



East Suffolk House, Riduna Park, Station Road,  
Melton, Woodbridge, Suffolk, IP12 1RT

# Planning Advisory Panel South

## Members:

Councillor Paul Ashdown  
Councillor Jenny Ceresa  
Councillor Mike Deacon  
Councillor Tony Fryatt  
Councillor Debbie McCallum  
Philip Ridley (Head of Planning and Coastal  
Management)

The Head of Planning and Coastal Management has convened a **meeting of the Planning Advisory Panel South on Tuesday, 5 May 2020 at 9.30 am.**

The purpose of the meeting is to enable the Head of Planning and Coastal Management to consult on the determination of the applications listed below, pursuant to the authority delegated to him temporarily, in Section E of Part 2 of the East Suffolk Council's Constitution.

Due to the restrictions imposed during the COVID-19 pandemic, this consultative meeting will take place remotely via Skype/Conference call.

## Agenda Items

## Pages

- 
- 1 Apologies for Absence**  
To receive apologies for absence, if any.

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**2      Declarations of Interest**

Members and Officers are invited to make any declarations of Disclosable Pecuniary or Local Non-Pecuniary Interests 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.

- |          |  |                |
|----------|--|----------------|
| <b>4</b> | <b>DC-19-4442-FUL - 1 College Green, Felixstowe</b>                          | <b>1 - 10</b>  |
| <b>5</b> | <b>DC-19-4510-OUT - Land to the south side of Levington Lane, Bucklesham</b> | <b>11 - 40</b> |
| <b>6</b> | <b>DC-20-1212-FUL - 164 Bell Lane, Kesgrave</b>                              | <b>41 - 48</b> |



**Planning Advisory Panel - 5 May 2020**

**Delegated Report**

**Application no** DC/19/4442/FUL

**Location**

1 College Green  
 Felixstowe  
 Suffolk  
 IP11 7AP

**Expiry date** 7 January 2020

**Application type** Full Application

**Applicant** Mr & Mrs G Aguilar-Millan

**Parish** Felixstowe

**Proposal** Single storey extensions, detached garage with new wall

**Case Officer** Alexis Bruns  
 01394 444351  
[alexis.bruns@eastsoffolk.gov.uk](mailto:alexis.bruns@eastsoffolk.gov.uk)

**Summary**

The application seeks permission for a single storey side extension and also a L shaped rear extension, along with a new boundary wall.

Amendments have been received since the initial submission involving the removal of the garage and some cladding on the front elevation of the property.

The application is recommended for approval. The application accords with planning policy, the applicant is not an elected member or member of staff or close relative, the land is not owned by the district council and in terms of consultation responses received, the ward member has not commented and the Town Council recommended refusal of this planning application which is contrary to the Planning Officers recommendation of approval hence, the referral triggers being met.

The application was reviewed at the Planning Referral Panel on 18 February 2020 which referred the item to committee, on the basis of the level of public objections, and to enable discussion of the impacts upon visual amenity and the Conservation Area. Since that resolution, Planning

Committees have been suspended due to Covid-19 guidance relating to public gatherings. Therefore, the item is presented to the Planning Advisory Panel.

### **Site description**

Built under planning permission C/98/1673, the host dwelling is a large, two storey detached dwelling that sits on the corner of Foxgrove Lane and College Green in the Felixstowe Conservation Area. The property fronts Foxgrove Lane, with vehicular access from that road, and a side elevation facing College Green.

The residential properties of this area are all similar in character with mock Tudor timber cladding being the prominent focal points on front gables.

The properties are set back from the roads so to provide open space on their frontages, which is a key characteristic of the area.

### **Proposal**

The proposal seeks to add a single storey side extension on the elevation fronting College Green. It also seeks to add a separate single-storey rear and the erection of a new boundary wall on the side adjoining College Green.

The single storey extensions which have lean to roof designs, would accommodate a new extended living room and a sunroom/conservatory.

The rear proposed extension would have been permitted development had development rights not been removed under application C/98/1673, condition 14. Permitted development rights were removed with the reason given as *"In order that the local planning authority may retain control over this particular form of development in the interests of amenity and protection of the local environment."*

There is vegetation near to where the new wall would be situated which is proposed to be retained.

The scheme when originally submitted was described as *"Single Storey Extensions, Detached Garage with New Wall"*, and the plans included horizontal timber cladding to the first floor elements of the existing house that currently have mock tudor cladding. This description and plans showing the cladding were the subject of the consultation. Subsequently, the application was revised to remove the detached garage and horizontal timber cladding. Therefore these elements are no longer matters for consideration in the determination of the application.

### **Consultations/comments**

Third Party Objections - There have been 20 objections received raising the following material planning considerations:

- Visual Amenity and Conservation Area:
  - The property is on a generous plot in a prominent location on the corner of College Green and Foxgrove Lane, and within the Felixstowe Conservation Area. The Conservation Area Appraisal identifies this area as being characterised by large properties set in spacious settings. The plot has a large front garden with extensive landscaping which contributes positively to the streetscene and

provides a sense of openness, which would be lost by the proposed garage and wall, as they would encroach into and erode the front landscaping of the property.

- This was supposed to be an open plan road with hedges, not a brick wall. Concerned that the relocation of the wall closer to the pavement and the erection of a double garage in the front garden would be out of keeping with the scheme that created College Green and the high quality of the local environment. It would set a precedent, and create a 'blot' on the area.
  - It would harm the visual impact of the very old wall surrounding the entrance to College Green.
  - The garage would be an eyesore, obtrusive and spoil views of the front of the house. The design and size is out of character. They already have a double garage. It would create a massive block of bricks with a high pitched roof.
  - The proposed conservatory would be out of line with other properties in College Green, as no 1 stands on a corner plot. The conservatory pitch roof should match the height of the garage.
  - The extension does not meet the requirement to "*respect the plan form*" and be "*visually recessive and its size and design shall be that the original building will remain the more dominant feature on the site*" as required in policy DM21. The new extended boundary wall and garage will be dominant in views from College Green, leading to a sense of over-development.
  - The scheme would significant impact to the character and appearance of the streetscene and the Felixstowe Conservation Area, contravening Adopted Policies DM21, DM23, and emerging policies SCLP11.1, SCLP11.2 and SCLP11.3.
  - The scheme would also be contrary to the aims set out in the Conservation Area Management Plan, to preserve the important characteristic of the spacious nature of the plots. It is into of an appropriate design, scale, form, height, massing and position, and does not retain important features. The scheme would neither preserve or enhance the character of the Conservation Area.
- Residential Amenity
- Due to the visual impact design issues outlined above, the scheme would have an overbearing impact contrary to policy DM23.
- Traffic/ Highway Safety
- The entry to College Green from Foxgrove Lane is currently dangerous despite having an open plan frontage. The open plan frontage of 1 College Green greatly aids in the visibility to cars entering and exiting this road. Any alterations to this layout will have potential repercussions.
- Previous Appeal Decisions
- Reference should be made to appeal decisions APP/J3530/W/16/3142410 and APP/J3530/D/17/3170980, both of which proposed garages in front gardens of other spacious plots, and were dismissed on the basis of detrimental impacts upon the character of an area, contrary to policy DM21.

The representations also raise concerns relating to restrictive covenants, and loss of view. These are not material planning considerations and therefore cannot be considered in the determination of the application.

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

Consultee	Date consulted	Date reply received
Felixstowe Town Council	14 November 2019	6 December 2019
<p>Summary of comments:</p> <p><i>“FTC strongly recommends REFUSAL for this development, which in a number of ways is fundamentally at odds with the objectives of the Felixstowe Conservation Area and the particular aspects in regard to College Green, as highlighted in the recent Draft Felixstowe Conservation Area Appraisal document: Para 12.3 “College Green, an attractively-laid out development on former Felixstowe College land, with brick houses with timber framed detailing in well-landscaped gardens.”</i></p> <p><i>In particular:</i></p> <p><i>a) The combination of the proposed garage and very intrusive brick wall will seriously damage the open layout of this area which was a fundamental design principle of the original planning permission aiming to preserve the open character of the area, previously the College playing fields and, prior to that, the environs of Ridley House and similar nearby properties;</i></p> <p><i>b) The proposed change from timber-framed detailing, itself referred to in the Felixstowe Conservation Area Appraisal, to the proposed horizontal resin cement boarding, would significantly change the iconic characteristic to this property which is the gateway to College Green;</i></p> <p><i>c) The proposed extension to the eastern elevation would, in its own right, also impinge on the open character of the area and of the building itself.</i></p> <p><i>d) Additionally, aside from Conservation Area aspects, the development could seriously damage the very attractive streetscene of College Green and Foxgrove Lane, in contravention of DM21(a) and (f).</i></p> <p><i>In summary, this application is clearly against the concept of “preserving or enhancing” the Conservation Area. “</i></p>		

**Statutory consultees**

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	14 November 2019	25 November 2019
<p>Summary of comments:</p> <p><i>Suffolk County Council - Highways Department</i></p> <p><i>“This proposal is unlikely to have any impact on the highway network in terms of vehicle volume or highway safety. Therefore, Suffolk County Council as a highway authority does not wish to restrict the granting of permission.”</i></p>		

## Publicity

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

Category	Published	Expiry	Publication
Conservation Area	21 November 2019	12 December 2019	East Anglian Daily Times

## Site notices

General Site Notice	Reason for site notice: Conservation Area Date posted: 22 November 2019 Expiry date: 13 December 2019
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## Planning policy

On 1 April 2019, East Suffolk Council was created by parliamentary order, covering the former districts of Suffolk Coastal District Council and Waveney District Council. The Local Government (Boundary Changes) Regulations 2018 (part 7) state that any plans, schemes, statements or strategies prepared by the predecessor council should be treated as if it had been prepared and, if so required, published by the successor council - therefore any policy documents listed below referring to "Suffolk Coastal District Council" continue to apply to East Suffolk Council until such time that a new document is published.

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

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

East Suffolk Council Suffolk Coastal District Local Plan – Core Strategy and Development Management Development Plan Document (Adopted July 2013);

East Suffolk Council Suffolk Coastal District Local Plan – Site Allocations and Site Specific Policies Development Plan Document (Adopted January 2017); and

The 'Saved' Policies of the Suffolk Coastal Local Plan incorporating the first and second alterations.

The relevant policies of the Suffolk Coastal District Local Plan – Core Strategy and Development Management Development Plan Document (Adopted July 2013) are:

SP1 - Sustainable Development (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

SP1a - Presumption in Favour of Sustainable Development (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

SP15 - Landscape and Townscape (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM21 - Design: Aesthetics (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM23 - Residential Amenity (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

The Felixstowe Conservation Area Appraisal 2020 - Character Area 7: East of Brook Lane is also relevant to the consideration of the scheme.

Supplementary Planning Guidance 16 (House Extensions and Alterations) is also material to the consideration of the scheme.

## **Planning considerations**

### Visual Amenity, streetscene and Conservation Area

As explained in the proposals section of this report, the scheme has been modified during the course of the application. The detached garage and horizontal cladding, which would have been particularly prominent in views from public vantage points along Foxgrove Lane, have been removed, reducing the visual impact from this direction.

The replacement garden wall and side extension, which remain part of the scheme would still have a visual impact upon the streetscenes of Foxgrove Lane and College Green. However, just because something can be seen, it does not necessarily make in unacceptable. Whilst it is accepted that the single-storey side extension and garden wall would result in a visual change to the streetscene, both are proposed to be of a scale and form which reflects the existing dwelling and garden wall.

The single-storey side extension would have a lean-to roof and be constructed in external materials similar to those of the existing house. It would read as an addition, with the two-storey dwelling to which it is to be attached remaining dominant and clearly the original building. It therefore meets the requirements of Policy DM21 and Supplementary Planning Guidance 16, which requires this approach to the design and form of extensions to dwellings.

Similarly, the garden wall is proposed to be a 2m high red brick wall to match the existing 2m high red brick wall that is to be removed.

Both elements would be closer to the roadway of College Green, but a significant area would remain between the back edge of the pavement and the garden wall and side extension. At the closest point there would be 2.5m between the garden wall and the back of the pavement. The hedge along the back edge of the pavement is also proposed to be retained which would soften views from public vantage points.

Therefore, the design, form, materials and location of the proposed side extension and garden wall are considered acceptable in terms of visual amenity, including the impact upon street scene and the character of the Conservation Area.

The single-storey rear extension would be largely hidden from public vantage points, due to its location on the rear, where views from Foxgrove Lane and College Green would be largely



obscured by the existing dwelling, neighbouring dwellings and the garden wall (even once replaced). Views from public vantage points would be limited to primarily to the roofslope of the addition, when standing a significant distance back along College Green to enable views over the 2m high garden wall. Therefore, it would not significant impact upon the street scene, character of the area and the Conservation Area. However, it still follows the guidance in SPG16 and the requirements of policy DM21 in that it would be a subservient addition which respects the existing building, allowing the two-storey dwelling to be read as the original building.

For the reasons outlined above, the proposal with the removal of the new cladding and the garage is now considered to comply with the NPPF, relevant Local planning policies DM21, and SP15, and Supplementary Planning Guidance 16 and the Felixstowe Conservation Area Appraisal 2020 - Character Area 7: East of Brook Lane.

The scheme would also meet the requirements of Planning (Listed Buildings and Conservation Areas) Act 1990, in that it would preserve the character of the Conservation Area.

### Residential Amenity

Both the side and rear extension would be single-storey. Therefore, all new fenestration is proposed at ground level, so views towards neighbours would be obscured by existing or proposed boundary treatments. Therefore, there would be no direct overlooking or loss of privacy to adjoining properties. .

Due to the single-storey nature of the proposals there would also be no significant impact upon light to adjoining properties. As the side extension would be located on the side facing the roadway of College Green, it would not adjoin any residential gardens or windows on neighbouring properties. The rear extension would adjoin the boundary with no 30 Maybush Lane, but it would adjoin the neighbours outbuilding, so there would be no significant impact.

Therefore the scheme complies with planning policy DM23 and Supplementary Planning Guidance 16, in terms of residential amenity.

### Highway Safety

It is noted that a number of the representations of objections refer to existing issues related to parking etc close to the junction. The planning process cannot require an applicant to resolve an existing situation, only to ensure it is not exacerbated.

The removal of the garage from the scheme, will mean that there are no direct obstructions to visibility from the junction arising from the proposals. There are no alterations proposed to the existing vehicular access to the site and the Local Highway Authority has raised no objections. Therefore, the scheme is considered acceptable in terms of highway safety considerations.

### **Conclusion**

The proposal for a single storey side and rear extensions and new wall, complies with East Suffolk Council – Suffolk Coastal District Local Plan Core Strategy and Development Management Development Plan Document policy DM 21- Design: Aesthetics, Strategic Policy SP15 - Landscape and Townscape and Development Management policy DM23 - Residential Amenity, emerging Planning Policies SCLP11.1: Design Quality and SCLP11.2: Residential Amenity and Supplementary Planning Guidance 16, Felixstowe Conservation Area Appraisal 2020 - Character Area 7: East of Brook Lane. and the NPPF.

The character of the Conservation Area would also be preserved, so the scheme also meets the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### **Recommendation**

Application is recommended for approval subject to conditions.

### **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
  - Site location plan on drawing 2632.19.00 received 13 November 2019 (the block plan on this drawing is not approved)
  - Proposed ground floor plan drawing 2632:19:02 Revision received 29 January 2020,
  - Proposed Elevations drawing 2632:19:03 Revision C received 26 February 2020
  - Proposed Garden Wall Elevations drawing 2632:19:05 Revision D received 29 January 2020,

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 with the local planning authority.

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

4. The hedgerow adjoining the pavement of College Green, shown to be retained on the approved plan (block plan on drawing 2632:1905 revision D ) shall not be uprooted, felled, wilfully damaged or in any other way destroyed or removed without the prior written consent of the local planning authority. Any part of the hedge removed, dying, being severely damaged or becoming seriously diseased within five years of the completion of the development shall be replaced during the first available planting season, with trees or hedges of a size and species, which shall previously have been agreed by the local planning authority.

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

### **Informatives:**

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning

application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

2. East Suffolk Council is a Community Infrastructure Levy (CIL) Charging Authority.

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

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

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

CIL forms can be downloaded direct from the planning portal:

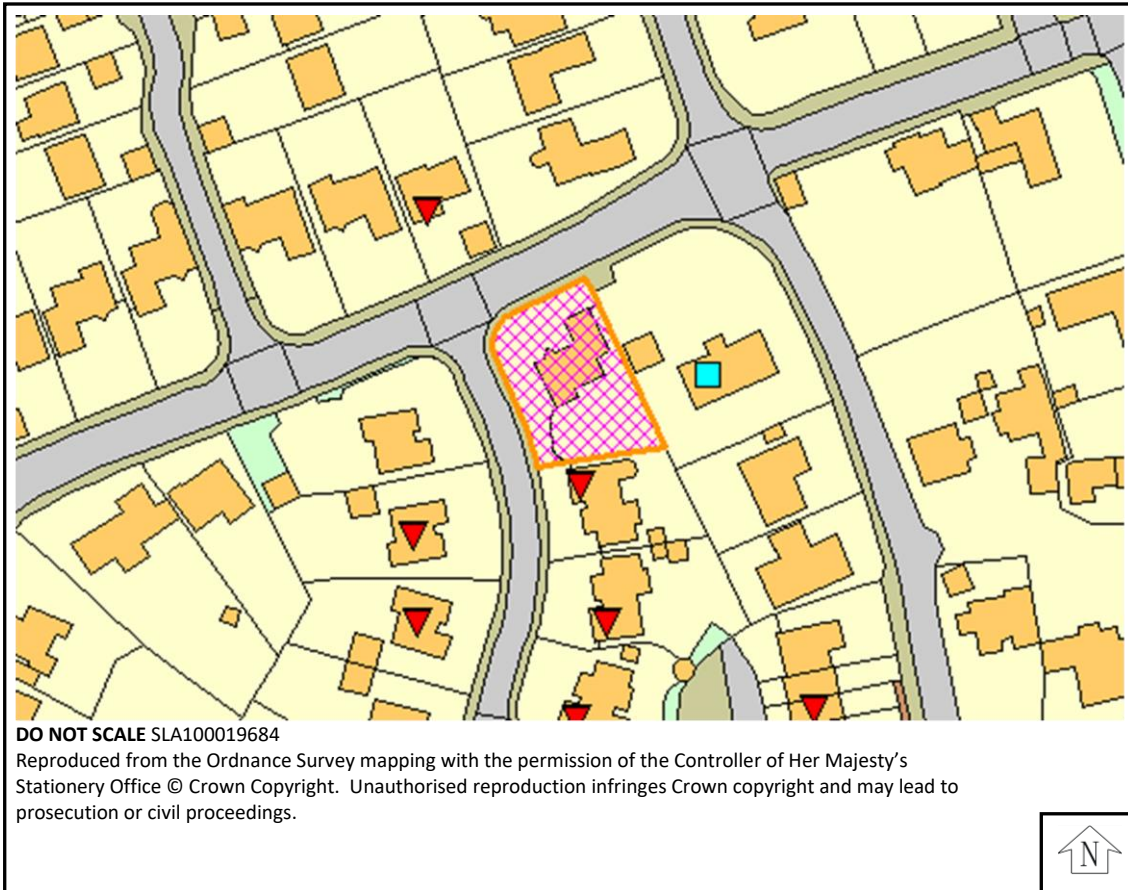
[https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy/5](https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5)

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





## **Background information**

See application reference DC/19/4442/FUL at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q0WDZWQXG0500>

## Map



## Key

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



## Planning Advisory Panel 12 May 2020

### Delegated Report

**Application no** DC/19/4510/OUT

**Location**

Land To The South Side Of  
Levington Lane  
Bucklesham  
Suffolk

**Expiry date** 20 February 2020

**Application type** Outline Application

**Applicant** Manor Oak Homes

**Parish** Bucklesham

**Proposal** The erection of up to 33 dwellings with associated landscaping, vehicular access and parking provision. All matters reserved aside from access

**Case Officer** Rachel Lambert  
01394 444574  
[rachel.lambert@eastsoffolk.gov.uk](mailto:rachel.lambert@eastsoffolk.gov.uk)

### Summary

**Proposal**

Outline application for the erection of up to 33 dwellings with associated landscaping, vehicular access and parking provision (all matters reserved aside from access) at land to the south east of Levington Lane, Bucklesham.

**Determination**

Under the scheme of delegation, all planning application decisions including decisions concerning Environmental Impact Assessment (EIA) decisions or considerations requiring Habitat Regulations Assessments (HRA) are delegated to the Head of Planning and Coastal Management unless the planning application is, in the opinion of the Head of Planning and Coastal Management or the Chairman/Vice Chairman of the Planning Committee, of significant public interest; would have a

significant impact on the environment; should otherwise be referred to Members due to its significance in some other respect; the applicant or landowner is East Suffolk Council; the applicant, or agent, is an East Suffolk Councillor or an East Suffolk Council employee, or the applicant, or agent, is a close relative of an East Suffolk Councillor or East Suffolk Council employee. None of the aforementioned criteria apply to this application.

However, as the 'minded to' decision of the planning officer is contrary to current policy, the application is referred to the planning advisory panel meeting on Tuesday 5th May.

#### Case for development

Although the site lies outside of the defined physical limits boundary of Bucklesham, where new residential development would not normally be permitted, However, the site is allocated within the emerging local plan (Policy SCLP12.45) as a sustainable location of the development of approximately 30 dwellings. As a reasonable amount of weight can be afforded to the emerging policy, as considered under Paragraph 48 of the National Planning Policy Framework, there is justification allowing the proposal despite deviance from current policy. The application is, therefore, recommended for approval subject to conditions and completion of a Section 106 agreement to secure affordable housing and a habitat mitigation (RAMS) contribution.

#### Site description

The site comprises a parcel of land south east of Levington Lane, Bucklesham - with an overall area of approximately 1.4 hectares. It currently forms part of an arable field, with vegetation along the northern and western boundaries and sits outside the physical limits boundary for the village. The surrounding environment comprises residential dwellings to the north and west, predominately two-storey in height, with the Bucklesham village centre to the north.

Bucklesham is defined as a local service centre, which has a modest range of services including a primary school and a village hall, albeit that the school is located away from the main built up area of the village. Bucklesham is located close to the A14 between Ipswich and Felixstowe and is, therefore, better connected to larger centres and employment opportunities than some of the other settlements in the district.

Topographically the site is relatively flat, sloping gently down from west to east and south to north. It is located within Flood Risk 1 zone, which the Environment Agency defines as having a low probability of flooding. There are no public rights of way on the site or in the immediate vicinity.

The site is not within a Conservation Area and does not contain any listed buildings within its curtilage. The nearest heritage designations are four listed buildings (including a Grade II\* listed church) approximately 400m north of the site.

The site is located outside of the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB), with Nacton Meadows Site of Special Scientific Interest (SSSI) approximately 1.8km to the southwest and the Stour and Orwell Estuaries Special Protection Area (SPA) and Ramsar site approximately 3km to the south.

## Proposal

The application seeks outline planning permission with all matters reserved, except for means of vehicular access to/from the site, for the redevelopment of the site for a mixed-use scheme comprising up to 33 dwellings.

Submitted access details for consideration includes vehicle and pedestrian access from Levington Lane to the northwest of the site, including the widening of a short stretch of the road to five metres to match the existing carriageway to the north and provide a footpath to link. A detailed illustrative layout has been submitted to demonstrate suitability of the site for the proposed level of development and a parameters plan has been submitted to inform key elements of future reserved matters submission. The detail on the illustrative plan provides reassurance on what may be achieved through this outline application but matters of layout and landscaping (along with scale and appearance) remain reserved matters for future consideration.

In summary, the proposed illustrative development comprises:

- o Up to 33 residential dwellings in a mix of one, two, three and four-bedroom properties.
- o One in three dwellings provided as affordable housing with a proposed tenure split of fifty percent affordable rent, 25 percent shared ownership and 25 per cent discounted home ownership.
- o Provision of several bungalows, with no dwellings over 2.5 storeys in height.
- o Removal of a small section of hedgerow along Levington Lane to provide the access road and to widen Levington Lane, with a new mature hedgerow to be planted at the edge of the widened road and a new hedgerows/trees will also be planted along the eastern and southern boundary of the site where there is none currently.
- o Semi-detached / terraced properties face Levington Lane to reflect the existing character of the road and lower density detached and semi-detached properties will be located to the east and south of site to reflect the rural edge of the village.
- o Parking to be provided in accordance with Suffolk County Council's standards.
- o Surface water drainage to be provided via permeable paving and soakaways for all dwellings, drives and roads and a foul water connection will be provided to the local sewer network.
- o An area of informal open space is proposed to the south of the site.

## Consultations/comments

Third Party Representations - Three objections have been received, raising the following matters:

- o Additional impact on infrastructure services in the village - sewage in particular.
- o Increased traffic movement along Levington Lane - whole lane should be widened.
- o Loss of agricultural land - impact to landscape and wildlife.
- o Anti-social behaviour and fear of crime.
- o Impact on residential amenity: light pollution, noise, loss of outlook, and over development.
- o Positioning of access and impact on adjacent properties.

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

Consultee	Date consulted	Date reply received
Buckleham Parish Council	22 November 2019	19 December 2019
Summary of comments: Response superseded.		

Consultee	Date consulted	Date reply received
Buckleham Parish Council	N/A	30 December 2019
Summary of comments: RESPONSE TOO LARGE - Copy to report once generated.		

**Statutory consultees**

Consultee	Date consulted	Date reply received
Network Rail	22 November 2019	5 December 2019
Summary of comments: No objection.		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	22 November 2019	12 December 2019
Summary of comments: Response superseded due to the submission of additional information - see reconsultation response below.		

Consultee	Date consulted	Date reply received
Anglian Water	22 November 2019	27 November 2019
Summary of comments: No objection subject to conditions.		

Consultee	Date consulted	Date reply received
Suffolk County Archaeological Unit	22 November 2019	3 December 2019



Summary of comments: No objection subject to conditions.
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Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	22 November 2019	17 April 2020

Summary of comments: No objection subject to conditions.
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**Non statutory consultees**

Consultee	Date consulted	Date reply received
Disability Forum	22 November 2019	No response

Summary of comments: No response received.
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Consultee	Date consulted	Date reply received
Police - Alan Keely Crime Reduction Beccles Police Station	22 November 2019	No response

Summary of comments: No response received.
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Consultee	Date consulted	Date reply received
Suffolk County Council Section 106 Officer	22 November 2019	4 February 2020

Summary of comments: Infrastructure requirements will be sought via CIL - as listed in the reporting.
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Consultee	Date consulted	Date reply received
SUSTRANS	22 November 2019	No response

Summary of comments: No response received.
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Consultee	Date consulted	Date reply received
Suffolk Fire And Rescue Service	N/A	26 November 2019

Summary of comments: No objection - informatives provided.
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Consultee	Date consulted	Date reply received
Housing Development Team (Internal)	22 November 2019	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	22 November 2019	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
Ecology (Internal)	22 November 2019	12 December 2019
Summary of comments: No objection subject to conditions.		

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	22 November 2019	16 March 2020
Summary of comments: No objection subject to conditions.		

Consultee	Date consulted	Date reply received
Design And Conservation (Internal)	22 November 2019	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
Landscape Team (Internal)	22 November 2019	6 December 2019
Summary of comments: No objection.		

Consultee	Date consulted	Date reply received
CIL Team	22 November 2019	No response
Summary of comments: No response received.		

Consultee	Date consulted	Date reply received
Building Control (Internal)	22 November 2019	25 November 2019
Summary of comments: No comment.		

Consultee	Date consulted	Date reply received
Planning Policy (Internal)	22 November 2019	12 December 2019
Summary of comments: Response incorporated within reporting.		

### Reconsultation consultees

Consultee	Date consulted	Date reply received
SCC Flooding Authority	3 February 2020	14 February 2020
Summary of comments: Recommended for approval subject to conditions.		

### Publicity

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

Category	Published	Expiry	Publication
Major Application	28 November 2019	19 December 2019	East Anglian Daily Times

### Site notices

General Site Notice	Reason for site notice: Major Application Date posted: 26 November 2019 Expiry date: 17 December 2019
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### Planning policy

National Planning Policy Framework

SP1 - Sustainable Development (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

SP1a - Presumption in Favour of Sustainable Development (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

XSP19 - Settlement Hierarchy (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

XSP2 - Housing Numbers and Distribution (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

SP3 - New Homes (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM2 - Affordable Housing on Residential Sites (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM7 - Infilling and Backland Development within Physical Limits Boundaries (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM19 - Parking Standards (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

SP14 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

SP15 - Landscape and Townscape (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM21 - Design: Aesthetics (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM22 - Design: Function (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM23 - Residential Amenity (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM26 - Lighting (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM27 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

## Planning considerations

### Outline application

The outline application seeks to establish whether the scale and nature of a proposed development would be acceptable to the local planning authority before a fully detailed proposal is put forward - allowing fewer details about the proposal to be submitted. Once outline permission has been granted, approval of the details "reserved matters" is required before work can start.

In this instance, only the means of access, which covers accessibility for all routes to and within the site, as well as the way they link up to other roads and pathways outside the site, is being considered within the outline application. As such, the following details will be agreed at later stage under a "reserved matters" application:

- o Appearance: Aspects of a building or place which affect the way it looks, including the exterior of the development;
- o Landscaping: The improvement or protection of the amenities of the site and the area and the surrounding area, this could include planting trees or hedges as a screen;
- o Layout: Includes buildings, routes and open spaces within the development and the way they are laid out in relations to buildings and spaces outside the development; and
- o Scale: Includes information on the size of the development, including the height, width and length of each proposed building.

### Principle of development

The site is located outside the physical limits boundary for the Bucklesham and is, therefore, considered as countryside (Policy SP19). As guided by Policy SP29 (Countryside), new development in the countryside is limited to that which of necessity requires being located there and accords with other relevant policies within the Core Strategy.

Policy SP3 (New Homes) is generally supportive of initiatives that secure new housing to help meet the needs of the existing and future population. However, new housing will firstly and primarily be directed to, and integrated within, the settlements for which physical limits boundaries have been defined. As the subject site is located within the countryside, the proposal is limited to certain circumstances. These exceptions include replacement dwellings on a one to one basis; the sub-division of a larger dwelling where it would meet a local need; affordable housing on exception sites; conversions of buildings subject to DM13; infilling within clusters; or development that would otherwise accord with Paragraph 79 of the NPPF (2019). In this case, the proposal cannot rely on any of the policy exceptions for support under the current local plan.

### Emerging planning policy

The site is allocated for development of approximately 30 dwellings under the emerging East Suffolk Council - Suffolk Coastal Local Plan Final Draft Plan (2019), and is described as representing a logical extension to the settlement, bringing the developed area of the eastern side of Levington Lane as far south as the edge of the developed area on the western side of the road (Policy SCLP12.45). The proposal is, therefore, considered to be an appropriate scale of development and located within a sustainable location, when considered against emerging policy.

The key consideration for this application will relate to the weight afforded to the relevant policies of the emerging local plan, as the current and emerging local plan holds opposing positions in respect of the principle of development in this location. The weight attributed to such policies of the emerging plan will require consideration of Paragraph 48 of the National Planning Policy Framework - addressed below.

#### Weight attributed to the emerging plan

The weight attributed to policies in the emerging local plan should be considered against the tests set out in Paragraph 48 of the National Planning Policy Framework (NPPF).

Paragraph 48a of the NPPF sets out that the more advanced the emerging plan in the plan making process, the greater the weight that may be afforded to the policies within. The emerging local plan has reached an advanced stage in its production, and the final draft submitted for Examination under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 in March 2019. Since the submission for examination, the hearing sessions were carried out between 20 August and the 20 September 2019. In light of the fact that the examination remains ongoing and the Inspector's report is yet to be published, there remains uncertainty as to the form that relevant policies against which this application will be in part determined against will take, if indeed such policies are deemed sound. As a result of this uncertainty the weight that should be attributed to the policies of the emerging local plan should be reduced.

Paragraph 48b of the NPPF is concerned with the extent to which there are unresolved objections to the relevant policies of the emerging plan and dictates that the less significant the unresolved objections the greater the weight that may be attributed to such policies. One representation was made against Policy SCLP12.45 at the Regulation 19 consultation (held between 14 January 2019 - 25 February 2019). This representation was made by Brown & Co, on behalf of the landowner, in support of the allocation and its projected delivery between 2020 - 2025. Armstrong Rigg Planning submitted a hearing statement on behalf of the landowner, which sought to address the Inspector's general questions concerning all proposed site allocations. These general questions can be found on the local plan examination webpage (Page 8 of document H6 (Initial Matters, Issues and Questions)). However, while the Inspector asked site specific questions against a number of proposed site allocations, he did not do so against Policy SCLP12.45. Thus, there are no unresolved objections against Policy SCLP12.45 raised at the Regulation 19 consultation or the hearing sessions, either by the Inspector or any other interested party and, therefore, in respect of Paragraph 48b some weight could be attributed to the respective policy.

Paragraph 48c of the NPPF establishes that the greater the consistency of the policies in the emerging plan to the national planning policy, the greater the weight that may be given. The emerging plan was submitted for examination on 29 March 2019 and, therefore, the test for consistency with the NPPF applies to the 2019 version. Policy SCLP12.45 requires the provision of approximately 30 dwellings, which would include open market and affordable housing, which provides an opportunity to help meet the development needs of the area as is supported by Paragraph 11a of the NPPF. Thirty dwellings on 1.4 hectares would deliver an approximate density of 21 dwellings per net hectare, which is considered to be consistent with Paragraphs 122 and 123 of the NPPF in respect of making efficient use of land. Furthermore, the emerging plan as a whole has been produced in alignment with the national planning policy and, therefore, the intention behind all policies of the emerging plan is that they are consistent with the framework - as such, some weight could be attributed to Policy SCLP12.45, as afforded by Paragraph 48c.

Policy SCLP12.45 of the emerging local plan establishes the principle of development on the site in question. As a result, under the emerging plan the proposal is not subject to policies concerning housing in the countryside. The proposal provides for 33 dwellings, which accords with the requirement for development to provide "approximately 30 dwellings".

Details of the infrastructure necessary in order to bring the proposed site allocation forward and to meet the objectives over the plan period, is listed in the Infrastructure Delivery Framework (Appendix B). Essential infrastructure necessary to support and mitigate development and ensures policy objectives are met for the site include:

- o Footway improvements (S106);
- o Additional education capacity in Kirton Ward (CIL); and
- o Capacity for additional pupils at Bucklesham Primary School (CIL).

Site allocation (SCLP12.45: Land to the South East of Levington Lane, Bucklesham)

Under the emerging East Suffolk Council - Suffolk Coastal Local Plan Final Draft Plan (2019) the site is allocated, allowing for the development of approximately 30 dwellings, which will be expected to accord with the respective criteria:

- a. Design and layout to reflect the linear nature of Levington Lane, with semi-detached or terraced properties provided on the frontage with Levington Lane;
- b. Affordable housing to be provided on site;
- c. Retention of trees and hedgerows along the frontage with Levington Lane where possible;
- d. Landscaping and boundary treatments appropriate to the rural character of the area surrounding the site to the east and south;
- e. Evidence is required to demonstrate there is adequate Water Recycling Centre capacity or that capacity can be made available; and
- f. Provision of a footpath to connect the site with the footpaths to the north of the site and widening of Levington Lane along western boundary of site where necessary.

Such considerations are addressed in turn below.

#### Design quality and residential amenity

The illustrative layout orientates properties to follow the existing pattern of development, with properties fronting Levington Lane, and those along the south eastern boundary facing out over the existing field. As shown within the illustrative drawings within the submitted Design and Access statement, the proposal comprises a mix of detached, semi-detached and apartment properties (ranging from one to four bedrooms), with heights that reflect those of the buildings close to the site - a mix of one and two storey houses, with buildings no greater than 2.5 storeys. The number of proposed houses and their indicative layout and orientation will help to maintain some views to the countryside for those properties opposite the site. Within this suburban setting, street facing residential units are deemed appropriate for quieter streets, with sufficient setbacks and screening as to provide appropriate levels of privacy for residents. Houses fronting Levington Lane are set back from the street with proposed screening to limit the overall sense of dominance. The retention and planting of new hedging will provide important screening, which helps to mitigate any visual and landscape impacts of the development. From Levington Lane, where views of the site will be possible, the proposed housing will be seen against the existing residential backdrop.

The buildings should be designed to contribute positively to the amenity of the street whilst providing added activity and interest to the public realm, both Levington Lane and within the site. The scheme would need to ensure that it is of a high design quality to fully accord with Policy DM21 (Design: Aesthetics) and Policy SCLP11.1 (Design Quality), as well as allowing for a scheme that promotes a high level of residential amenity, as required by Policy DM23 (Design: Residential Amenity) and Policy SCLP11.2 (Residential Amenity).

Such matters are to be addressed fully at upon submission of the reserved matters application - a condition of consent will apply accordingly requiring the submission of architectural detail and a design and access statement.

#### Housing mix and affordable housing provision

As guided by Policy SP3 (New Homes) and emerging policy for housing mix (Policy SCLP5.8), proposals for new housing development will be expected to reflect the mix and type of housing needs identified in the Strategic Housing Market Assessment or other evidence of local needs as supported by the council. In this instance, the proposed development should provide for a mix of sizes and types, with at least 40 percent to be one or two bed properties; at least 50 per cent of the dwellings to meet the requirements for accessible and adaptable dwellings under Part M4(2) of the Building Regulations; and demonstrate how the proposal contributes to increasing the choice and mix of housing available for the older population.

Current policy on affordable housing provision on residential sites (Policy DM2), expects expect 1 in 3 units to be affordable housing in a development of this scale. This is further supported by the emerging policy for affordable housing (Policy SCLP5.10), which states that proposals for residential development with capacity for ten units or more or sites of 0.5 hectares or more will be expected to make provision for one in three units to be affordable dwellings, and to be made available to meet an identified local need. Of these affordable dwellings, 50 per cent should be for affordable rent / social rent, 25 per cent should be for shared ownership and 25 per cent should be for discounted home ownership.

The indicative housing mix is considered to broadly accord with the target proportions; however, final details of the unit types and sizes is reserved for future determination. Any reserved matters application will need to comply with the relevant policy on housing mix. Affordable housing provisions are to be secured by way of a Section 106 legal agreement prior to determination.

#### Landscaping

The proposed scheme has incorporated existing site features including the retention of trees and hedgerows along the frontage of Levington Lane. The removal of the hedgerow along the north western section fronting Levington Lane, to allow for the incorporation of a footpath, will be replaced with a new native hedgerow on the amended site boundary line.

The application has been accompanied by a comprehensive landscape and visual impact assessment, which has been reviewed by the Council's Landscape Manager. This has been carried out according to prescribed professional guidelines and its conclusions are considered reliable.

Whilst the development of this arable use site would result in permanent loss of farmland, the site is considered to be of low landscape value and the development can still be achieved with key existing; landscape features left intact (i.e. most trees and hedgerows). The retention of existing trees and hedges (as far as is practically possible), and their sympathetic enhancement will help to integrate the developed site into the surrounding landscape. Such enhancement is specifically



targeted at the open south eastern site boundary to create a positive landscape edge and robust green buffer against the wider rural landscape to the south east. The retention of much of the roadside hedge will ensure the existing character of Levington Lane is retained as far as possible, and retention of other trees and hedges around the site will contribute to the reduction of potential adverse landscape effects. The site is closely related to the existing settlement edge and as such would not come across as notably at odds with its localised and indeed wider setting. For these reasons it is considered that the development will lead to minor adverse significance of effects on the local and wider landscape context.

In terms of potential significance of visual effects, the site is reasonably well contained as a result of the prevailing flat landscape and existing field boundary trees and hedges. The proposed new planting would further enhance that visual containment. It is considered that the significance of effects on immediate views of the site is moderate/minor adverse, with negligible significance of effects for localised and wider views. Overall there will only be very localised impact on visual amenity, and it is considered that the site has the ability to accommodate the proposed change without significantly adverse impacts. The described landscape enhancement strategy is well considered and acceptable subject to submission of final planting details at reserved matters stage.

Further detail regarding landscaping is required by way of condition and at reserved matters stage to ensure that the scheme accords with all relevant aspects of Policy SP15 (Landscape and Townscape) as well as emerging Policy SCLP10.4 (Landscape Character), to ensure there are no adverse effects to existing landscape features or its wider context with respect to visual amenity.

#### Flood risk

The submitted Flood Risk Assessment (by Martin Andrews Consulting dated 16 December 2019 - ref. 258-FRA-01-C) provides revised calculations, which demonstrates that with outline details there is a feasible drainage strategy for the site. Nonetheless, the Lead Local Flood Authority still has concerns with regard to the surface water drainage strategy for the site. This includes with respect to the lateral flow of water (due to gradient) that cannot infiltrate through the lower, less permeable layers, as quick as it can the upper layers.

It should also be noted that the outline development proposals are for up to 33 dwellings. If at a detailed design stage space needs to be provided for open sustainable urban drainage system (SuDS) to store greater depths of surface water or to reduce the extent of impermeable surfaces, then a reduction in the number of properties may be necessary. This should be considered as part of any viability assessments, especially if this land is going to be sold on for development.

Furthermore, sections of storage may need to be segregated to prevent lateral movement of water. It may be that an interception channel is required on the eastern boundary to prevent any overland flows escaping the site. The option for this to infiltrate at depth should be retained and explored further as part of detailed design - however, this will require additional site investigation.

Such matters were also raised by Anglian Water in their consultation response, stating that the preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option.

Overall, there are no objections to the outline proposal subject to a number of conditions that seek to prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development; ensure the development does not cause increased

flood risk, or pollution of watercourses or groundwater; ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage; and ensure that the sustainable drainage system has been implemented as permitted and that all flood risk assets and their owners are recorded onto the Lead Local Flood Authority's statutory flood risk asset register as per Section 21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk.

Further detail regarding flood risk and sustainable urban drainage is required by way of condition and at reserved matters stage to ensure that the scheme accords with all relevant aspects of Policy DM8 (Flood Risk) and emerging Policy SCLP9.5 (Flood Risk), which seeks to the development is safe, resilient and should not increase flood risk elsewhere. As well as emerging Policy SCLP9.6 (Sustainable Drainage Systems), which requires development of ten or more dwellings to utilise sustainable drainage systems, which are integrated into the landscaping scheme and green infrastructure provision, contribute to the design quality of the scheme; and deliver sufficient and appropriate water quality and aquatic biodiversity improvements, wherever possible - unless demonstrated to be inappropriate.

#### Footway

A footpath is proposed along the eastern side of Levington Lane, which will connect with the footpath further to the north. This is achieved through the realignment of the site boundary and reinstatement of native hedgerow. These highway works will be secured by condition and achieved through a Section 278 agreement with the Highway Authority.

#### Access and highways

Suffolk County Council as Highways Authority initially raised a number of comments and concerns regarding the proposal including visibility splays for the accesses. Further to the initial highways response (received 13th December 2019) the applicant has provided vehicle tracking evidence that substantiates that the Levington Lane improvement's minimum widening width of five metres would be suitable for a refuse lorry to safely access the new junction into the new 5.5 metre width estate access road. The tracking drawings also show the new Levington Lane improvement's frontage footway width scale off at two metres. Accordingly, the highways authority have subsequently withdrawn their holding objection, and have recommended conditions, which have been included in this report.

For highway safety reasons, the applicant will be expected to construct a suitable access onto the site, complete required visibility splays, prior to commencing any other works on site, and the construction of a temporary site access (temporary in this case meaning for less than one year) would need to be licensed by the highway authority.

It is recommended that the new adoptable bellmouth junction into the site and the Levington Lane improvements, as required by Policy SCLP12.45, is to consist of carriageway widening and a new length of two-metre-wide frontage footway. Such works should be completed before first occupation of any of the new dwellings and will be secured by condition.

Comments on highway and parking matters raised by the highways authority, not related directly to access, that have been included in the submitted 'outline application' documentation are to be noted/addressed at reserved matters stage:

- o The permeable paving construction proposed for much of the new estate's roadways would make them unacceptable for adoption by the highway authority.
- o Although the permeable nature of much of the estate roadways' construction would make them unsuitable for adoption, these roadways that are to be regularly trafficked by heavy service vehicles, such as waste collection lorries, will still be required to have construction and layouts suitable to accommodate such vehicles.
- o Although the new 5.5-metre-wide estate access road, located immediately off of Levington Lane, appears to be shown as being of an impermeably surfaced type of construction it would still be unsuitable for adoption because its geometry does not include the necessary adoptable turning head.
- o Details required for any planting that is to be located within, or close enough to impact, the highway maintainable at public expense.

Further detail regarding parking provision, layout and general function of the site is required by way of condition and at reserved matters stage to ensure that the scheme accords with all relevant aspects of Policy DM19 (Parking Standards); DM22 (Design: Function); emerging Policy SCLP7.2 (Parking Proposals and Standards); and the Suffolk Guidance for Parking - Technical Guidance 2019.

#### Ecology

A Preliminary Ecological Appraisal (PEA) (by Wharton dated October 2019) has been provided and reviewed by an East Suffolk Council ecologist, with no objections raised. The local planning authority is in agreement with the conclusions of the reporting, subject to the implementation of the recommendations made within the Preliminary Ecological Appraisal should being secured by condition. As well as ensuring the development is undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the PEA, the following submissions are required: ecological enhancement strategy, lighting design strategy, and a landscape and ecological management plan.

The application site is located within 13km of a designated European Site. The Suffolk Recreation Avoidance Mitigation Strategy ("Suffolk Coast RAMS") identifies that new housing development within a 13km zone of influence ("ZOI") of any designated European site in Suffolk will have a likely significant effect on the interest features of those sites through increased recreational pressure, both alone and in-combination with other housing in the ZOI. To mitigate this, a per-dwelling financial contribution is required to fund the Suffolk RAMS (upon submission of an application) to ensure the scheme is in accordance with the objectives of Policy SP14 and Policy DM27 of the Suffolk Coastal District Local Plan Core Strategy & Development Management Policies Development Plan Document (2013), which seeks to protect designated sites in accordance with The Conservation of Habitats and Species Regulations (2017). The financial contribution is to be secured by a planning obligation - this provision will be delivered via an agreed Section 106 (S106) agreement.

Further detail regarding ecological measures is required by way of condition and at reserved matters stage to ensure that the scheme accords with all relevant aspects of Policy SP14 (Biodiversity and Geodiversity) and Policy DM27 (Biodiversity and Geodiversity), as well as emerging Policy SCLP10.1 (Biodiversity and Geodiversity) and SCLP10.2 (Visitor Management of European Sites).

#### Archaeology

The site of the proposed development has high potential for the discovery of important hitherto unknown heritage assets of archaeological interest in view of its large size and location close to a number of sites recorded in the County Historic Environment Record (HER). This includes a finds scatter of Roman pottery and tile (HER ref BUC 014) and large cropmark complexes which include enclosures and ring ditches (BUC015 and 075), indicative of both settlement and funerary activity in this area. Surrounding the site, numerous other cropmark sites and multi-period finds scatters have been recorded. An archaeological trial trench evaluation has been conducted at the site and we are still awaiting the draft report of results. There are no grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets. However, in accordance with the National Planning Policy Framework (Paragraph 199), any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

#### Environmental quality

The Air Quality Assessment (by Armstrong Rigg Planning dated February 2020) was been submitted as a supporting document in association with the application. The report provided a review of the proposed development against the criteria for detailed Air Quality Assessments set out in Table 6.2 of 'EPUK & IAQM Land-Use Planning & Development Control: Planning for Air Quality January 2017'. It has demonstrated that the proposal would not meet the criteria for significant increase in LDV and HDV flows, and that none of the following are proposed: junctions requiring significant acceleration / deceleration (e.g. traffic lights or roundabouts); new or changed bus stations; underground car parks; works to realign roads in an AQMA; or substantial combustion processes. None of the criteria for detailed AQA have therefore been met and no further assessment is therefore required. The assessment submitted is proportionate to the nature and scale of development proposed and the level of concern about air quality, and sufficiently addressed initial concerns with regard to environmental protection.

A full suite of contaminated land conditions is proposed, along with the submission of a Construction Management Plan, to ensure that pollution risks 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. The Head of Environmental Services has raised no objection to the application.

Further detail regarding environmental quality is required by way of condition and at reserved matters stage to ensure that the scheme accords with all relevant aspects of Policy SCLP10.3 (Environmental Quality), which expects development proposals to protect the quality of the environment and to minimise and, where possible, reduce all forms of pollution and contamination.

#### Infrastructure provision

Infrastructure requirements needed to support and service the proposed development must be considered in the proposed development, with the expectation that the scheme contributes towards infrastructure provision to meet the needs generated. Off-site infrastructure will generally be funded by the Community Infrastructure Levy, and on-site infrastructure will generally be secured and funded through Section 106 planning obligations.

The development will be expected to contribute to the delivery and enhancement of infrastructure that encourages active lifestyles and healthy communities. Open space should be provided on new residential development sites to contribute to the provision of open space and

recreational facilities to meet identified needs, in accordance with Policy SCLP8.2 (Open Space). The indicative proposal includes approximately 1,000 square metres of informal open space to the south of the site. National standards recommended by Fields in Trust promotes a requirement for 2.4 hectares of open space (play areas and playing fields) per 1,000 people which enables residents of all ages to participate in sport and play. The population of Bucklesham, based on the 2011 census, is 526 - and the proposed development would increase this by at approximately 91 (based on one person per bedroom proposed). In this instance, the nearest open space is located approximately 160 metres from the proposed vehicle access on Levington Lane. Accessed via Levington Lane, the existing recreation area comprises a football pitch and play space totalling approximately 2 hectares. It is considered that this is an adequate level of open space considering the projected population for the area.

With regard to play equipment, it is noted in the Suffolk Coastal District Council Open Spaces Assessment 2014, the Bucklesham play area measures approximately 0.07 hectares - it caters for all age groups and a full range of physical and movement skills; has more than eight items of usable equipment (qualifies as a NEAP); has no perimeter fence; and disabled access to some of the play area, no dedicated disabled equipment, and a hard-surfaced approach path. It is, therefore, considered that there is suitable quality of play equipment within the immediate area. Nonetheless, given the scale of the development, some form of play equipment is encouraged to be included on site and integrated within the proposed open space area.

Fire hydrant requirement will be covered by appropriate planning conditions. Suffolk County Council strongly recommends the installation of automatic fire sprinklers and The Suffolk Fire and Rescue Service requests that early consideration is given during the design stage of the development for both access for fire vehicles and the provisions of water for firefighting which will allow SCC to make final consultations at the reserved matters stage.

#### Community Infrastructure Levy

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

Summary of infrastructure requirements to be secured by CIL for this development include the following:

- Education (primary, secondary and sixth form [post-16]);
- Early years education;
- Libraries improvement;
- Waste infrastructure; and
- Superfast broadband.

In respect of the examination in public of the emerging local plan, the council are waiting for the Inspector to respond following the hearing sessions. In respect of the site allocation Policy SCLP12.45, Policy SCLP3.5 (Infrastructure Provision) and Appendix B - Infrastructure Delivery Framework identifies additional early years education capacity and additional capacity for primary, secondary and post-16 provision as falling to CIL.

## Conclusion

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that "where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise. The principle of development of this scale on this site is contrary to policy under the existing East Suffolk Council - Suffolk Coastal District Local Plan Core Strategy & Development Management Policies Development Plan Document (2013). However, the site is allocated within the emerging local plan (Policy SCLP12.45) as a sustainable location of the development of approximately 30 dwellings. As a significant amount of weight can be afforded to the emerging policy, as considered under Paragraph 48 of the National Planning Policy Framework, the proposal is supported in principle. There are therefore other considerations in the emerging plan which support any policy conflict in the countryside location of this proposal. It is also considered to be a sustainable location for the proposed development.

The reserved matters application will require further details with regard to scale and layout is to be provided at the reserved matters stage. Matters relating to highways, flooding, ecology, landscape and environmental protection can be sufficiently mitigated, methods of which are to be secured by way of condition. Any impacts upon facilities and public services can be mitigated through Community Infrastructure Levy finance. Overall, the delivery of up to 33 homes including (affordable housing) is considered to be a public benefit, with any harm likely to arise considered to be limited and outweighed.

Subject to the imposition of the conditions set out below and the signing of a Section 106 agreement regarding affordable housing and habitat mitigation, the development is considered sustainable and in compliance with the emerging local plan and national planning policy.

## Recommendation

Recommended for approval subject to conditions and completion of a Section 106 agreement to secure:

- o Affordable housing; and
- o Habitat mitigation (RAMS) contribution.

## Conditions:

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

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

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

- Design principles and concepts that have been applied (Design and Access Statement);
- The layout of buildings within the proposed development;
- The precise height, width and length of individual buildings;
- The appearance of buildings;
- Access to and within the site for vehicles, cycles and pedestrians (including areas to be provided for storage of refuse/recycling bins); and
- Landscape proposals including the incorporation of play provision.

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

3. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the submitted Preliminary Ecological Appraisal (PEA) (by Wharton dated October 2019).

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.

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

Reason: To 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.

5. No development shall take place until an Ecological Enhancement Strategy, addressing how ecological enhancements will be achieved on site, has been submitted to and approved in writing by the local planning authority.

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.

6. No development shall take place until a "lighting design strategy for biodiversity" for the site shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a. Identify those areas/features on site that are particularly sensitive for bats 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.

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.

7. 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 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.

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

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

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

Reason: 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.

9. The landscape works to be approved at Reserved Matters stage shall be implemented not later than the first planting season following commencement of the development (or within



such extended period as the local planning authority may allow) and shall thereafter be retained and maintained for a period of five years. Any plant material removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter and shall be retained and maintained.

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

10. The development hereby permitted shall proceed only in complete accordance with the methodology set out within the Arboricultural Method Statement (by Wharton Natural Infrastructure Consultants dated 15 October 2019).

Reason: To ensure that the works undertaken in the vicinity of important trees are carried out in a way that minimises/prevents damage to them.

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

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

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

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Strategic Policies SP1 and SP15 of Suffolk Coastal District Council Core Strategy Development Plan Document (2013) and the National Planning Policy Framework (2012).

12. 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 9 and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to

ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Strategic Policies SP1 and SP 15 of Suffolk Coastal District Council Core Strategy Development Plan Document (2013) and the National Planning Policy Framework (2012).

13. Concurrent with the first reserved matters application(s) a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority. The scheme shall be in accordance with the approved FRA and include:
  - a. Dimensioned plans and drawings of the surface water drainage scheme;
  - b. Further infiltration testing on the site in accordance with BRE 365 and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible;
  - c. If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to  $Q_{bar}$  or 2l/s/ha for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA;
  - d. Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;
  - e. Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year climate change rainfall event, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
  - f. Topographical plans depicting all exceedance flow paths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;
  - g. Details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:
    - i. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-  
temporary drainage systems; measures for managing pollution / water quality and protecting; controlled waters and watercourses; and measures for managing any on or offsite flood risk associated with construction.
  - h. Details of the maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority.

The scheme shall be fully implemented as approved.

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

arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage.

[www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-on-development-and-flood-risk/construction-surface-water-management-plan/](http://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-on-development-and-flood-risk/construction-surface-water-management-plan/)

14. The development hereby permitted shall not be occupied until details of all Sustainable Urban Drainage System components and piped networks have been submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: 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 per Section 21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk.

[www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-asset-register](http://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-asset-register)

15. Prior to the occupation of development, a scheme for the provision of fire hydrants shall be submitted to and approved by the local planning authority. The approved scheme shall be implemented in its entirety prior to the occupation of the building. It shall thereafter be retained and maintained in its improved form.

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

16. Concurrent with the first reserved matters access application details of the scheme to provide the:

- new estate road access junction;
- new 2.0 metre wide frontage footway to connect the site with the existing footway network to the north of the site; and
- widening of Levington Lane to a minimum width of 5.0 metres along the site's western boundary,

all as shown indicatively on drawing 258-TA10 Rev A, shall be submitted to and approved in writing by the local planning authority.

The approved scheme shall be laid out and constructed in its entirety prior to occupation of any dwelling.

Reason: To ensure that the new junction and improvements scheme are designed and constructed to an appropriate specification. The improvements scheme is required by local plan Policy SCLP12.45, and is shown indicatively on outline application drawing 258-TA10 Rev A.

17. Before the new estate road junction is first used clear visibility at a height of 0.6 metres above the carriageway level shall be provided and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 2.4 metres from

the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 43 metres in each direction along the edge of the metalled carriageway from the centre of the access (Y dimension).

Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

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

18. The new estate road junction as shown indicatively on drawing 258-TA10-Rev-A, or an approved temporary access, must be formed inclusive of cleared land within the X=2.4m & Y=4m sight splays, prior to any other works commencing or delivery of any other materials.

Reason: In the interests of highway safety, to ensure a safe access to the site is provided before other works commence. and to facilitate off street parking for site workers in the interests of highway safety.

19. Before the development is commenced, details of the estate roads and footpaths, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure that roads/footways are constructed to an acceptable standard.

20. No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least Binder course level or better in accordance with the approved details except with the written agreement of the local planning authority.

Reason: To ensure that satisfactory access is provided for the safety of residents and the public.

21. Before the development is commenced details of the areas to be provided for storage of refuse/recycling bins shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

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

22. Before the development is commenced details shall be submitted to and approved in writing by the local planning authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the prior to occupation of any dwelling and shall be retained thereafter in its approved form.

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

23. Before the development is commenced details of the areas to be provided for the [loading, unloading,] manoeuvring and parking of vehicles including electric vehicle charging points, powered two wheeled vehicle provision and secure covered cycle storage shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: In the interests of highway safety and to encourage the use of sustainable transport. To ensure the provision and long-term maintenance of adequate on-site space for the parking and manoeuvring of vehicles in accordance with Suffolk Guidance for Parking where on-street parking and manoeuvring could be detrimental to highway safety.

24. No development shall commence until a detailed method of construction statement has been submitted to and approved by the local planning authority. This statement shall contain information on how noise, dust, and light will be controlled so as to not cause nuisance to occupiers of neighbouring properties, and set out hours of construction/activity on site, the location of parking areas for construction vehicles and delivery hours for materials and equipment to the site before and during construction. Thereafter, the approved construction statement shall be adhered to throughout the construction of the development.

Reason: To reduce the potential impacts of noise pollution and additional vehicular movements in this area during the construction phase of the development.

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

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

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

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

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

26. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a detailed remediation method statement (RMS) has been submitted to, and approved in writing by, the local planning authority. The RMS must include, but is not limited to:

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

The RMS must be prepared by a competent person and conform to current guidance and best practice, including CLR11.

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

27. Prior to any occupation or use of the approved development the remediation method statement approved under Condition 26 must be completed in its entirety. The local planning authority must be given two weeks written notification prior to the commencement of the remedial works.

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

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

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and

ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

29. 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 (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 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.

#### **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 (2019) and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.
2. 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.
3. The applicant is advised that the proposed development will require approval under Building Regulations (2010). Any amendments to the hereby permitted scheme that may be necessary to comply with Building Regulations (2010) must also be approved in writing by

the local planning authority in order that any planning implications arising from those amendments may be properly considered.

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

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

5. The applicant is advised that the proposed development is likely to require the naming of new street(s) and numbering of new properties/businesses within those streets and/or the numbering of new properties/businesses within an existing street. You should contact the Property Information Team (01394 444261), which is responsible on behalf of the Council for the statutory street naming and numbering function.
6. Access to buildings for fire appliances and firefighters must meet with the requirements specified in Building Regulations Approved Document B, (Fire Safety), 2006 Edition, incorporating 2010 and 2013 amendments Volume 1 - Part B5, Section 11 dwelling houses, and, similarly, Volume 2, Part B5, Sections 16 and 17 in the case of buildings other than dwelling houses. These requirements may be satisfied with other equivalent standards relating to access for fire fighting, in which case those standards should be quoted in correspondence.

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

7. Suffolk Fire and Rescue Service recommends that fire hydrants be installed within this development on a suitable route for laying hose, i.e. avoiding obstructions. However, it is not possible, at this time, to determine the number of fire hydrants required for fire fighting purposes. The requirement will be determined at the water planning stage when site plans have been submitted by the water companies.
8. 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. (Please see sprinkler information enclosed with this letter). Consultation should be made with the Water Authorities to determine flow rates in all cases. Should you need any further advice or information on access and fire fighting facilities, you are advised to contact your local Building Control in the first instance. For further advice and information regarding water supplies, please contact the Water Officer at the above headquarters.
9. HIGHWAY WORKS: SECTION 278 AGREEMENT It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the highway

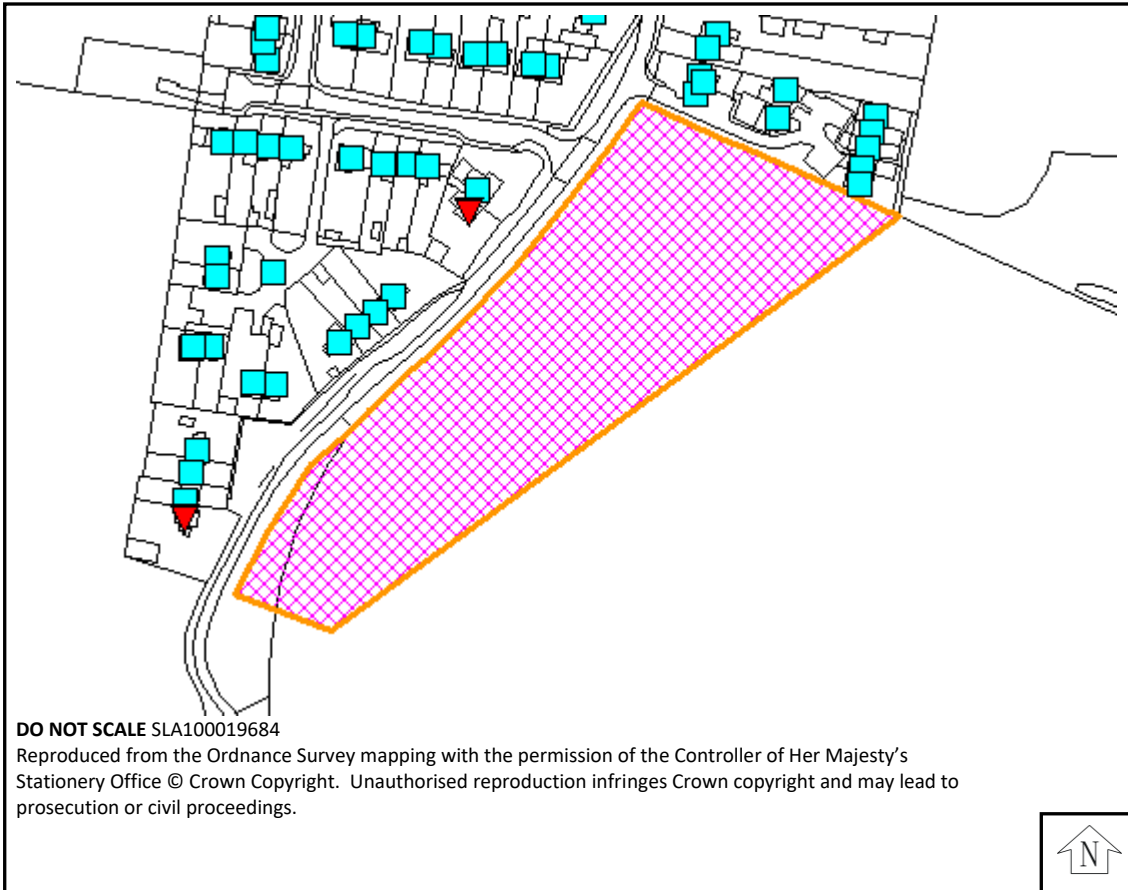


authority. The works within the public highway will be required to be designed and constructed in accordance with the county council's specification. The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the county council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing. For further information please visit <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>





### **Background information**

See application reference DC/19/4510/OUT at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q17LDQQX06000>

## Map



## Key

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



## Planning Advisory Panel 5 May 2020

### Delegated Report

**Application no** DC/20/1212/FUL

**Location**

164 Bell Lane  
Kesgrave  
Suffolk  
IP5 1NA

**Expiry date** 11 May 2020

**Application type** Full Application

**Applicant** Natasha Smith

**Parish** Kesgrave

**Proposal** A detached garden annexe, ancillary to the main dwelling, to the rear of property for an elderly relative.

**Case Officer** Bethany Rance

[bethany.rance@eastsoffolk.gov.uk](mailto:bethany.rance@eastsoffolk.gov.uk)

### Summary

The application is before the planning advisory panel because while there is considered no significant public interest; or significant impact that requires direct referral to Members; and the applicant or landowner is not East Suffolk Council; the applicant, or agent, is not an East Suffolk Councillor or an East Suffolk Council employee, or close relative of a Councillor or employer, the 'minded to' decision of the Planning Officer is contrary to comments received from Kesgrave Town Council and hence the requirement to undertake the committee referral process.

The application proposes a detached annexe, ancillary to the main dwelling, to the rear of property for an elderly relative.

This application is recommended for approval.

Case for Development: This application is a resubmission of a previously withdrawn scheme (DC/19/4888/FUL) which was not considered compliant with policy DM6, withdrawn January 2020. This revised scheme for an annexe meets the policy criteria set out by policy DM6 -

Residential Annexes; it is well-related to the existing dwelling in terms of scale and size. Conditions will be applied to limit its occupation to prevent future use as a separate dwelling. The proposal would not cause significant harm to the residential amenity of neighbouring/adjoining properties regarding overlooking, access to daylight, or loss of privacy, thereby complying with Policy DM23 - Residential Amenity. It is acceptable in terms of design, and therefore complies with Policy DM21 - Design.

### **Site description**

The site comprises a detached chalet bungalow on the eastern side of Bell Lane, set in a long plot with substantial rear garden. To the front, the site is bounded by a low red brick boundary wall to the western and northern boundary, and vegetation to the southern boundary. The rear garden is bounded by 1.8m close boarded fencing.

The existing dwelling is cream render and red brick with clay pantiles and three velux windows on the front (western) elevation. The property is separated from the road by a pedestrian footpath, and the dwelling sits back approximately 13m from the path. The space in front of the dwelling is concrete hardstanding, used for parking and turning. There is a driveway down the southern boundary of the plot and a detached single garage set slightly behind the dwelling to the southern side.

The surrounding area is comprised of a mix of bungalows, chalet bungalows, and detached/semi-detached two-storey residential dwellings. The east side of Bell Lane is characterised by detached residential dwellings with deep rear gardens. Several dwellings have been extended and altered over time and there are numerous examples both in the immediate and wider locality of modest bungalows either being extended to one-and-a-half storeys; or replaced with larger dwellings.

No. 160 Bell Lane (2 doors to the north of the application site) has a rear annexe approved under C/08/0921; erection of a single storey extension to provide annexe.

### **Proposal**

The application proposes a detached annexe, ancillary to the main dwelling, to the rear of property for an elderly relative. The annexe is set back approximately 19m from the main dwelling, approximately 1m from the northern boundary, 6m from the southern boundary, and 16m from the western (rear) boundary of the plot. It would have an overall height of approximately 2.9m and measures approximately 12 x 5m.

The annexe contains one double bedroom, bathroom, additional toilet, and an open kitchen/diner/lounge space. Patio doors and a single door are proposed on the front elevation. A small window serving the bathroom is proposed on the rear elevation. A window is proposed on the side (west) elevation. No fenestration is proposed on the side (east) elevation. Proposed materials are Structurally Insulated Panel (SIP) construction with cedar lap fibre cement cladding, in grey, with seamless rubber flat roof and gravel topcoat, PVC windows and doors in anthracite grey.

This application is a revised scheme, resubmitted following withdrawal of DC/19/4888/FUL in January 2020. The original annexe measured approximately 13m by 6.8m, configured in a loose 'L' shape. It had a similar footprint to that of the main dwelling. The original scheme proposed two bedrooms and two toilets in addition to other rooms, and it was considered the building would

provide a significant degree of accommodation, particularly compared to the main house. As such, it was considered the original level of accommodation provided could not be supported by policy. Following informal discussions with the agent, the scheme was revised to reduce the level of accommodation to meet the criteria of policy DM6. The revised scheme represents a reduction of around 25% of floorspace from the original scheme.

**Consultations/comments**

No third party representations received

**Consultees**

**Parish/Town Council**

Consultee	Date consulted	Date reply received
Kesgrave Town Council	19 March 2020	3 April 2020
Summary of comments: "Refuse - Voting was unanimous. The Committee believe this is not an annex but a separate dwelling and as such is contrary to policy DM6."		

**Publicity**

None

**Site notices**

General Site Notice

Reason for site notice: General Site Notice

Date posted: 23 March 2020

Expiry date: 15 April 2020

**Planning policy**

National Planning Policy Framework

DM6 - Residential Annexes (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM21 - Design: Aesthetics (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

DM23 - Residential Amenity (East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document (July 2013))

**Planning considerations**

Planning History: The dwelling has been extended; C/10/2574 consented erection of single-storey rear extension.

Relevant planning policies are DM6 (Residential Annexes), DM21 (Design: Aesthetics) and DM23 (Residential Amenity), supplemented by the guidance in SPG16: House Alterations and Extensions.

#### Annexes (Policy DM6):

Policy DM6 (Residential Annexes) allows for the creation of self-contained annexe accommodation in order to accommodate an elderly/disabled dependent in the form of a new building within the curtilage where it is well-related to the existing dwelling, when there is no significant adverse effect on residential or visual amenity, with conditions applied to limit occupation to prevent future use as a separate dwelling.

There is an additional criterion regarding the impact on the landscape but Policy DM6 states this is only relevant to sites within the countryside, the application site however lies within the physical limits of Kesgrave.

It is important for the local authority to ensure that if approved there is not pressure for the subdivision of the annexe away from the main house at a later date. To ensure the annexe remains small in scale and to reduce the risk of future pressure to subdivide the property it is expected that annexes only provide minimal accommodation, on the basis that the occupants of the annexe share some facilities with the main house.

The proposed annexe has a much lower level of facilities and lesser accommodation provided than is provided by the host dwelling. There will be a degree of reliance of the annexe on the main dwelling for amenities. Given the reduced level of facilities and accommodation provided in the annexe from the original application, it is not considered the annexe is comparable in terms of function to a separate dwelling. It is not considered to represent a separate and independent dwelling. The layout reads as an annex and the size is relatively modest compared to the host dwelling and the size of the site.

The east-west orientation of the annexe and position of the annexe near the northern boundary means the annexe reads as an ancillary dwelling within the curtilage of no. 164, not challenging it as a separate and equal dwelling with similarly sized garden amenity areas. A north-south orientation would read more like potential subdivision of the plot into two separate plots.

No. 160 Bell Lane (2 doors to the north of the application site) has a rear annexe approved under C/08/0921; erection of a single storey extension to provide annexe. The annexe is of similar size to the one this application proposes, though no. 160's annexe was built as an extension and not a new building.

Conditions will be applied to limit its occupation to prevent future use as a separate dwelling. Therefore, the proposal is considered to meet the considerations set out in policy DM6.

#### Design (Policy DM21):

Policy DM21 sets out that proposals that comprise poor visual design and layout, or otherwise seriously detract from the character of their surroundings will not be permitted, and they should relate well to the scale and character of their surroundings particularly in terms of their siting, height, massing and form.

The proposed materials are different to those of the main dwelling. Cedar lap cement cladding panels with a flat roof differentiate the annexe from the main dwelling, and ensure the annexe reads as an addition, not dissimilar to an outbuilding. The design of the annexe includes a flat roof which ensures it appears visually recessive to the main dwelling. The plot is of sufficient size to accommodate the proposed annexe and retain sufficient amenity space for the occupants of the main dwelling, and of the annexe.

Given the position of the annexe to the rear of the dwelling and its single-storey nature, the proposal would not be at all visible in the streetscene and as such has no impact on the character/appearance of the area.

The overall appearance and design of the proposed annexe is considered acceptable. The annexe is of appropriate size and scale to read as an ancillary dwelling, subservient to the main dwelling. By virtue of its modest scale and design, it is considered the annexe is well-related to the existing dwelling and does not challenge it or dominate the amenity space of the plot.

The size, scale, and form of the annexe ensure it clearly reads as additional accommodation to the main dwelling, with the lower level of accommodation and facilities provided in the annexe ensure some degree of reliance on the amenities of the main dwelling.

**Residential Amenity (Policy DM23):**

Policy DM23 requires consideration of the impact of the development on the amenities of adjoining properties, including privacy/overlooking, outlook, access to daylight/sunlight, and the resulting physical relationship with other properties. Residential annexes to allow for the care of parents/other family members generally have reduced standards of privacy, parking and amenity space than normal dwellings and pose few problems.

The boundary treatments of the rear garden are close boarded fencing, which will somewhat screen the annexe from the neighbouring properties. Given the setback of the annexe from the main dwelling and the distance to the rear elevations of the neighbouring properties, it is not considered the proposal will cause significant harm to adjoining neighbours amenity in terms of loss of privacy, loss of light or overbearing impact, given its distance from their rear elevations and its single storey scale.

The annexe would reduce the area of amenity space available to the main dwelling, but the ample size of the plot means sufficient amenity space is retained to serve both the main and ancillary dwellings. The annexe has no associated parking attached and would be reliant on the parking area of the main dwelling, if necessary. Given the nature of this proposal as ancillary accommodation to the existing dwelling the existing access arrangements are considered satisfactory.

It is believed that the annex would not harm any neighbour's residential amenity and therefore complies with DM23.

## **Conclusion**

There have been no comments from neighbours or ward members. Kesgrave Town Council objected to the application on policy grounds.

In accordance with policy DM6, the erection of new ancillary buildings will only be permitted where they are small in scale, well related to the main dwelling and cause no detriment to residential or visual amenity. It is considered the annexe meets these criteria. The annexe is acceptable in terms of its design and impact on residential amenity, therefore the application is considered to comply with policies DM21 and DM23.

Therefore, on balance, the application is recommended for approval, with conditions to limit the use of the annexe and meet the policy criteria of DM6.

### **Recommendation**

The application is recommended for approval with conditions.

### **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;
  - Site plan,
  - Block Plan,
  - Proposed garden annexe floor plan,
  - Proposed garden annexe front elevation,
  - Proposed garden annexe rear elevation,
  - Proposed garden annexe side A elevation,
  - Proposed garden annexe side B elevation,

received 17 March 2020; 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 development hereby permitted annexe shall not be occupied or let as a separate dwelling but shall be used only for purposes incidental to the use of the dwellinghouse to which it relates or for occupation by a relative or parent of the householder or his/her spouse.



Reason: The development is not such that the local planning authority would be prepared to approve as a separate dwellinghouse in its own right.

### **Informatives:**

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

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

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

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

CIL forms can be downloaded direct from the planning portal:

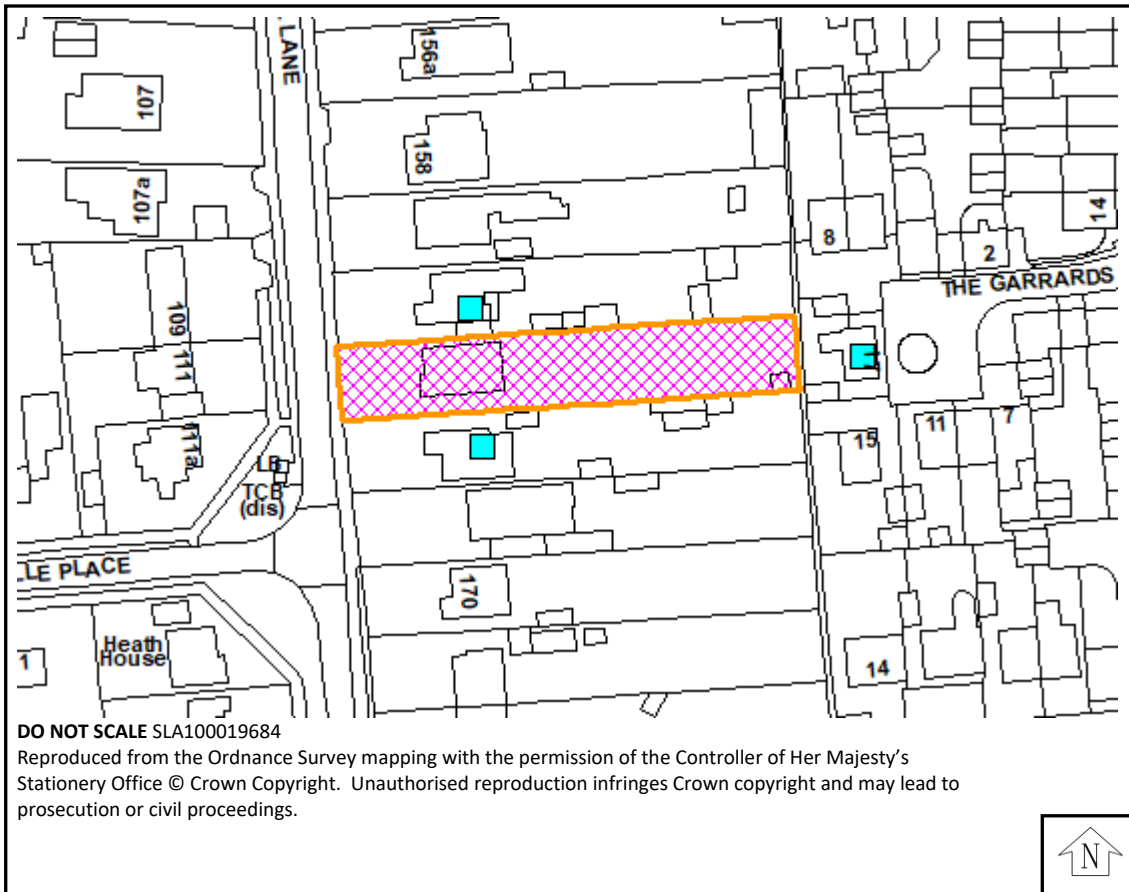
[https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy/5](https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5)

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





### **Background information**

See application reference DC/20/1212/FUL at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q7C515QX07400>

# Map



## Key

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