and lapwing due to the regular mowing scheme and increased predation risk associated with tall boundary vegetation. However, there is anecdotal evidence, submitted within the third- party responses, that skylark are known to nest within the application site. The likelihood of skylark nesting within the application site is likely dependent on the management regime of the grass fields, whereby when the vegetation within the grass fields is allowed to grow up the suitability for nesting skylarks increases. The proposed development may therefore result in some loss of potential skylark nesting habitat in the local area, and this should form part of the consideration when determining this application. In order to protect ground nesting birds a condition can be added to any permission granted. Given this field is currently lawfully a playing field, its maintenance and cutting could happen without the need for planning permission. Whilst the owners have a responsibility in terms of protected species this would not stop the works being carried out; it would merely set a timescale in which they can be safely done. Given the existing situation allows for the mowing of this site officers do not consider the potential presence of skylarks to warrant a reason for refusal.
- 6.44. Officers note that there are no objections from Natural England to this application, who considered that there would be no significant adverse impacts on statutorily protected nature conservation sites. Given the reports received and assessment made by the Council's Ecology Team, officers are satisfied that measures have been taken to protect ecology, and mitigation measures can be secured by conditions. As such the proposals are considered to accord with policies SCLP10.1 and SCLP10.2.

Landscape

- 6.45. The site is not located within a nationally designated area; whilst comments received note that the site is within the National Landscape (formerly known as the Area of Outstanding Natural Beauty) this is not the case. The Council's Landscape Officer has reviewed the scheme and notes that there are no significant objections to this proposal on the grounds of adverse landscape impact. It is a fairly open landscape setting but with a fairly strong pattern of field boundary hedgerows and trees.
- 6.46. The concern raised by the Councils' Landscape Team was in relation to the visibility splays and the amount of tree and hedge removal that would be required to achieve the

necessary splays. The supporting statement notes that minimal clearance will be required with the access located in this revised position. Foliage below 600mm will remain within the visibility splay. No existing trees are affected or require removal based on the revised location. The proposed new access lies between two existing trees and outside of the main tree root zone. The majority of this boundary will be retained and will act as a screen for the car parking beyond.

- 6.47. The tree report prepared by Haydens Arboricultural Consultants Ltd, was issued as a "snapshot" of a wider report prepared for the Suffolk Agricultural Association (SAA) to cover all trees on land in its ownership.

Other Matters

- 6.48. There have been some comments raised within the third-party responses about the suitability of the surface of the parking area which was initially proposed as Grass Crete; this has been updated to address the concerns of the LLFA and Highways Team. Drawing number 21119/11A and referencing Stroud Associates report SW433 dated 28th November 2022; which has been agreed with both the LLFA and Highways Team as being appropriate for the level of parking required for the site.
- 6.49. The matter of drainage has been raised, where the site is not connected to the mains. A septic tank is proposed for foul drainage, details of which have been received from Binders.
- 6.50. With reference to the water supply, this will be via a new mains water network connection.
- 6.51. Whilst there is some archaeological potential in this area, the proposed groundworks will not be that intrusive, as such the SCC Archaeological Unit does not wish to restrict development or recommend any conditions.
- 6.52. Concern has been raised over the suitability of the changing facilities proposed. The Football Foundation has reviewed the proposed changing facilities at the site, which consist of converted containers, and would typically provide a temporary option, rather than a permanent solution. It is recommended that the club seeks confirmation that the proposed changing facilities would meet the full extent of current Building Regulations, receive Building Control sign off, and can be operated sustainably for the long-term to support the grass pitches proposed at the site. This matter lies outside the planning system and would be dealt under separate legislation. Any requirement for permanent structures on this site would be subject to a separate planning application.

7. Conclusion

- 7.1. The matters raised through the consultation process, including the responses and objections received from the Parish Council, have been fully considered and addressed through the receipt of statutory and non-statutory consultees responses. The principle of development here is established through the lawful use of the site and is supported by both local and national policy relating to leisure and sports facilities. The site's location outside of the settlement boundary is not uncommon for such uses; given the overall space required they are often found in the countryside and this alone is not a reason to refuse this application.

- 7.2. The site has been found suitable from a highway safety perspective whereby the information provided has been fully assessed by professional bodies. The access and visibility splays can be provided with minimal impact upon the existing hedgerow. Surface water drainage has been assessed and found acceptable.
- 7.3. Matters relating to ecology have been reviewed and suitable conditions can be imposed to ensure that use of the site does not affect any protected species.
- 7.4. The Council's Environmental Protection team have reviewed the noise report submitted along with the objections received from third parties and found that the proposals would not cause an unacceptable level of harm to the neighbouring residential properties in terms of noise and disturbance.
- 7.5. The proposals are considered to accord with policies SCLP8.2; 7.2; 11.2; 9.6 without having a negative impact on amenity; ecology or landscape SCLP10.1 and 10.4.

8. Recommendation

- 8.1. Officers recommend approval subject to controlling conditions noted 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 following approved plans and documents, 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:

Site location plan 21119 10 (20.11.2023)

Proposed block plan & access detail 21119 11A (20.11.2023)

Pedestrian Access (20.11.2023)

Visibility Splays (20.11.2023)

Design and Access Statement Revision B (20.11.2023); which includes:

- Revised traffic flow numbers from AFC Kesgrave dated 23/08/2023.
- Sharps Redmore report with Technical Note 1 dated 11/10/2023.
- Liz Lord Ecology Report, updated 27/09/2023.
- Stroud Associates Flood Risk and Drainage Strategy updated memo 10/10/2023.
- Flood Risk and Drainage Strategy SW433 (28.11.2022).

Visibility splays 21119 12A (21.11.2023)

Office Container floor plan MAC_CX3209V06 (20.11.2023)

Changing room plans (20.11.2023)

Septic Tank details received via email dated (01.02.2023)

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

3. No other part of the development hereby permitted shall be commenced until the new access has been laid out and completed in all respects in accordance with drawing numbers 21119 12A and 21119 11A with an entrance width of 6 metres for a distance of 15 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.

4. Prior to the development hereby permitted being first used, the new access onto the highway shall be properly surfaced with a bound material for a minimum distance of 15 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.

5. Gates/bollard/chain/other means of obstruction to the access shall be set back a minimum distance of 5 metres from the public highway and shall not open towards the highway.

Reason: To avoid unacceptable safety risks and traffic delay arising from vehicles obstructing the public highway while the obstruction is removed or replaced by enabling vehicles to clear the highway while this is done.

6. Before the access is first used visibility splays shall be provided as shown on drawing no. 21119 12A with an X dimension of 2.4 metres and a Y dimension of 215 metres to the nearside edge of the carriageway and thereafter retained in the specified form. Notwithstanding the provisions of Schedule 2 Part 2 Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), 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.

7. The use shall not commence until the area(s) within the site shown on drawing no. 21119 11A for the purposes of loading, unloading, manoeuvring and parking of vehicles has / have been provided and thereafter the area(s) 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 (2023) where on-street parking and or loading, unloading and manoeuvring would be detrimental to the safe use of the highway.

8. Prior to first operation, an Ecological Enhancement Strategy addressing how ecological enhancements will be achieved on site will be submitted to and approved in writing by the Local Planning Authority. Ecological enhancement measures should be in accordance with those identified in the Preliminary Ecological Appraisal (PEA) (Liz Lord Ecology, October 2022) and will be delivered and retained in accordance with the approved Strategy.

Reason: To ensure that the development delivers ecological enhancements.

9. A Demolition and Construction Management Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing on site. The strategy shall include access and parking arrangements for contractors' vehicles and delivery vehicles (locations and times) and a methodology for avoiding soil from the site tracking onto the highway, together with a strategy for remedy of this should it occur. The development shall only take place in accordance with the approved strategy.

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

10. Before the development is commenced details of a new footpath to the North West of the site onto the junction of Straight Road and Bucklesham Road 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 brought into use. The footway shall be retained thereafter in its approved form.

Reason: In the interests of highway safety and sustainable development by providing a footpath 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 application stage.

11. No development shall commence until details of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the Local Planning Authority.

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

12. No development shall commence until details of the implementation, maintenance and management of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the Local Planning Authority. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage.

13. Within 28 days of practical completion of the car parking area, a surface water drainage verification report shall be submitted to the Local Planning Authority, detailing and verifying

that the surface water drainage system has been inspected and has been built and functions in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks in an agreed form, for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

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

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

14. No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the 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 shall include:

Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:-

- i. Temporary drainage systems
- ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
- iii. Measures for managing any on or offsite flood risk associated with construction

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater

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

15. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (PEA) (Liz Lord Ecology, October 2022, Rev A) and Liz Lord Ecology Report, updated 27/09/2023.

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

16. No removal of hedgerows, trees or shrubs, brambles, ivy, and other climbing plants, or ground works within the grass fields 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 shall be submitted to the Local Planning Authority.

Reason: To ensure that nesting birds are protected.

17. No external lighting shall be installed unless a "lighting design strategy for biodiversity" has been 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 shall 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.

18. No development shall take place unless and until:
- a) A detailed assessment of ground conditions of the land proposed for the new playing field land as shown on approved drawings has been undertaken (including drainage and topography) to identify constraints which could affect playing field quality; and
 - b) Based on the results of this assessment to be carried out pursuant to (a) above of this condition, a detailed scheme to ensure that the playing fields will be provided to an acceptable quality (including appropriate drainage where necessary) has been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England.
- The works shall be carried out in accordance with the approved scheme within a timescale to be first approved in writing by the Local Planning Authority after consultation with Sport England.

Reason: To ensure that site surveys are undertaken for new or replacement playing fields and that any ground condition constraints can be and are mitigated to ensure provision of an adequate quality playing field and to accord with Policy SCLP8.2.

- 19 The playing fields shall be used for Outdoor Sport and for no other purpose (including without limitation any other purpose in Class D2 of the Use Classes Order 2005, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To protect the playing fields from loss and/or damage, to maintain the quality of and secure the safe use of sports pitches and to accord with Policy SCLP8.2.

20. Prior to the bringing into use of the new playing fields, a Management and Maintenance Scheme for the facility including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning

Authority after consultation with Sport England. The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the new sports pitches.

Reason: To ensure that the new facilities are capable of being managed and maintained to deliver a facility which is fit for purpose, sustainable and to ensure sufficient benefit of the development to sport (National Planning Policy Framework para. 96) and to accord with Policy SCLP8.2.

21. The facility shall only be open to the public between 9am and 9pm Monday to Saturday, and between 1pm and 5pm on Sundays, and the premises shall be closed to the public at all other times including on Bank Holidays.

Reason: In the interests of amenity and 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. 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.

For further information go to: <https://www.suffolk.gov.uk/roads-and-transport/parking/apply-and-pay-for-a-dropped-kerb/> or: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>

County Council drawings DM01 - DM14 are available from: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/standard-drawings/>

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.

Background information

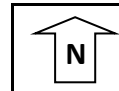
See application reference DC/22/2999/FUL on [Public Access](#)

Map



DO NOT SCALE AC0000814647

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Key



Notified, no comments received



Objection



Representation



Support

Committee Report

Planning Committee South – 27 February 2024

Application no DC/23/4469/VOC

Location

32 Thoroughfare
Woodbridge
Suffolk
IP12 1AQ

Expiry date 16 January 2024

Application type Variation of Conditions

Applicant Mr & Mrs Groen Groen

Parish Woodbridge

Proposal Variation of Condition No. 2; 8 and 12 of DC/20/2417/FUL - Demolition of existing dwelling and associated garage structure. Erection of replacement dwelling - To substitute amended plans to respond to elevational changes; remove leisure restriction on roof terrace and amend timeframe for implementation of landscaping.

Case Officer Danielle Miller
07799 071744
danielle.miller@eastsoffolk.gov.uk

1. Summary

- 1.1. The site is located at 32 Thoroughfare, Woodbridge and currently comprises a newly built two-storey detached dwelling approved under DC/20/2417/FUL.
- 1.2. This is a retrospective application seeking to retain the dwelling as constructed and rectify the breaches of conditions 2, 8 and 12 where the approved building has not been built in accordance with the approved plans. The changes shown are minor and relate to changes to fenestration and other minor design alterations such as the change in a side wall profile. The proposals also seek to retain a glazed balustrade around the flat roof section and use this space as a leisure terrace area, effectively seeking the removal of condition 8 of the host application which currently prohibits this. Other changes include the change in time frame for the implementation of the landscaping scheme as set out in the existing condition 12.

- 1.3. In accordance with the scheme of delegation, the application is to be determined at Planning Committee South having been referred by the Referral Panel. The application was heard at the Referral Panel on 23rd January 2024, as Woodbridge Town Council raised the following objection:

WTC were satisfied with the conditions imposed on the original planning application (DC/20/2417/FUL), and therefore recommend refusal of this VOC application.

- 1.4. No other statutory consultees have raised any concerns. Officers note the objection from the neighbouring property with regards to loss of amenity, and the previous refusals on this site, however having visited the site and seen the situation as built it is confirmed that there is minimal overlooking into the neighbour's garden.
- 1.5. Officers consider that the proposals accord with local and national policies in the relation to design and amenity.
- 1.6. The application is recommended for approval subject to conditions.

2. Site Description

- 2.1. The site is located at 32 Thoroughfare in Woodbridge and currently comprises a newly built two-storey detached dwelling (approved under DC/20/2417/FUL). Located within the Settlement Boundary of Woodbridge, the site has an overall area of approximately 340 square metres. It is situated within the Woodbridge Conservation Area on the boundary between Character Area 9 (Thoroughfare) and Character Area 6 (Quay Side).
- 2.2. There are further residential properties due west, accessed via Doric Place, and south in Brook Street. To the east is the Jacob Way car park and service yard access to the retail units on The Thoroughfare.
- 2.3. Recent and relevant planning history on the site includes the following:
- DC/19/1676/FUL: Demolition of existing dwelling & associated garage structure - construction of replacement dwelling – Refused.
 - DC/20/0952/FUL: Demolition of existing dwelling and associated garage structure. Construction of replacement dwelling – Refused.
 - APP/X3540/W/20/3256680: Dismissed.
 - DC/20/2417/FUL: Demolition of existing dwelling and associated garage structure. Erection of replacement dwelling. Permitted.
 - DC/23/0763/AME: Non-material amendment of DC/20/2417/FUL (Demolition of existing dwelling & associated garage structure. Erection of replacement dwelling) - Doors on south east elevation to be four sections instead of two with solid triangle above instead of glass; raise sedum roof beyond openings and glass barrier; non opening window on southwest elevation to be in two sections instead of one; and south west elevation rear garden wall to be straight instead of slight step. Refused.

3. Proposal

- 3.1. This is a retrospective application seeking to retain the dwelling as constructed and rectify the breaches of condition where the approved building has not been built in accordance with the approved plans. The supporting statement notes the amendments as follows:

- External northern wall is flush whereas the approved plans show it as stepping up;
- The window elevation of the first floor on the rear (southern) elevation has a solid element rather than all glazed;
- Inclusion of glass balustrade surrounding the sedum roof;
- Inclusion of supporting pole to the sedum roof;
- Minor alterations on the front (northern) windows; and
- Ground floor and first floor courtyard (southern) windows are slightly different.

3.2. The application also seeks the removal of condition 8 on DC/20/2417/FUL, which states:

"Notwithstanding the provisions of Article 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting the said Order), the sedum/green roofs of the hereby approved development, shall not be used as a recreational area, unless otherwise agreed in writing with the local planning authority.

Reason: To enable the local planning authority to retain control, in the interest of preserving a reasonable level of amenity and prevent possible loss of privacy to the neighbouring properties."

3.3. In addition to the above, the approved landscaping under DC/20/2417/FUL has not currently been carried out; as such this application also seeks to vary condition 12 to extend the time period in which this is required to be undertaken in. Condition 12 states:

"The approved landscaping scheme under Condition 11 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."

4. Consultations/comments

Third Party Representations

- 4.1. Four letters of objection have been received, all from the 6 Doric Place Woodbridge, and letters of support have been received from 1 Grundisburgh Road, Woodbridge and Cowlshaw Cottage, Melton. Following the re-consultation five further letters of objection were received from 6 Doric Place. One rebuttal letter has also been received from the applicants.
- 4.2. The letter of objection notes that there are several breaches of condition relating to the host consent (DC/20/2417/FUL); these include the building not being built in accordance with the approved plans, the use of the flat roof as a leisure balcony area, and the lack of boundary planting in accordance with conditions 11 and 12.
- 4.3. The objector comments that their amenity is affected by the breaches; the flat roof is noted as being 7 metres away from 6 Doric Place's first floor bathroom window; and with the bifold doors open there is an unacceptable level of noise from the living arrangements

of the host dwelling. The flat roof terrace is noted to overlook the neighbour's garden space if used an amenity area. The representation states that:

- This flat roof terrace intimately overlooks from the height of the first floor into almost the whole of 6 Doric Place's garden and sitting area.
- The use of the terrace is considered to cause a loss of property value to the neighbouring property.
- Improper handling of application by submission of a Non Material Amendment.
- Confirmation that the rear windows on 6 Doric Place are not blocked up. Loss of light into these windows has occurred as a result of the development.
- Photograph of garden is out of date.
- The objection notes that the use of the terrace was refused by appeal DC/20/0952/FUL.

4.4. The letters of support do not give any additional comments or reason.

4.5. The rebuttal letter notes historic conflict with a neighbouring property much of which falls outside the planning system.

Parish/Town Council

Consultee	Date consulted	Date reply received
Woodbridge Town Council	30 November 2023	8 December 2023
Summary of comments: WTC were satisfied with the conditions imposed on the original planning application (DC/20/2417/FUL), and therefore recommend refusal of this VOC application.		

Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	30 November 2023	12 December 2023
Summary of comments: Condition 2 of Planning Ref. DC/20/2417/FUL - We do not wish to restrict the variation of this condition.		

Non statutory consultees

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	30 November 2023	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	30 November 2023	5 December 2023
Summary of comments: Comments included within officer report. No objection.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	30 November 2023	13 December 2023
Summary of comments: The VOC has no relevance to the EP department; therefore I have no comments to make.		

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	30 November 2023	6 December 2023
Summary of comments: On behalf of the Suffolk Fire and Rescue Service I can confirm that I have read condition 2 and find that I have no comment to make on the application		

Reconsultation consultees

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	4 January 2024	10 January 2024
Summary of comments: The change in application description does not affect my previously submitted comments on this application.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	4 January 2024	No response
Summary of comments: No additional comments received.		

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	4 January 2024	9 January 2024
Summary of comments: On behalf of the Suffolk Fire and Rescue Service I can confirm that I have read conditions and find that I have no additional comment to make on the application.		

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	4 January 2024	No response
Summary of comments: No additional comments		

Consultee	Date consulted	Date reply received
SCC Highways Department	4 January 2024	8 January 2024
Summary of comments: I see the other conditions do not relate to Highways; therefore, I do not have any further comments to make on this application.		

Consultee	Date consulted	Date reply received
Woodbridge Town Council	4 January 2024	12 January 2024
Summary of comments: WTC were satisfied with the conditions imposed on the original planning application (DC/20/2417/FUL), and therefore recommend refusal of this VOC application.		

Publicity

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

Category	Published	Expiry	Publication
Conservation Area	7 December 2023	2 January 2024	East Anglian Daily Times

Site notices

General Site Notice	Reason for site notice: Conservation Area Date posted: 5 December 2023 Expiry date: 28 December 2023
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5. Planning policy

- 5.1. The National Planning Policy Framework (2023) (NPPF) represents up-to-date government planning policy and is a material consideration that must be taken into account where it is relevant.
- 5.2. 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 – Suffolk Coastal Local Plan [adopted 23 September 2020] (“local

plan”). Relevant policies from the local plan are listed in the section below and will be considered in the assessment to follow:

- 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)
- SCLP11.5 - Conservation Areas (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

6. Planning Considerations

- 6.1. The main considerations in relation to the amendments proposed in this VOC are that of design and amenity.

Design and Conservation

- 6.2. No.32 Throughfare falls within the Woodbridge Conservation Area. The application seeks retrospective consent for changes to the approved design that have already been carried out as part of the completed build.
- 6.3. The changes made to the design as built and as illustrated in the submission document and drawing are minor in their impact and have no adverse effect on the positive contribution that the completed design makes to the character and appearance of the Woodbridge Conservation Area. The changes remain within the nature of the consented scheme and make no fundamental alteration to the design concept or approach; they are a matter of detail only. The subdivision of the gable glazing at first floor level has been judged by officers to be an improvement over that consented.
- 6.4. The changes proposed will preserve and enhance the character and appearance of the Woodbridge Conservation Area in accordance with local policies SCLP11.1 Design and SCLP11.5 Conservation Areas.

Residential Amenity

- 6.5. Policy SCLP11.2 sets out the material considerations relating to residential amenity as: privacy/overlooking, outlook, access to daylight and sunlight, noise and disturbance, the resulting physical relationship with other properties, light spillage, air quality and other forms of pollution, and safety and security.
- 6.6. The previous concern regarding this development has been in terms of amenity, where there was a perceived impact of overlooking and loss of privacy to 6 Doric Place. The objector comments that this is now actual overlooking, particularly when considering the view into their first floor bathroom and rear garden. Furthermore, there is a concern over excess noise from this area if used as private amenity space.
- 6.7. The window noted by the objector does not serve a habitable room; the changes proposed to the fenestration and the use of the terrace does not present any additional overlooking

to that already accepted by the approved consent to key rooms of the neighbouring property. The issues with noise are not considered detrimental, the property lies adjacent a public realm, with a car part to the east and pedestrian route through to the Thoroughfare. This is a private dwelling within a town centre location.

- 6.8. Concern has been raised over the openable use of the windows on the rear elevation. It is acknowledged that the style of these windows have been changed, however, there was not a requirement on the original consent to have these rear windows fixed shut. Any opening to this window would allow for some transmission of sound between properties. This is also true for the adjoining car park and public footpath which runs along the length of this dwelling. It is not considered that the use of this terrace will create an unacceptable increase in noise; the Environmental Protection team have not objected on this basis, and this was not mentioned within the original reason for refusal or appeal decision.
- 6.9. The main concern with regards to the balustrade and use of the roof terrace remains that of potential overlooking of the rear garden space of 6 Doric Place. Officers have stood at the corner of that area at first floor level and confirm that views into this rear garden are limited and do not severely impact the private enjoyment of the neighbouring garden. This will be further minimised once the planting scheme has been implemented.
- 6.10. Consideration has been taken of the appeal decision which notes under paragraphs 5, 6 and 7:

“The proposed dwelling would have a first floor terrace which would be opposite the rear elevation of 6 Doric Place. The rear elevation of no 6 has a number of windows facing onto the appeal site, the ground floor windows are either obscure glazed or high level and this would mitigate any potential overlooking from the first floor terrace.

At first floor there is a bathroom window which provides views directly over the appeal site, and despite serving a bathroom the window is not obscure glazed. As a result of the proximity of the first floor terrace to the bathroom window I consider that there would be a degree of overlooking from the terrace into the bathroom window. However, given the use of this room any effect of the proposed development on this window would not materially harm the living conditions of the occupiers, as it is not a habitable room.

There would also be a degree of overlooking from the first floor terrace into the modest courtyard garden of 6 Doric Place. I have had regard to the plan submitted which shows the proposed sight lines from the dwelling and terrace. The plans indicate that the area directly outside the conservatory would not be overlooked, and that this is the main seating area. But as part of my visit, I observed that the occupiers also have a further small seating area to the rear of the site. Given its modest size it is reasonable that the occupiers of no 6 would wish to utilise all of the available space within their garden and any degree of overlooking would be both obtrusive and harmful to the amenity of the occupiers.”

- 6.11. At the time of the appeal the dwelling was not built and as such it would not have been possible to view this area of garden from the terrace. Now that the dwelling has been constructed, it is possible to appreciate the situation on the ground. Currently there is planting within the garden space of 6 Doric Place which, along with the garden boundary treatment, restricts the views into the rear seating area. The approved landscaping scheme does include mature ligustrum japonicum in planters along the rear boundary of

the application site; these can grow between 2 – 5metres in height and have an evergreen shrub. This is considered, once planted, to further mitigate any viewpoints into this area. However, the actual view is limited into this space from the terrace area. Officers do not consider that allowing the use of this terrace as private leisure space would intrude detrimentally on the amenity of 6 Doric Place.

- 6.12. A landscaping scheme has been submitted and approved under DC/20/4119/DRC. Whilst condition 12 required the landscaping to take place within the first planting season, the development was not completed at that time. It is recommended that condition 12 is extended to allow for an appropriate timeframe for the landscaping to be actioned within.

Other Matters

- 6.13. The third-party objector notes that there have been previous concerns over this site with regards to advice provided. A non-material amendment application (DC/23/0763/AME) was submitted for similar changes to those proposed under this variation of condition application, however, that application was refused for the following reason:

“The proposal seeks to make a number of non-material amendments to DC/20/2417/FUL, which permitted the demolition of the existing dwelling and erection of a replacement dwelling at 32 Thoroughfare, Woodbridge, Suffolk, IP12 1AQ. Overall, the cumulative changes to numerous design details not only dilutes the design quality of the scheme but results in alterations that cannot be considered as 'minor'. More specifically, the relationship between the area of glazing and sedum roof, including the installation of a glazed barrier around its perimeter, will open up the area for use as an outside amenity space contrary to that of Condition 8, which was clear in restricting such use. Consequently, any use of roof space for amenity purposes will result in an unacceptable harm to the living conditions of 6 Doric Place with regard to privacy and would fail to accord with policy SCLP11.2 of the local plan that seeks to safeguard the amenity of adjoining residents.”

- 6.14. This current application was the correct procedure for the changes proposed and this application is considered to have been adequately consulted upon.

7. Conclusion

- 7.1. The changes proposed are considered to be appropriate in terms of design and the impact on the conservation area as agreed with the Design and Heritage Officer.
- 7.2. Matters relating to amenity issues have been considered and reviewed. Officers saw no significant overlooking when stood on the balcony; whilst previous decisions have found that the terrace’s use as private amenity space would have a negative impact on amenity, this was considered prior to the construction of the property. Officers now have the ability to see the actual impact and have found no reason for refusal on amenity grounds.
- 7.3. Officers consider that the application meets both local and national policy as such recommend approval subject to controlling conditions.

8. Recommendation

- 8.1. Approve subject to the conditions below.

Conditions:

1. The development hereby permitted shall not be carried out other than in complete accordance with the following drawings:

- Location plan (Drawing number: 01-382) - received 21.11.2023
- Proposed elevations (Drawing number: 15-REV S) - received 21.11.2023
- Project Proposal - received 21.11.2023

Drawings previously approved under DC/20/2417/FUL:

- Proposed roof block plan (Drawing number: 16-382 Rev. F) - received 01 July 2020
- Proposed site plan (Drawing number: 17 Rev. I) - received 01 July 2020
- Proposed plans (Drawing number: 13-382 Rev. O) - received 01 July 2020
- Proposed plans detailed (Drawing number: 14-382 Rev. J) - received 01 July 2020

Drawings previously approved DC/20/4119/DRC:

- Cycle storage 1 and 2 received 15.10.2020
- Landscape works received 15.10.2020

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

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

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

3. The area(s) within the site shown on drawing number 17-382 Rev I for the purposes of manoeuvring and parking of vehicles shall be retained and used for no other purposes.

Reason: To ensure that sufficient space for the on site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

4. In the event that contamination which has not already been identified to the local planning authority 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 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 must be prepared, and is subject to the approval in writing of the local planning authority. The remediation method statement must include detailed methodologies for all works to be undertaken, site management procedures,

proposed remediation objectives and remediation criteria. The approved remediation method statement 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 local planning authority.

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. The details permitted under DC/20/4119/DRC shall be retained thereafter and used for no other purpose.

Reason: To promote the use of sustainable travelling alternatives.

6. The approved landscaping scheme under DC/20/4119/DRC shall be implemented not later than the third planting season following Occupation of the approved dwelling 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

7. The details of measures to enhance the biodiversity value of the site, as detailed in the submitted Design and Access Statement, and approved under application DC/20/3336/DRC shall be carried out in their entirety within one year of the date of this consent.

Reason: 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 (2019).

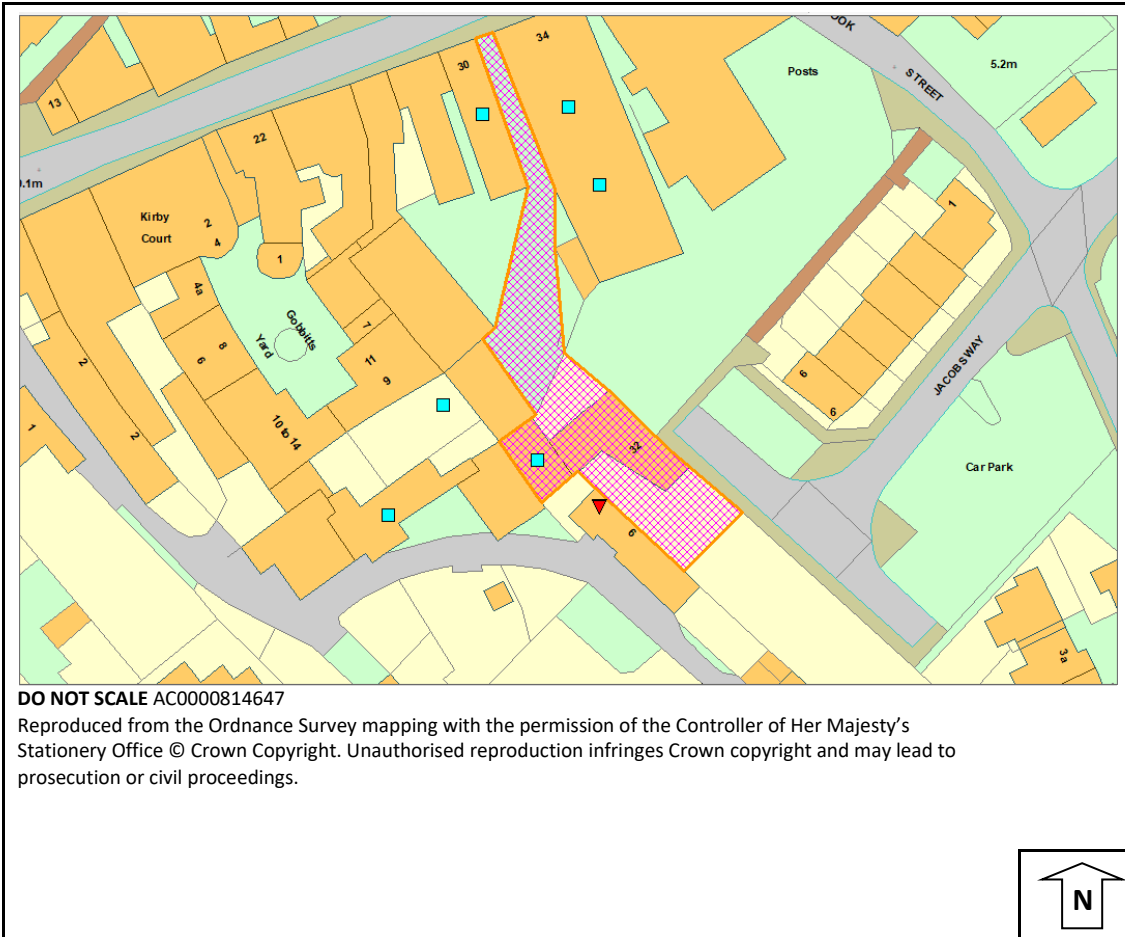
Informatives:

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/23/4469/VOC on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support

Committee Report

Planning Committee South – 27 February 2024

Application no DC/23/2120/FUL

Location

Land At Pages Hill
Alderton Road
Hollesey
IP12 3RN

Expiry date 21 July 2023

Application type Full Application

Applicant Mr J Leggett

Parish Hollesley

Proposal Erection of new agricultural machine store and workshop

Case Officer Eleanor Attwood

07385 407101

eleanor.attwood@eastsoffolk.gov.uk

1. Summary

- 1.1. This application seeks planning permission for the erection of a new agricultural machine store and workshop on land at Pages Hill, Alderton Road, Hollesley.
- 1.2. The application was presented to the Referral Panel on 16 January 2024 as the parish council objected to the scheme, contrary to officers' recommendation of approval. The Panel voted in favour of escalating the application to Planning Committee South.

2. Site Description

- 2.1 The application site is within a small parcel of land which is adjacent to residential properties to the east and west and an agricultural field to the north. The application site is accessed off Lodge Road, via an existing unmade access.

- 2.2 The application site is located to the rear of residential properties at Pages Hill, and a number of these properties have access to the parcel of land via garden gates. It appears that the parcel of land is used for parking and other uses associated with those dwellings. To the west of the site is another dwelling, which sits at a lower ground level in relation to the site.
- 2.3 The application site is situated at an elevated position in relation to the highway. The site is located within the Suffolk and Essex Coast and Heaths National Landscape (formerly referred to as the Suffolk Coasts and Heaths AONB).

3. Proposal

- 3.1 This application seeks permission for the erection of new agricultural machine store and workshop. The building will be used for storage of small items of farm equipment and light machinery only.
- 3.2 The building will be 8.1 metres by 8.1 metres, with a height of 4.07 metres. The roof and walls will be corrugated sheeting.

4. Consultees

Third Party Representations

- 4.1 No third-party responses have been received.

Parish/Town Council

Consultee	Date consulted	Date reply received
Hollesley Parish Council	2 June 2023	19 June 2023
<p>Summary of comments:</p> <p>"With reference to the above application, Hollesley Parish Council would like to object on the following material planning grounds:</p> <p>1) Access - The Councillors consider the access to this proposed development to be in a dangerous location. The Location Plan shows the entrance/exit right on top of the junction of Lodge Road with Alderton Road. Large agricultural vehicles will be exiting this facility on top of a junction. In addition, this junction is notorious for being very sandy and a danger to motorcyclists; and vehicles exiting this facility will only bring more sand on to the road.</p> <p>2) Street Scene - The location of the store/workshop is on a hill and it will therefore be very visible from the highway, spoiling the street scene, especially as Hollesley is totally within the Suffolk Coast and Heaths AONB."</p>		

Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	2 June 2023	3 July 2023
<p>Summary of comments:</p> <p>“For Suffolk County Council to assess the application, further information will be required to advise whether the proposal would be deemed acceptable or not.</p> <p>The Parish Council's concerns regarding the access have been noted and we share these concerns. The existing access is in a poor location with poor visibility, this affords more potential conflicts at the D Junction given it's close proximity. We have taken into account that vehicle movements may be relatively low, however, in situations whereby existing accesses are substandard; opportunities should be taken to improve access arrangements through the planning process. Therefore, the following considerations would need to be submitted for review:</p> <ol style="list-style-type: none"> 1. The applicant should consider stopping up the existing access and explore the idea of creating a new access onto Alderton Road away from the D Junction. Any plan demonstrating this should include the maximum amount of visibility splays. These should be drawn 2.4 metres back from the carriageway edge at the centre of the access and drawn to the nearside edge. Nothing over the height of 0.6 metres can be included within the splays. 2. Clarification is required regarding the vehicle movements for the existing and proposed uses to understand whether there will be an intensification of the existing vehicular access. 3. Clarification is required on the extent of the applicant's land ownership. This should be illustrated on the site location plan with a blue line and a red line for the application site. <p>Until the above concerns have been addressed, a holding objection to the proposal will be maintained.”</p>		

Non statutory consultees

Consultee	Date consulted	Date reply received
SCC Coasts And Heaths Project	2 June 2023	No response
<p>Summary of comments:</p> <p>No response received.</p>		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	2 June 2023	4 October 2023
<p>Summary of comments:</p> <p>Following further information from the Agent, the Environmental Protection Team have recommended a condition to ensure that there will be no noise making activities on the site.</p>		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	2 June 2023	16 June 2023
<p>Summary of comments: "I have noted the details provided with this application for the construction of an agricultural machinery store, and whilst having due regard for the location of the site within the AONB designated landscape, I do not consider that the new farm building will give rise to notably adverse impacts on local landscape character. The site location is reasonably well screened by existing hedgerows and also sits between existing residential properties albeit on higher ground than the property to the west, and further, this is a farm building in a farmed landscape and so carries a good degree of landscape character association. I do not consider that there are sufficient grounds for objection on landscape related grounds."</p>		

Reconsultation consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	21 July 2023	9 August 2023
<p>Summary of comments: Holding objection as per comments submitted on 03.07.2023.</p>		

Consultee	Date consulted	Date reply received
SCC Highways Department	11 October 2023	30 November 2023
<p>Summary of comments: Recommend conditions for visibility splays, surfacing and discharge of surface water.</p>		

Publicity

None

Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 16 June 2023

Expiry date: 7 July 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)

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)

SCLP11.1 - 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 countryside for the purposes of planning. The proposal is for an agricultural building for storage of small items of farm equipment and light machinery only.

6.2 Policy SCLP4.5 relates to economic development in rural areas. Under this policy 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, will be supported. Proposals will be supported where:

- 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.*

Proposals will be expected to provide additional community, cultural or tourism benefits where opportunities exist.

The delivery of new buildings, structures and infrastructure that the agricultural industry requires to grow, modernise and function efficiently will be supported.

6.3 The site is not covered by a Neighbourhood Plan.

6.4 The site is located within the countryside, in a rural area. The small agricultural building is of a scale which accords with the settlement hierarchy.

6.5 The proposal is not for an agricultural diversification scheme.

Design, Visual Amenity and Policy SCLP4.5(c)

- 6.6 The application site is located within the Suffolk and Essex Coast and Heaths National Landscape (formerly referred to as the Suffolk Coasts and Heaths AONB). The site is at an elevated position in relation to Lodge Road and the proposed building will be visible from Lodge Road. However, the site is well screened on Alderton Road.
- 6.7 The proposed building is relatively modest in size, and the design and materials are fairly common for agricultural buildings. It is not considered that the new farm building will give rise to notably adverse impacts on the local landscape character. The site location is reasonably well screened by existing hedgerows and also sits between existing residential properties, albeit on higher ground than the property to the west. In addition, this is a farm building in a farmed landscape and so carries a good degree of landscape character association.
- 6.8 The proposed building will be situated at an elevated position in relation to the highway and will be visible from Lodge Road. However, it will be set back at a significant distance from the highway, and it will be viewed in the context of the existing dwellings and vegetation. It is not considered that the proposed building will result in a dominant addition to the streetscene. The addition of a modest agricultural building within the rural landscape is not considered to result in significant adverse impacts on the streetscene.
- 6.9 Overall, it is considered that the design and appearance of the building are acceptable, with an acceptable impact on the character of the surrounding area and landscape, the National Landscape and its setting, and the natural and historic environment. The application complies with policies SCLP 4.5 (c), SCLP10.4 and SCLP11.1.

Residential Amenity

- 6.10 Due to the scale and position of the building, it is considered that the building will not have significant impact on the amenity of dwellings through impact to daylight/sunlight.
- 6.11 The building will be at an elevated position in relation to Tythe Barn. However, due to the scale of the building and distance from the dwelling, it is not considered that the agricultural building will have an overbearing impact on the dwelling, and the physical relationship is considered to be acceptable.
- 6.12 The dwellings to the east are two-storey and on a similar ground level to the proposed building. Therefore, it is not considered that the agricultural building will have an overbearing impact on the dwellings at Pages Hill.
- 6.13 It has been confirmed that the building is to be used for storage of small items of farm equipment and light machinery only, with no noise making activities on site. There will be some increase to vehicular movement, however, the Agent has advised that the development will generate only 3 or 4 vehicle movements a week and it is noted that the parcel of land is already used by residents for parking. It is considered that the proposed use and associated vehicle movements will not have significant adverse impact on residential amenity through noise or disturbance. However, it is recommended that a condition be attached to any grant of approval which requires that the building is only used for storage purposes.

6.14 Overall, it is considered that the building will not result in significant harm to residential amenity through loss of light, noise, disturbance, overbearing impact or other. The application complies with policy SCLP11.2.

Highway Safety

6.15 The Highways Authority initially submitted a holding objection due to concerns about the suitability of the existing access. The applicant has provided further information on the use of the building, traffic movements and visibility splays. Following receipt of additional information, the Highways Authority have revised their recommendation, to remove their holding objection and recommend a number of conditions.

6.16 The Highways Authority have recommended conditions relating to the provision of visibility splays, surfacing of the access and discharge of surface water for the access.

6.17 The NPPF sets out that Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations (para. 55). Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects (para. 56).

6.18 Officers have considered the recommended conditions but do not consider that it would be necessary or reasonable to include them. The access has been in situ for many years and is used by residents to access the parcel of land for informal parking. The Agent has advised that the development will generate only 3 or 4 vehicle movements a week. As the access has existed and been in use for a number of years and, as the vehicle movements are expected to be low, it is not considered reasonable in this case to require works to be undertaken to the access.

6.19 In addition to this, the conditions would result in a more formal appearance for the access. The site is located in a rural area, and the existing access has a rural and agricultural character. Laying a hard surface on the access and incorporating drainage would alter the appearance and character of the access, which would erode some of the rural character of the area.

7. Conclusion

7.1 This application is acceptable in terms of all material planning considerations and complies with policies SCLP4.5, SCLP10.4, SCLP11.1 and SCLP11.2.

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 22210 6A received 20.07.2023, and 22210 2A received 26.05.2023, 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 building shall only be used to store tools, machinery, equipment and vehicles for agricultural purposes, and for no other purpose.

Reason: The Local Planning Authority would not approve the building other than for purposes associated with the use and maintenance of agricultural land.

Informatives:

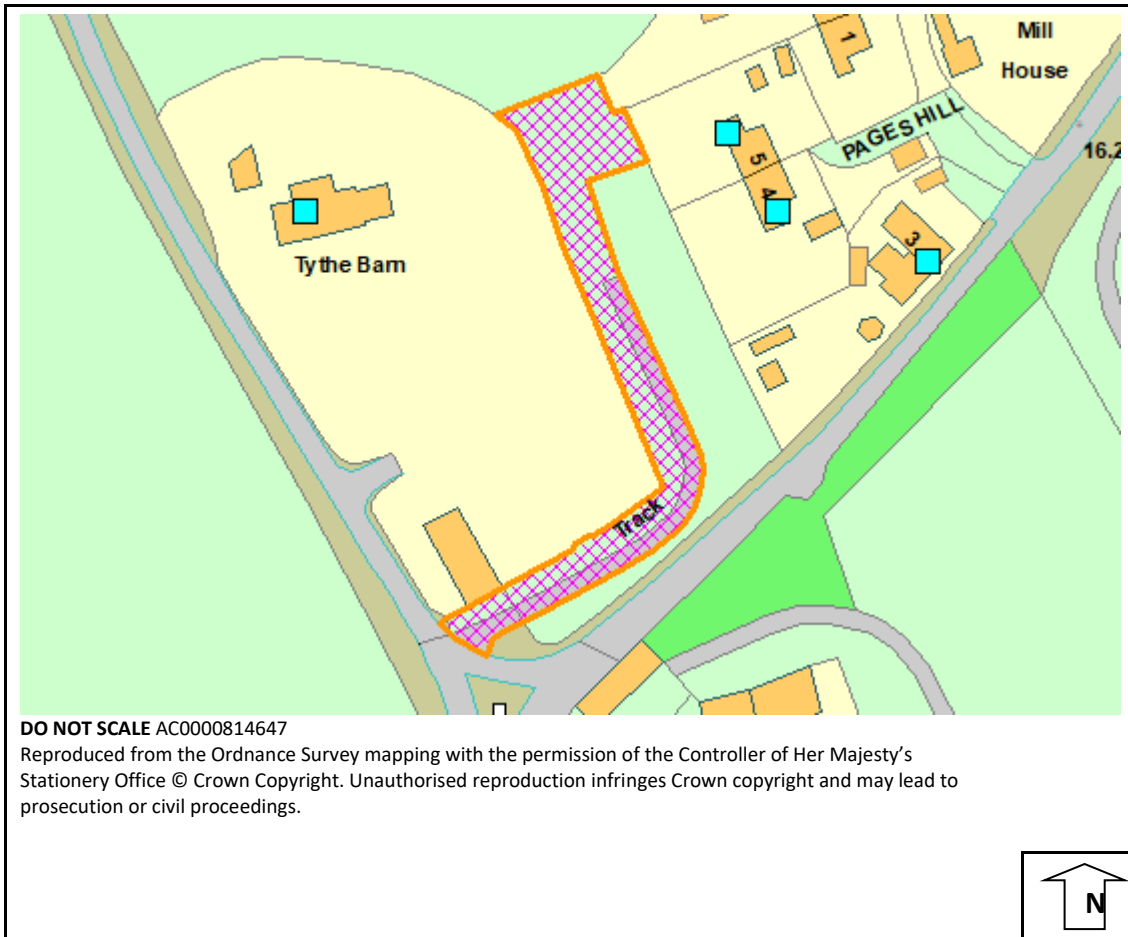
1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.
2. 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 Suffolk County Council or its agents at the applicant's expense.





Background information

See application reference DC/23/2120/FUL on [Public Access](#)

Map



Key

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